

ditions, *restrictions or limitations*, \* \* \* *he may issue his warrant remanding such convict to the \* \* \* institution from which he was discharged, \* \* \* who shall thereupon be confined therein \* \* \* until the expiration of his sentence; \* \* \* otherwise he shall be discharged, subject to such conditional pardon.*

SECTION 15. Section 4860 is renumbered to be section 57.12, and amended to read:

57.12 EXECUTION, RETURN, AND RECORD OF WARRANTS. \* \* \* Whenever any convict is pardoned \* \* \* or his punishment commuted, or whenever he shall be remanded to imprisonment for the violation of any of the conditions, *restrictions, or limitations* of his pardon, the officer to whom the warrant for that purpose is issued, after executing the same, shall make return \* \* \* thereon, to the governor as soon as may be; and \* \* \* shall also file with the clerk of the court in which the offender was convicted an attested copy of the warrant and return, \* \* \* *who shall enter and file the same with the records of the case.*

SECTION 16. This act shall take effect upon passage and publication.

Approved July 19, 1919.

No. 147, S.]

[Published July 25, 1919.

## CHAPTER 616.

AN ACT to create a new chapter of the statutes to be numbered chapter 58, relating to private asylums, hospitals and societies; and to transfer into said chapter, consolidate, renumber, amend and revise certain sections of the statutes herein enumerated, all relating to private charitable, curative and reformatory institutions and agencies.

*The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. A new chapter is added to the statutes to be numbered and entitled as follows:

## CHAPTER 58.

### PRIVATE ASYLUMS, HOSPITALS AND SOCIETIES.

SECTION 2. Sections 1785 and 1786 are consolidated and renumbered to be section 58.01 and amended to read:

58.01 PRIVATE INSTITUTIONS FOR ORPHANS, INDIGENTS AND DELINQUENT CHILDREN. (1) \* \* \* Any corporation \* \* \* *organized for the establishment and*

maintenance of any hospital, asylum or other institution for the care, maintenance and education of orphan children, or for the care and relief of sick, \* \* \* infirm, \* \* \* indigent \* \* \* or \* \* \* homeless persons, or for any similar charitable purpose may receive all such persons as shall be lawfully committed thereto or placed therein, and shall have and maintain the custody, care and control of such persons until lawfully discharged. \* \* \*

(2) \* \* \* Any \* \* \* corporation \* \* \* organized for the establishment and maintenance of any industrial school for the keeping and reformation of children lawfully committed to the same may receive any child lawfully committed thereto or placed therein and shall thereafter have and \* \* \* maintain the exclusive custody, care and guardianship of every such child for the term of commitment or until discharged according to law, and any regular commitment, consent or order shall be full \* \* \* authority to all the corporate agents and servants therefor.

(3) \* \* \* Every such corporation may contract with any person, parent, \* \* \* guardian, or \* \* \* municipality responsible therefor, for the maintenance, care and education of every such \* \* \* inmate, or recover a reasonable price therefor, if no contract be made, not exceeding \* \* \* the amount fixed by its by-laws \* \* \* or regulations.

(4) \* \* \* Every such corporation shall cause all such children, \* \* \* and all other persons if so required by contract or by the terms of the commitment, to be instructed in such branches of useful knowledge as may be suited to their respective years and capacities; and \* \* \* all female inmates shall especially be taught domestic avocations, sewing, mending, knitting and housekeeping in all its departments, besides the common branches of education.

(5) Any clergyman of good standing shall be granted reasonable facilities, at proper times and places, freely to administer and impart moral and religious instruction, according to the usages of his church or denomination to every inmate \* \* \* of such \* \* \* institution belonging to such church or denomination, or who shall desire him so to do.

