

No. 154, A.]

[Published April 21, 1905.]

CHAPTER 94.

AN ACT to authorize the appointment of a board of trustees to govern and manage the county hospital, county farm, almshouse, and department of outdoor relief, and to have the care and support of poor in all counties having a population of 250,000 or over.

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

Election of trustees; qualification; oath; bond; compensation; removal; organization of board. SECTION 1. In all counties in this state now having or which may hereafter have, according to any census theretofore taken, a population of two hundred and fifty thousand or more inhabitants, wherein the county board of supervisors has abolished all distinction between county poor and town poor in such county and has adopted the county system for the care and support of the poor, and wherein there has been or hereafter may be established and maintained at the expense of such county, a hospital for the care of destitute sick persons, not insane, a county poor farm, almshouse and water works, and a department of outdoor relief, the county board of supervisors shall elect by ballot five persons to act as a board of trustees of said county hospital, county poor farm, almshouse and water works and department of out-door relief, no more than three of whom shall be members of the same political party. Such trustees shall be citizens of the United States, residents and electors in the county and they shall hold no other lucrative office or position in the county government. Said county board of supervisors shall before the first day of July, 1905, at a regular or adjourned meeting elect by ballot said five trustees as follows: One for a term of one year; one for a term of two years; one for a term of three years; one for a term of four years; and one for a term of five years. All of said terms to date from the first day of July, 1905. Thereafter, when the term of office of any trustee shall expire, his successor shall be elected by said county board of supervisors for the term of five years and any vacancy occurring shall be filled for the unexpired term by said county board in like manner. Each trustee shall,

before entering upon the duties of his said office, take and subscribe an oath or affirmation to support the constitution of the United States and the constitution of the state of Wisconsin, and faithfully to discharge his duties to the best of his ability, and shall execute to the county his bond in a reasonable sum to be fixed by said county board for the faithful performance of his duties as such trustee, which oath or affirmation and bond shall be filed in the office of the county clerk. The compensation for each such trustee shall be five dollars per day for each day upon which said board shall actually be convened, but in no case shall the aggregate compensation of any trustee exceed twenty-five dollars in any one month. Any such trustee may be removed from office for misconduct or neglect of duty, by an affirmative vote of two-thirds of the members of said county board of supervisors, but before removal, he shall have notice in writing of the charges preferred against him and be given an opportunity to be heard. Such trustees shall be in no wise or in any manner pecuniarily interested either directly or indirectly in any contract or agreement whatever, verbal or written or otherwise with said board of trustees for the purchase of any article or thing whatever required by either of the above named departments of poor in the county; and all contracts and agreements made by said board of trustees in violation of the foregoing prohibition shall be void, and any such trustee who shall be guilty of such violation shall upon conviction thereof, in addition to removal from office, be punished by a fine of not less than five hundred dollars nor more than five thousand dollars, or by imprisonment in the state's prison not less than one year nor more than five years. Such trustees when elected and qualified shall organize by the election of a president, vice-president and secretary; the county board shall provide said board of trustees with suitable quarters for the transaction of its business.

Powers and duties of board; superintendents of poor; county physician. SECTION 2. Said board of trustees when appointed and qualified shall have the same power in all matters relating to the care and support of the poor in such county as is now vested in the county board and shall have the entire management of the county hospital, county farm, almshouse and water works, and the department of out-door relief and the entire management of the support and relief of poor in such county. They shall let all contracts and make all purchases for whatever may be necessary to maintain and, from time to

time improve said institutions and maintain, support and care for the poor in such institutions and shall audit all accounts therefor. They shall appoint biennially three superintendents of the poor, one of whom, who shall be a regularly licensed and registered physician and surgeon in good standing, shall be superintendent of the county hospital and shall reside at and have charge of said county hospital and shall render or provide all necessary medical aid and attendance for the inmates of said county hospital and for the inmates of said almshouse on said county farm in said county; one shall be the superintendent of the county poor farm, almshouse and water works and shall reside on and have charge of said county farm; and one shall be superintendent of out-door relief and shall be stationed at and have charge of the poor office. They shall also at the same time appoint such district county physicians as they may deem necessary to care for all sick poor and shall prescribe such rules and regulations governing the work done and territory to be covered by such district physicians as may be necessary and practicable, and said board of trustees shall have power to make and shall make all necessary rules and regulations for the government and maintenance of said county hospital, county farm, almshouse and water works and shall prescribe rules for the admission and discharge of patients or inmates, and in the department of out-door relief, for assistance to all the poor of the county; and shall have power to fix and from time to time regulate the salaries of such superintendents of poor and of all the other officers and employees in said county hospital, county farm, almshouse and water works, department of out-door relief and of the district physicians which salaries shall be payable monthly out of the treasury of the county, the same as the salaries of other county officers and employees are paid.

Bond of superintendent of poor; powers and duties. SECTION 3. Each such superintendent of poor shall within ten days after written notice of his appointment and before entering upon the duties of his office take and subscribe the oath of office prescribed by the constitution and execute to the county his bond in a reasonable sum to be fixed by the county board, said bond to be approved by said board of trustees which oath and bond shall be filed in the office of the county clerk. Such bond shall be conditioned in substance that he will faithfully and properly perform all the duties of the office of county superintendent of the poor, as well as all of the duties as head

of the department to which he has been appointed, and will pay over, according to law, all moneys that shall come into his hands as such superintendent, and will render a just and true account thereof whenever required by the board of trustees or by any provisions of law, and will deliver over to his successor or any other person authorized by law to receive the same all moneys, books, papers and other things appertaining or belonging to his said office. Each of said superintendents shall have power to appoint and remove all officers and employes in his respective department, subject to the approval of said board of trustees. The said superintendents shall have the general superintendence of the poor in their county, and they may make such rules and regulations for their support and maintenance, not inconsistent with law, as shall be approved by said board of trustees; but they shall at all times be subject to the direction and control of said board of trustees in all things pertaining to the care and support of the poor.

Annual report of board; annual appropriation by county.

SECTION 4. On the first day of October, of each year or within thirty days thereafter, said board of trustees shall file with the county clerk an annual report, together with the reports of the superintendents of said county hospital, county farm, almshouse and water works and department of out-door relief, including an itemized statement of receipts and disbursements for the year ending on the last day of September in each year, and also a classified statement of the same and an estimate of the appropriations needed for the ensuing year, and the county clerk shall at the next meeting of the board lay such reports and statements before said board. The county board of such county shall make sufficient appropriation annually in advance for the support, maintenance, salaries, repairs and improvements of said county hospital, county farm, almshouse and water works and department of out-door relief and district physicians and such appropriation so made shall be used for such purposes and subject to the order of said board of trustees in such manner as their by-laws may provide.

Treasurer. **SECTION 5.** The treasurer of the county shall be ex-officio the treasurer of said county hospital, county farm, almshouse and water works and department of out-door relief and custodian of the funds, and shall keep separate accounts of all moneys, appropriated or otherwise received for

the aforesaid departments of poor and pay the same only upon warrants signed by the president and secretary of said board of trustees.

Conflicting laws repealed. SECTION 6. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 20, 1905.

No. 229, A.]

[Published April 21, 1905.

CHAPTER 95.

AN ACT relating to water power on state lands.

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

Forestry commission to make survey. SECTION 1. The state forestry commission shall make a survey and examination of all streams in and upon the forest reserve and other state lands under its jurisdiction, with a view to ascertain the available water powers of such streams, and shall include the result of such examination in its report, or may, in its discretion, issue a separate bulletin in relation thereto.

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

Approved April 20, 1905.