

sentence or pay such fine, upon complying with the provisions of Section 1 of this act, shall have all their civil rights restored as therein provided.

Approved April 7, 1913.

CHAPTER 188—S. F. No. 356.

An Act to enable any county which now has or may hereafter have a population of over 150,000 and less than 225,000 inhabitants, to acquire, establish and maintain a work or correction farm for the confinement and care of criminal offenders, either independently or in co-operation with any city of the first or second class in said county, and to adopt proper rules and regulations for the paroling of such prisoners.

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

Section 1. Correction farm for certain counties.—That the Board of County Commissioners of any county in this state which now has or may hereafter have a population of over 150,000 and less than 225,000 inhabitants, shall have the power to acquire land for and establish and maintain thereon, a work or correction farm for the confinement and care thereon of any and all persons convicted of any violation of the laws of this state or of any city or village ordinance, who could be sentenced as punishment therefor to any jail or lockup in such county.

That any such county may acquire the land for and establish and maintain such farm thereon either by itself alone or acting in co-operation with any city of the first or second class located in such county when such city shall have the power under its charter to acquire land for and establish and maintain such work or correction farm.

Sec. 2. Commission to be appointed.—That upon the decision of any such city and county by resolution duly adopted by the council and the county board of such city and county to acquire the land for and establish and maintain such work or correction farm the chairman of the county board of said county and the council of any such city shall appoint a commission consisting of five members, three of whom shall be appointed by the chairman of said county board and two by the council of any such city.

That upon the decision of any such county by resolution duly adopted by its county board to acquire the land for and establish and maintain such work farm, without the co-operation of any such city, the chairman of the county board of said county shall appoint a commission consisting of three (3) members.

The members of any commission appointed under the terms of this Act shall be chosen with reference to their special fitness for such office, and their appointment before becoming effective shall be approved by the majority of the judges of the District Court of the judicial district in which said county is located, if there be three or more judges of said court, otherwise by one of said judges.

This commission shall be known as the "Board of Work Farm Commissioners," when said farm shall be established and maintained by such county alone; and shall be known as the "Joint Board of County and City Work Farm Commissioners," when said farm shall be established and maintained by such county and city jointly.

The members of said commission shall serve without compensation or financial benefit, but they shall be entitled to reimbursement for all actual expenses in connection with their official duties, an itemized and verified statement of which expenses shall be filed with and approved by said Board.

Said Board shall be provided with a suitable office in the court house at the county seat.

The terms of each of the members of the first "Board of Work Farm Commissioners" shall expire on the first Monday in January in the first, second and third years, respectively, after their appointment. Upon the expiration of such terms, their successors shall be appointed in like manner for terms of three years each.

The terms of the members of the first "Joint Board of County and City Work Farm Commissioners" shall expire as follows: two on the first Monday in January of the first year, one of whom shall be appointed by the council of said city; two on the first Monday in January of the second year, one of whom shall be appointed by the council of said city; and one on the first Monday in January of the third year after their appointment. Upon expiration of such terms, their successors shall be appointed in like manner for terms of three years each.

All vacancies on said commission shall be filled by like appointment for the unexpired terms.

Upon the appointment of the first board, and annually thereafter, on the first Monday in January, the board shall elect from its number a president and a vice president, to serve for one year, and until their successors qualify. The members of said commission shall qualify by subscribing to and taking the usual oath of office and shall hold office as indicated above, or until their successors are appointed and have qualified.

Sec. 3. Commission to have full charge and control of farm.—Said "Board of Work Farm Commissioners" or "Joint Board of County and City Work Farm Commissioners," shall have full charge and control of said work farm, and the erection of all

buildings and the making of all improvements thereon. It shall appoint and employ a superintendent and other necessary help, and shall prescribe their duties and fix their compensation. The superintendent of said work farm shall be the secretary of said commission, and before his appointment shall become effective, it shall be approved by a majority of the judges of said district court.

Sec. 4. Commission to have right of eminent domain.—The Board of County Commissioners of any such county as shall decide to acquire the land for and establish such work farm under the provisions of this law, shall have the power to acquire by purchase or condemnation a tract of land of not more than 1,000 acres, which land said county may acquire and hold in its own name, or jointly with any such city as shall decide to co-operate with any such county in the purchase of said land and the establishment of such farm, and as such shall furnish and pay one-half of the cost thereof. That said county may singly, or in co-operation with such city, through the commission herein provided for, improve such farm by the erection of fences and suitable buildings thereon, and in such other ways as may be found necessary by it in order to accomplish the purpose for which said farm shall be established, and all such improvements when made by such county and city acting jointly through such commission shall be the joint property of such county and city.