(6) The \* \* \* officers designated therefor by the by-laws of such corporation may \* \* \* at any time discharge any adult inmate when, in their discretion, it is for his interest or the interest of the corporation, or any such child when in their judgment it \* \* \* is for his best interest; or may at any time return or bring any such child to the juvenile or county

*court for disposition as provided by law, or may give away for adoption or bind out as an apprentice or servant, any such child during its minority; and the provisions of chapter 110 shall apply to such minors so bound, the officers binding him and the person to whom bound.*

SECTION 3. Sections 1786b and 1786c are consolidated and renumbered to be section 58.02, and amended to read:

58.02 HOME FINDING CORPORATIONS. (1) \* \* \* Any corporation organized \* \* \* for the purpose of seeking out *and* receiving \* \* \* orphans or homeless, abandoned, neglected or grossly illtreated children *and of procuring homes in families for them* may receive into its charge and under its control \* \* \* any *neglected or dependent* child, \* \* \* as defined in section 48.01, or any child \* \* \* assigned to its care and custody by an instrument in writing, \* \* \* executed by its parent or some person standing in place of such parent. \* \* \*

(2) \* \* \* Every such corporation \* \* \* is hereby constituted the legal guardian of all children committed to or received by it; \* \* \* may consent \* \* \* to the adoption of any such child by any person in the same manner and with the same force and effect as such consent could be given by \* \* \* its parent \* \* \* ; *and* may enter into a written contract with any person who shall take or receive any such child otherwise than by adoption, \* \* \* which contract shall provide for the proper care, education and maintenance of such child during \* \* \* its minority and specify the amount to be paid to \* \* \* it at the expiration of the \* \* \* contract; \* \* \* but such contract shall not contain any provision of a sectarian or partisan nature regarding \* \* \* the care, custody or education of the child.

(3) Subsections (3) and (4) of section 48.20 shall apply to every such corporation.

(4) \* \* \* Such corporation shall not in \* \* \* any case charge or receive from the person adopting any child any compensation therefore except the actual expense of taking such child to the home of such person and a reasonable fee for preparing and furnishing \* \* \* the papers and documents \* \* \* necessary to secure the legal adoption of such child; and in no case shall any \* \* \* person \* \* \* adopting any such child receive from such corporation any compensation for the care, clothing or medical attendance of such child if \* \* \* it shall be returned to \* \* \* the corporation.

(5) \* \* \* Such corporation \* \* \* shall keep and

maintain \* \* \* careful supervision of all children \* \* \* placed in homes as aforesaid, and require of \* \* \* every person who takes any such child, \* \* \* otherwise than by legal adoption a full report of \* \* \* its condition and welfare, \* \* \* at least once a year; and \* \* \* the corporate officers and agents may, as often as they deem necessary, visit all such persons and families and \* \* \* investigate \* \* \* the condition and welfare of any child taken by adoption or otherwise. \* \* \* Whenever such corporation shall become satisfied that any such child is subjected to vicious or harmful influences or \* \* \* seriously \* \* \* lacks wise and considerate care and attention, \* \* \* it may require the return of such child to its care and custody at its principal office at the expense of the person required to return the same.

SECTION 4. Sections 1786d and subsections (1), (2) and (3) of section 1786d—1 are consolidated and renumbered to be section 58.03, and amended to read:

58.03 LICENSE OF HOME-FINDING AGENCIES.

\* \* \* (1) \* \* \* No individual \* \* \* other than the parent or legal guardian of the child, and no agency, association or corporation \* \* \* shall, until \* \* \* duly constituted legal guardian \* \* \* and duly \* \* \* licensed therefor as hereinafter provided, \* \* \* place in any family with or without contract or give away by adoption any neglected or dependent child \* \* \* as defined in section 48.01.  
\* \* \*

(2) \* \* \* Upon application by any individual, agency, association or corporation, to the state board of control and upon satisfactory proof made to said board that the applicant \* \* \* is in all respects qualified to engage in the work of finding homes for children, giving them away by adoption, or placing them in families with or without contract during their minority, \* \* \* said board may, upon payment of a fee of five dollars therefor, issue to said applicant an annual license to engage in said business. \* \* \* Each such license shall bear date the first Tuesday of June \* \* \* and shall be in force for one year next thereafter, but shall not be transferable and may be revoked by said board at any time upon thirty days' notice to the \* \* \* licensee \* \* \* and due hearing, \* \* \* when in the opinion of said board the \* \* \* licensee is not in all respects qualified to \* \* \* continue \* \* \* in said business.

