

state training school shall have the authority to transfer to the care and guardianship of the board of control of the state public school any inmate of the said training school whose best interests, in the judgment of the board of managers of the state training school, would be subserved by the transfer to the care and guardianship of the state public school; providing that the board of control of the state public school shall consent to receive him; and the said inmate so transferred shall be in all respects subject to the rules, regulations and discipline of the state public school.

SEC. 15. That the grounds and buildings erected thereon for the use of said training school shall be exempt from taxation.

Taxation—exemption.

SEC. 16. That no person or persons, corporation or body politic shall be permitted to open, lay out or construct any road or highway, either private or public, under any pretense whatever, upon or through any ground owned or occupied by said school without the consent of the board of managers thereof.

Roads and highway.

SEC. 17. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 18. This act shall take effect and be in force from and after its passage.

Approved April 1st, 1895.

CHAPTER 154.

H. F. No. 310.

An act to provide for and regulate the employment of prisoners confined in the state prison and the state reformatory, and to repeal chapter two hundred and fifty-five (255) of the general laws of eighteen hundred and eighty-nine (1889).

Be it enacted by the Legislature of the state of Minnesota:

SECTION 1. It shall be the duty of the court in which any person shall be convicted of any offense punishable by confinement in the state prison, or the state reformatory, before passing the sentence, to ascertain by the examination of such convict on oath, and in addition to such oath, by such other evidence as can be obtained, the business, if any, in which such convict had been engaged prior to such arrest and conviction; whether such convict had learned and practiced any mechanical trade, and if so, the nature of such trade and length of time the same has been followed, and the clerk of the court shall enter the facts as ascertained and decided

Trade of state prisoners.

How to be employed.

by the court on the minutes thereof, and shall deliver a certificate fully stating the facts so ascertained, to the sheriff of the county, or other proper officer, who shall cause the same to be delivered to the warden, superintendent or other chief officer, at the same time that such convict is committed to the care of said warden, superintendent or other chief officer of such institution pursuant to his sentence.

Classification of prisoners.

SEC. 2. Every person convicted of crime and committed to the state prison or state reformatory shall be regularly employed at and be compelled to perform a reasonable amount of hard labor in some industrial employment; and no person so committed as aforesaid, shall be exempt from such labor and employment, unless on account of incapacitating sickness or other disability rendering it impossible that such labor be performed.

All such prisoners shall be taught some trade or handicraft.

No contract labor.

SEC. 3. In providing for and regulating the labor of such prisoners, the warden, superintendent or other chief officer, shall in classifying and apportioning the prisoners to the work, in all cases have in view as well the education and reformation of the individual prisoner as the pecuniary welfare of the state and shall under such rules and regulations as shall have been prescribed by the board of managers of the institution in which the prisoner is confined, have authority to change any prisoner from one class of employment to another, as may seem proper and expedient.

SEC. 4. No contracts for the leasing of the labor of prisoners confined in the state prison, or state reformatory, at a certain rate per diem giving the contractor full control of the labor of the prisoners, shall hereafter be made, but such prisoners shall be employed by the warden, superintendent, or other chief officer having charge thereof, under rules and regulations to be established by the board of managers or other governing board of said institutions, in such industries as shall from time to time be fixed upon by said warden, superintendent, or other chief officer having charge thereof and the board of managers or other governing board of said institution.

Or in the manufacture of articles by the piece under what is known as the "piece price system" by contracts with persons who furnish the materials used in such manufacture.

Instructors.

The warden, superintendent or other chief officer, under the direction of the board of managers or other governing board, shall purchase such tools and imple-

ments and machines as he and they shall consider necessary for carrying on said industries.

SEC. 5. The warden, superintendent, or other chief officer thereof may employ such number of persons as he and the board of managers, or other governing board shall consider necessary to superintend and instruct such prisoners in said industries.

Such superintendents and instructors shall have the same authority in relation to the prisoners which is possessed by the subordinate officers of said institution. The compensation of said superintendents and instructors shall be fixed by the warden, superintendent, or chief officer thereof, with the approval of the board of managers, or other governing board of said institution.

SEC. 6. The bills for tools, implements and machines and materials purchased, together with the salaries of persons employed under this act in the state institution coming under the provisions of this act, shall be paid monthly from the treasury of the state upon schedules prepared and sworn to by the warden, superintendent or other chief officer, and approved by the board of managers in writing.

Tools and implements.

The schedule of bills shall be divided into three (3) parts or classes:

First—Schedule of bills for materials.

Second—Schedule of bills for salaries.

Third—Schedule of bills for tools, implements and machines; And each schedule shall be separate from the schedule of bills incurred for the maintenance of the institution.

All such schedules shall be filed in the office of the state treasury.

SEC. 7. The tools, implements, machines and materials needed for use in manufacturing in any institution coming under the provisions of this act, shall be purchased by the chief officer thereof, under the supervision of the board of managers or other governing board of said institutions, after estimates or requisitions in such form as said board shall from time to time require, and shall have been approved by them. Such manufactured goods as shall be produced under the state account system in any institution coming under the provisions of this act, shall be sold by the principal officer thereof, under such approval of said board of managers, or other governing board as it shall from time to time require.

Purchasing tools.

The warden, superintendent or other chief officer of any institution coming under the provision of this act, is authorized to appoint agents who shall in its behalf, under such rules and regulations as the board of man-

Selling manufactured goods

agers or other governing board shall from time to time establish, sell the manufactured goods as aforesaid.