The superintendent of said work farm shall cause all prisoners confined thereon to be employed at hard labor, as far as practicable, either upon the said farm or elsewhere in said county, in order to enable said prisoners to be engaged in productive employment and to be self-supporting.

Sec. 5. Commission to adopt rules and regulations for discipline, parole, etc.—Said commissioners shall adopt such rules and regulations and enforce such discipline for the management and operation of said work farm as may be deemed necessary. Said commissioners shall have power to establish and adopt rules and regulations under which, and specify the conditions on which, any prisoner committed to such work farm may be allowed to go upon parole outside the limits of said work farm, but to remain while on parole in the legal custody and under the control of such commissioners, and subject, at all times to have said parole terminated, and to be taken back under the same conditions as when originally committed. The written order of said commission, signed by its president or vice president and attested by its secretary, shall be sufficient authority and warrant for any sheriff, police officer or constable of this state to execute such order, and arrest and return to the custody of said commission or the superintendent of said work farm, any prisoner that may have been released under parole by said commission, and it is hereby made the duty of any such sheriff,

constable or police officer to execute any such order of said commission in the same manner as any other criminal process of this state is executed. Said commissioners may place any such prisoner who may be released on parole, under the care and supervision of any state, county or city officer having probation or parole duties and powers under the law, and such parole officer is hereby given full power and authority, and it is hereby made his duty, to execute the orders of said commissioners with reference to carrying into effect such parole regulations the same as any sheriff or other peace officer might do.

The rules and regulations and the general plan for paroling prisoners adopted by said commissioners shall not become effective until the same shall have been approved by a majority of the judges of the district court of the judicial district in which said county may be situated.

Sec. 6. Commission may furnish aid to family of inmate.—That the said commissioners in charge of any such work farm, may establish and adopt proper rules and regulations for furnishing and may furnish aid weekly, or less often if they so decide, to the wife or to the family of any prisoner confined in such work farm or to the guardian or other person or association in control of and responsible for the care and support of any dependent child or children of said prisoner, which aid shall be furnished by written order for house rent, fuel, groceries and other necessaries, but such aid to any such wife or family shall not exceed the sum of fifty cents for each day's labor performed by said prisoner on said farm or elsewhere in said county for which no order has been previously issued. Provided, however, that any person receiving such aid shall be a resident of the county in which such work is situated, at the time of commitment and the receipt of such aid.

That upon the certificate of the person designated in said order to whom said necessaries shall be delivered, that said necessaries were received by said person, and on the filing of a duly itemized and verified claim against said commission for the reasonable price and value of said necessaries, said claim shall be a charge against any fund available for the maintenance of said work farm and shall be paid by said commissioners.

Sec. 7. Cost to be defrayed by county, or counties, or city, or cities, or county and city, or all.—That when any such county shall by itself alone establish and maintain any such work farm, such county shall bear the total cost of acquiring the land for and establishing and maintaining such farm. That when any such county and city shall jointly acquire the land for and establish and maintain such work farm, said county and city shall in the first instance, bear and pay equally the cost of acquiring the land for and establishing and maintaining such farm. That when any other city, or any village or town within said county,

shall send any prisoners to said farm for imprisonment, said city, village or town, shall pay to said county, to be credited to the work farm fund hereinafter provided for, such sum per prisoner per diem as it may cost said commissioners for the average maintenance per prisoner of all the prisoners therein. Such cost per diem shall be determined by the said commissioners from the records of said work farm at the annual meeting of the said commissioners in January of each year and shall be based on the actual cost records of receipts, disbursements and other data for the preceding year. Such expense shall not include the cost of the premises or structures of any permanent improvements or repairs thereon. Until the end of the first year after the occupancy and operation of said work farm the per diem charge for such prisoners, other than those who have violated a state law, shall be forty cents, and the cities, villages and towns furnishing such prisoners shall settle monthly with said commissioners upon such basis. It shall be the duty of said commissioners to cause monthly bills to be rendered therefor to said municipalities.

Sec. 8. Appropriation for cost and maintenance—tax levy.—Any such county wishing and deciding to provide a work farm by itself alone as indicated in Section Two of this Act, may through its county commissioners appropriate the first year not to exceed the sum of \$35,000.00 for the purchase of the land and establishment and equipment of the same, or not to exceed the sum of \$20,000.00 if it shall decide to provide such work farm in co-operation with any such city, as herein provided.