(3) \* \* \* Every such \* \* \* licensee shall report to \* \* \* said board \* \* \* whenever required such facts

with reference to all children committed to \* \* \* *his* care and custody \* \* \* upon such blanks as it may prescribe; and \* \* \* *the* board may investigate the home in which any such child \* \* \* *is* placed. \* \* \* *If the* board shall at any time determine that any such child is placed in an improper home, or is subjected to vicious and harmful influence, or is not properly cared for, \* \* \* *it* may order \* \* \* *the licensee* to transfer \* \* \* *the* child to a proper home, and if such transfer \* \* \* *is* not \* \* \* made within thirty days *next thereafter* \* \* \* *the* board may take charge of \* \* \* and make suitable provision \* \* \* *for the child.*

SECTION 5. Sections 1542a, 1542b, 1542c, 1542d, 1542e and 1542g are consolidated and renumbered to be section 58.04, and amended to read:

58.04 MATERNITY HOMES AND BABY-FARMS; LICENSE, INSPECTION AND REPORTS. (1) \* \* \* *Every* \* \* \* *individual, firm, association* or corporation, \* \* \* *owning, keeping, conducting* or managing any institution or home for the boarding or sheltering of infant children, \* \* \* or so-called "baby-farm," \* \* \* or any lying-in hospital, hospital ward, maternity home or other place for the reception, care and treatment of pregnant women, \* \* \* shall obtain \* \* \* *an annual* license \* \* \* which shall be issued by the state board of health without fee, shall not be transferable to other persons or other premises, \* \* \* and shall expire on the thirty-first day of December next following the issuance; \* \* \* but said board may revoke any such license for reasonable \* \* \* cause. The application for such license shall state the name and address of the licensee, the \* \* \* *specific location* of the building used, and the number of inmates which may be boarded there at one time, and shall be approved by the local health officer. No greater number of inmates shall be housed at one time in the building than is authorized by the license, and no pregnant woman or infant shall be kept in a building or place not designated in the license. A record of licenses issued shall be kept by the state board of health. \* \* \*

(2) *Whenever any such license is issued, the board shall forthwith give notice of the granting and terms thereof to* \* \* \* the local \* \* \* health officer, \* \* \* *who* shall keep informed of the nature and reputation of every such institution in \* \* \* *his* jurisdiction, and \* \* \* shall visit and inspect the same from time to time, and for such purposes shall

*at all reasonable hours be given free and unrestricted access to such institution.*

(3) \* \* \* *Every such licensee shall report to the local \* \* \* health officer, \* \* \* within twenty-four hours next after it occurs: the birth of any child, including stillborn or prematurely born children, \* \* \* at such institution; \* \* \* the arrival of any child, \* \* \* stating the name, sex, age and color, and from whom received; and \* \* \* the removal of any child, stating \* \* \* its name, \* \* \* age, and the disposition made of it.*

SECTION 6. Section 1542f and subsection 4 of section 1786d—1 are consolidated and renumbered to be section 4586m and amended to read:

**MATERNITY HOMES AND HOME-FINDING AGENCIES.**

Section 4586m. \* \* \* Any person or persons, agency, association or corporation found guilty of violating any of the provisions of \* \* \* sections 58.03 or 58.04, regulating maternity homes, baby-farms, and home-finding agencies, shall be punished by a fine of not less than ten nor more than five hundred dollars, or by imprisonment in the county jail or house of correction not more than one year, and said term of imprisonment in case of a corporation, may be imposed upon the officers of said corporation, who are responsible for said violation.