The appointment of every such agent shall be subject to the approval of the board of managers or other governing board of said institution, but such agent may be removed at any time without such approval, by the officer who appointed him.

The compensation of every such agent shall be fixed from time to time by the officer who appointed him, with the approval of the board of managers, or other governing board of said institution.

Number employed in any one industry.

SEC. 8. The number of prisoners employed in a single industry at the same time in any institution, coming under the provisions of this act, shall not exceed ten (10) per cent of the total number of persons engaged in such industry in this state unless a greater number is necessary to produce materials or articles to be supplied to state and other municipal institutions, penal or charitable; *provided*, however, that this section shall not apply to the number of prisoners employed in the manufacture of binding twine at the state prison at Stillwater.

The number of persons employed in any such industry in the state to be determined by a commission of three (3) of which the labor commissioner of the state shall be chairman, one to be a member of the board of prison managers and one to be a citizen of this state engaged or interested in some manufacturing industry not connected with the state prison or state reformatory, both of whom shall be appointed by the governor.

Warden may sue and be sued.

SEC. 9. The warden, superintendent or other chief officer of any institution coming under the provisions of this act, or their successors, may sue upon any sale, or be sued upon any purchase made by him under the provisions of this act.

No such suit shall abate by reason of said office becoming vacant, but any successor pending such suit shall take upon himself the prosecution or defense thereof; and upon motion of adverse party and notice he shall be required to do so.

The attorney general shall conduct and defend all litigation in which state institutions are interested.

State institutions to be supplied with prison goods.

SEC. 10. The boards of managers of the various state institutions coming under the provisions of this act, shall, as far as may be, have manufactured in the various institutions which they control, such articles as are in common use in the several state institutions, whether penal or otherwise.

They shall from time to time notify the officers of such institutions, having charge of the purchase of supplies,

of such goods as they manufacture, and said officers shall, as far as may be, purchase such of said articles as are necessary to the maintenance of the institution they may represent.

It being the intention of this act that such articles as may be manufactured under the provisions hereof, shall be mutually exchanged between or sold to the various penal and charitable institutions of the state and the several counties or other municipalities thereof; *provided*, that nothing herein contained shall be construed to prohibit the sale of any article manufactured in any institution governed by the provisions of this act, in any market that can be found.

SEC. 11. The warden, superintendent and chief officer of the various institutions, coming under the provisions of this act, shall make an annual report in December to the state board of corrections and charities, in which they shall state what industries have been carried on in said prison, reformatory or penal institution during the interval, the number of prisoners employed in each, giving the highest and lowest number at any one time, the kind and quantity of goods manufactured, the amount thereof sold, to whom sales were made, and the prices received therefor.

Report of
warden.

SEC. 12. It shall be the duty of the warden, superintendent, and the chief officer of the various institutions coming under the provisions of this act to establish and maintain in their respective institutions, such industries as shall be fixed upon as provided by this act.

SEC. 13. Any existing contracts for the labor of prisoners confined in the state prison, or state reformatory, which by the terms thereof may be terminated by the warden, superintendent, or other chief officer thereof, or by the board of managers, or other governing board of said institutions, upon notice, shall be so terminated by the warden, superintendent, or chief officer thereof, or the board of managers or other governing board of said institution by giving, within ninety (90) days after the passage of this act, the notice provided for in such contracts, or as soon afterwards as the terms of the contract will allow; *provided* such contracts shall not be terminated in such a manner as to make the state, liable for damages on account thereof.

Terminating
existing con-
tracts.

SEC. 14. No member of the board of managers of any institution, shall be the warden, superintendent, or other chief officer thereof, or concerned in any manner in the business thereof, or hold any other appointment or place connected therewith; and no member of the board of managers, or any other officer or employe of any such institution, shall be interested directly or indirectly in

Members of
board not to be
warden, &c.

any purchase or sale made for or on account of said institution.

Drinkers not employed.

SEC. 15. No person shall be appointed as an officer or employe of any such institution who is in the habit of using intoxicating liquors, and a single act of intoxication shall justify a removal or discharge.

Prohibited compensation.

SEC. 16. No officer shall receive directly or indirectly any other compensation for his services than that prescribed by law, nor shall he receive any compensation whatever, directly or indirectly, for any act or service which he may do or perform in or about the labor of any such institution, or for the construction of buildings or furnishing supplies therefor.

Nor shall any officer or employe of any such institution receive any gift from a prisoner therein or any money or other consideration for any service rendered or to be rendered for any prisoner. For every violation of this section the party engaged therein shall be discharged from office and disqualified thereafter from holding any office in such institution.

SEC. 17. Chapter two hundred and fifty-five (255), of the general laws of eighteen hundred and eighty-nine (1889), and all acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 18. This act shall take effect and be in force from and after its passage.

Approved April 12th, 1895.

S. F. No 346.

CHAPTER 155.

Inebriates.

An act to provide for the examination and commitment of inebriates to the special department for the treatment of inebriates in the Rochester state hospital.

Be it enacted by the Legislature of the State of Minnesota:

To be committed to Rochester state hospital.

SECTION 1. A person who is or who may hereafter become an inebriate needing medical treatment for such inebriety, and who is now or hereafter may be placed under guardianship as an inebriate, may be committed to the special department for the treatment of inebriates at the Rochester state hospital as hereinafter provided.

Petition and examination.

SEC. 2. Whenever the guardian, relative or friend of any inebriate shall present to the probate court of the county wherein such inebriate resides, a petition showing that such person is a proper subject for medical treatment on account of excessive drinking, the court shall