Such work farm commissioners shall determine by resolution each year, prior to July first, the amount of money necessary for the equipment and maintenance of the work farm the following year, over and above the probable receipts for the account of said work farm fund from all sources other than taxes, and a certified copy of such resolution shall be forthwith forwarded to the county board, if such work farm be established and maintained by such county alone, and such board shall at its regular meeting in July include such amount in its annual levy of county taxes for the ensuing year, unless after due hearing such amount be determined to be excessive and unnecessary, in which event such amount may be reduced accordingly by the board.

That in case such work farm be established and maintained by any such county and city jointly, certified copies of such resolution determining the said amount necessary for the equipment and maintenance of said work farm for the following year, shall be forthwith forwarded to the county board of such county and to the city council of such city, and such board shall at its regular meeting in July, and said city council shall at some meeting prior to October tenth, include the proper share of said county and city in their annual levies of county and city taxes,

respectively, unless such amounts shall be reduced by said county board and city council in the manner hereinbefore provided, to amounts that shall be deemed reasonable and necessary by said county board and said city council.

But in no case shall the amount of such levy in any one year after the first year exceed the sum of one-tenth (1-10) of one mill on the dollar of the assessed valuation of property in said county, when said work farm is maintained by such county alone; nor exceed the sum of one-twentieth (1-20) of one mill on the dollar of the assessed valuation of property in said county, for said county's share, of such tax levy for said work farm fund, when said work farm shall be maintained by said county and city jointly. Such amounts when collected shall be apportioned by the county auditor and be credited to the "County Work Farm Fund" or to the "Joint County and City Work Farm Fund," as the case may be. At the end of each year any balance remaining in said "Joint County and City Work Farm Fund" to the credit of said city's share, shall be apportioned and paid to said city, if the council of said city shall so demand.

All moneys received for such work farm shall be deposited in the treasury of said county to the credit of such fund and shall not be used for any other purpose, and shall be drawn upon by the proper officials of said county upon the properly authenticated vouchers of said "Board of Work Farm Commissioners," or "Board of Joint County and City Work Farm Commissioners," as the case may be.

Sec. 9. How money is to be drawn on fund.—No money shall be paid from such fund except on orders signed by the president or vice president, and secretary of such Board of Commissioners, which orders shall be drawn upon the county treasurer of such county and before payment thereof shall be countersigned and registered by the auditor of said county.

The said "Board of Work Farm Commissioners" or "Joint Board of County and City Work Farm Commissioners," shall file annually on the first Monday in January with the auditor of such county, or with the auditors of such county and such city, when said farm shall be operated by said county and city jointly, a full itemized statement of all receipts and disbursements during the preceding year, showing in detail the source of all receipts and to whom and for what all such disbursements were made.

Sec. 10. Interest bearing certificates may be issued.—Such county shall have the same right and authority to borrow money and issue bonds or interest bearing certificates of indebtedness therefor, to purchase the land for and erect and equip buildings thereon, for a work or correction farm as is now given to counties for the purpose of purchasing the land for and erecting county jails.

Sec. 11. **District and municipal judges given the right to sentence to correction farm.**—The judges of all district and municipal courts and justices of the peace in any such county, shall have the same power to sentence any person to confinement at hard labor on said work or correction farm, as said judges and justices of the peace now have to sentence any person convicted of crime, to a county jail, workhouse or lockup in such county.

Approved April 7, 1913.

CHAPTER 189—S. F. No. 373.

An Act to amend Section 3587 of the Revised Laws of Minnesota for 1905, relating to proceedings in divorce.

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

Section 1. **Wife may secure only one-half of property to which she procured title through husband, when husband obtains divorce.**—That Section 3587, Revised Laws of Minnesota for 1905, be and the same is hereby amended so as to read as follows:

“Sec. 3587. Whenever a divorce is granted from the bonds of matrimony for any cause, except adultery committed by the wife, or from bed and board, or the husband is sentenced to imprisonment for life, or the marriage is adjudged null, the wife shall be entitled to the immediate possession of all her Real Estate. *But in case of a divorce obtained by a husband any real or personal property to which she procures title through her husband, not exceeding one-half thereof, may be decreed to be and belong to the husband; the Court having regard to the ability, character and situation of the parties; and other circumstances of the case.*”

Sec. 2. The provisions of this act shall apply to all proceedings that are now pending as well as those hereafter commenced.

Sec. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 7, 1913.

CHAPTER 190—S. F. No. 69.

An Act to amend Section 1, Chapter 80 of the General Laws 1911, Entitled, “An Act fixing the salary and compensation of Clerks of the District Court, the appointment of deputy clerks, their compensation and duties, in counties having, or which may hereafter have, a population of not less than 200,000 and less than 275,000 inhabitants.”