

[No. 289, S.]

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CHAPTER 139.

AN ACT to fix the amount chargeable for the support and maintenance of insane persons in county asylums and giving right of appeal to circuit courts from orders made by county judges.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Fixing amount chargeable for maintenance of insane persons and giving right of appeal from county court.

SECTION 1. Section 12, of chapter 233, laws of 1881, as amended by chapter 369, laws of 1887, is hereby amended by striking out the last two lines of said section, and in lieu thereof insert the following: "and, provided further, that the amount to be paid when ordered by such county judge shall be a reasonable compensation for such support and maintenance, but in no case to exceed the sum of three dollars per person per week: and any party to any proceeding under this chapter may appeal to the circuit court of the proper county from any order or determination of the county judge in such proceeding, in the manner and according to the provisions of section 4031, of the revised statutes of 1878, so that said section when so amended shall read as follows: Section 12. The property and estate of any insane person kept in any state or county asylum, or kept by any county at public charge under the provisions of this act shall be liable for his support and maintenance, and chargeable for the payment thereof, and upon failure of the person or persons having the charge or custody of such property or estate, to pay therefrom for such support and maintenance, the board of trustees of the hospital or asylum, or the chairman of the board of supervisors of the county furnishing such support, may apply to the county judge of the proper county to compel such payment. In cases arising under the provisions of this section, such county judge shall have the jurisdiction and authority conferred by chapter 63, of the revised statutes, and shall exercise such jurisdiction and authority, in the manner provided by said chapter,

and he may enforce obedience to his orders by proceedings as for a contempt. If any order or orders made by such judge requiring such payment shall not be complied with either of the officers in this section designated to wit, such board of trustees of any hospital or asylum, or the chairman of the board of supervisors of any county, may recover in an action against the person or persons having the charge or custody of such property or estate, brought in the circuit court against him or them in his or their representative character, the amount directed to be paid by such order or orders, and any judgment so recovered may be satisfied out of such property or estate, such court may in its discretion, direct that the costs in said action, if the plaintiff recovers judgment, be paid out of such property or estate or by the person or persons having the charge or custody thereof; provided always, that no charges be made in any case, where, in the discretion of the court, a parent, wife or child is dependent on such property for future support; and provided further, that the amount to be paid when ordered by such county judge shall be a reasonable compensation for such support and maintenance, but in no case to exceed the sum of three dollars per person per week; and any party to any proceeding under this chapter may appeal to the circuit court of the proper county from any order or determination of the county judge in such proceedings, in the manner, and according to the provisions of section 4031, of the revised statutes of 1878.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1889.