SECTION 7. Section 1786a is renumbered to be section 58.05 and amended to read:

58.05 PRIVATE INSTITUTIONS FOR THE INSANE AND FEEBLE-MINDED. (1) \* \* \* *The articles of organization of any corporation organized under \* \* \* the laws of this state for the establishment and maintenance of any hospital, asylum or other institution for the care, treatment or relief of insane or feeble-minded persons, or both, \* \* \* may contain provisions authorizing it to receive general, \* \* \* special, permanent or temporary endowments and to secure the repayment of the same in accordance with the terms and conditions upon which they may be made by a mortgage upon its real or personal property, or both, or otherwise, in the manner in such articles provided.*

(2) Any insane or feeble-minded person may, upon the written request of his guardian, be committed to any such hospital, asylum or institution in the manner insane persons are committed to the state hospitals for the insane; \* \* \* *but the county in which such person resides shall be liable for his support, maintenance and treatment only when he has been committed upon the request of the county board thereof, \* \* \* and such hospital,*

asylum or institution shall not be required to keep, care for or treat any insane or feeble-minded person longer than his guardian or friends or the county from which he shall have been committed shall defray the expenses of his care and treatment. \* \* \*

Any \* \* \* person may voluntarily place himself in such hospital, asylum or institution for care and treatment.

(3) \* \* \* If at any time complaint \* \* \* is made to the state board of control that any person is improperly confined \* \* \* *in any such hospital, asylum, or institution, the board shall examine into \* \* \* the case in such manner as \* \* \* it deems best; and if it shall appear to \* \* \* the board that such person is improperly confined it shall \* \* \* order \* \* \* his immediate release, and thereupon such person shall be released. The corporation owning or maintaining any such hospital, asylum or institution shall not, nor shall any officer or employe thereof, be liable for the detention of any person duly committed or detained at the request of his guardian or friends or of \* \* \* any county board \* \* \* unless such person shall have been detained after \* \* \* the state board of control shall have \* \* \* ordered his release or after a court or judge shall have directed his discharge; and such liability shall exist only for such detention as shall have occurred after the service of a copy of the order of such board, court or judge upon the superintendent or other officer in charge of such hospital, asylum or institution.*

(4) Any letter, communication or complaint addressed to such board or to any member thereof by any inmate, employe or subordinate officer in any such hospital, asylum or institution shall be forthwith forwarded as addressed without interference therewith, \* \* \* breaking of the seal or \* \* \* reading thereof by an officer or employe therein. \* \* \*

(5) Every such corporation shall, on or before the first day of each \* \* \* *July* make a report to the state board of control for the preceding year, which shall be in form and substance as required by said \* \* \* board and be verified by the president of such corporation or the superintendent or other officer having charge of such hospital, asylum or institution.

(6) Every *such* corporation that shall receive nonresident patients into such hospital, asylum or institution for care, treatment or relief shall execute to this state and file in the office of the secretary of state a bond in such sum and with such surety or sureties as the governor shall *determine and* approve, conditioned to indemnify the state and every \* \* \* *municipality* therein against expense in case any such patient shall become a

pauper in this state. When any nonresident patient shall have been discharged \* \* \* *from* such hospital, asylum or institution and shall leave this state all liability of such corporation upon its bond on account of such patient shall thereupon cease.

SECTION 8. The last two sentences of subsection 10 of section 1957 are renumbered to be section 58.06, and amended to read:

58.06 PRIVATE TUBERCULOSIS SANATORIUMS.  
\* \* \* *Any* \* \* \* fraternal or mutual benefit society organized \* \* \* for the *sole purpose* of providing \* \* \* disability benefits in cases of tuberculosis may \* \* \* purchase or lease the necessary lands and buildings for the operation of a tuberculosis sanatorium or sanatoria for the benefit of its members. *Whenever the sanatorium facilities are not all needed for the treatment of members*, nonmembers of the society may be admitted to *any* such sanatorium \* \* \* upon payment of at least the cost of maintenance and treatment, \* \* \* *which* payments \* \* \* shall be placed in the funds of the society.

SECTION 9. Sections 1636k and 1636o are consolidated and renumbered to be section 58.07, and amended to read:

58.07 HUMANE SOCIETIES. (1) *The superintendent or other chief officer of any humane society, upon approval of his appointment by the governor, is vested with the powers of a police officer and constable, and may exercise the same throughout the state.*

(2) \* \* \* *Any agent of \* \* \* any such society, \* \* \* appointed for the purpose of aiding \* \* \* in the enforcement of the laws for the prevention or punishment of cruelty to animals, children, women, aged or dependent people or criminals \* \* \* in any municipality, and whose appointment as such shall \* \* \* have been approved by the governor, \* \* \* is vested for that purpose with the powers of a police officer and constable in such municipality.* \* \* \*

(3) *The authority of any such superintendent or agent shall be evidenced by the governor's certificate of approval; and all police officials shall co-operate with him in the exercise of his functions.*

(4) \* \* \* *Such superintendent or agent shall not be entitled to any compensation for his services, except as provided in subsection (5); \* \* \* but shall be paid witness fees \* \* \* and mileage and expenses for the transfer of any child committed to the state industrial \* \* \* schools or the state public school \* \* \* at the \* \* \* rate \* \* \* and*



\* \* \* in the manner \* \* \* other officers are paid in like service. \* \* \*

(5) \* \* \* Any county, city, or village may appropriate for the maintenance and support of such societies in the prosecution *within their respective boundaries* of the work for which \* \* \* they are organized any sum of money \* \* \* deemed needful; \* \* \* but the aggregate of all such appropriations in any county shall not exceed twelve hundred dollars in any one year. \* \* \* Each county \* \* \* may, in addition thereto, appropriate and pay to one authorized and active agent of any such society such salary as the county board may fix.

SECTION 10. Chapters 214<sup>a</sup> and 215 supplement to private and local laws of 1862; 184 laws of 1863; 37 laws of 1871; 123, 124, 125, and 162, laws of 1874; 158, 160, 161, 212, 213, 214, and 215 laws of 1875; 321, 322, 324, 326, 327, 349, 350, 351 and 352 laws of 1876; 209 laws of 1877; 246 laws of 1878; 442 laws of 1901; 357 laws of 1905; 511 laws of 1907; 158 and 234 laws of 1909; 32, 210, and 216 laws of 1911; and 639 laws of 1913 are repealed.

SECTION 11. Chapters 96 laws of 1870; 109 laws of 1872; 31 laws of 1874; 278 laws of 1877; 8 laws of 1882; 27 laws of 1883; 51 laws of 1885; 114 laws of 1887; 91 laws of 1889; 219 laws of 1891; 25 laws of 1893; 53 laws of 1895; 16 and 65 laws of 1897; 138 laws of 1899; 16, 63, 222, 324, and 403 laws of 1901; 17, 65, 111 and 136 laws of 1903; 37 and 361 laws of 1905; 16 and 507 laws of 1907; 262, 410, and 442 laws of 1909; 8 and 357 laws of 1911; 356 and 689 laws of 1913; 147 laws of 1917, are repealed.

SECTION 12. This act shall take effect upon passage and publication.

Approved July 19, 1919.

No. 564, S.]

[Published July 25, 1919.

## CHAPTER 617.

AN ACT to amend section 1, chapter 96, of the laws of 1919, relating to detaching certain territory from the counties of Shawano and Oconto, and attaching the same to Brown county.

*The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 1 of chapter 96 of the laws of 1919, is amended to read: (Chapter 96, laws of 1919) (1) The northeast quarter of section one, township twenty-five, range eighteen east, and the southeast quarter of section thirty-six, township twenty-six, range eighteen east is detached from Shawano county and