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GENERAL STATUTES OF MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

COMPILED BY

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WEST PUBLISHING CO.

1918

MINNESOTA STATUTES 1917 SUPPLEMENT

CHAPTER 106

JAILS, LOCKUPS, AND JUVENILE OFFENDERS

COUNTY JAILS

9334. How constructed and maintained—

134-473, 159+129.

Where the county constructed a building for a jail and sheriff's residence, and fitted up and used one cell room as a jail, but, having no other county building, appropriated the remainder of the building for use as county offices and installed the several county officers therein, the sheriff cannot oust the county officers therefrom for the purpose of appropriating the building to his personal use as a residence (161+210). Counties, ~~§~~107.

9336. United States prisoners—Whenever any person is committed to any jail by any process issued under authority of the United States, the sheriff or jailer shall receive such person into custody, and safely keep him until discharged by due course of law, subject in all respects to the same liabilities and remedies as though committed under process issued under state authority. The United States shall pay to the sheriff, for the use of the county, for each prisoner so kept and boarded, the sum of seventy cents per day. (Amended '17 c. 304 § 1).

9344. Compensation for boarding prisoners—Every sheriff in charge of a county jail shall receive from the county compensation for board and washing for prisoners as follows:

On the last day of each month he shall render to the county board a verified statement showing the name of each prisoner and the number of days boarded. The pay shall be seventy-five cents per day and proportionately for a fractional day for each prisoner. In every county where the sheriff's

compensation for board of prisoners is fixed by special law it shall so continue unless the county board by unanimous vote shall elect to come under the general law after which it shall be governed by this section provided that the provisions of this act shall not apply to any county in this state now or hereafter having a population of more than seventy-five thousand (75,000). (Amended '17 c. 184 § 1)

[9348—]1. **Board in counties having 215,000 and not more than 300,000 inhabitants**—Every sheriff in charge of a county jail in each county of this state now or hereafter having a population of not less than 215,000 and not more than 300,000 inhabitants, shall receive from the county as compensation for board and washing for prisoners the sum of \$4.00 per week for each prisoner. On the last day of each month such sheriff shall render to the county board a verified statement showing the name of each prisoner and the number of days boarded. For caring for prisoners for a fractional part of a week such sheriff shall be compensated at the same rate per week as that hereinbefore prescribed. ('15 c. 295 § 1)

Section 2 repeals inconsistent acts, etc.

9349. Jails, how kept—

161+210; note under § 9334, ante.

9350. Clothing, bedding, food, and care—

161+210; note under § 9334, ante.

WORK FARMS IN CERTAIN COUNTIES

9381. Appropriations—Tax levy—Any such county wishing and deciding to provide a work farm by itself alone as indicated in Section two (9375) 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 cooperation with any such city, as herein provided.

Such work farm commissioners shall determine by resolution each year, prior to July 1st, 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-fifth ($1/5$) 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-tenth ($1/10$) 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. (Amended '15 c. 212 § 1)

[9384—]1. **Correction farm for women—Powers of board of work farm commissioners—Superintendent—Female offenders, how sentenced—**That the Board of County Commissioners of any county to which this act shall apply may acquire additional land not contiguous to any correction or work farm heretofore or hereafter established for men, not exceeding forty acres in extent, and may establish and maintain thereon a correction or work farm for women only, such county acting by itself alone or in co-operation with any city of the first or second class located in such county, whenever such city shall have the power under its charter to acquire land for and establish and maintain such correction or work farm. That whenever the Board of County Commissioners of any such county, or the city council of any such city shall decide by resolution duly adopted, to establish and maintain such correction or work farm for women and shall acquire the needed land therefor, the Board of Work Farm Commissioners hereinbefore provided for shall forthwith have full charge and control of such correction or work farm for women, the erection of all buildings and the making of all improvements thereon. The superintendent of the work farm for men, if one shall have been established, in any county to which this act applies, shall also be superintendent of such correction or work farm for women, but said commission shall have authority to employ all other necessary assistants for carrying on said institution, and shall in all other respects have the same powers and duties in connection therewith, as is hereinbefore provided for the management and control of such correction or work farm for men, in order that such farm for women may be maintained and female prisoners be cared for thereon in substantially the same manner as is hereinbefore provided for men. That female offenders may be sentenced to confinement on said correction or work farm for women by any of the courts in such county in like manner as male offenders are sentenced to said correction or work farm for men, and such Board of Work Farm Commissioners shall have the same jurisdiction and control over such female prisoners as over male prisoners sentenced to said farm. ('13 c. 188, amended '15 c. 212 § 2)

[9384—]2. **Transfer of prisoners from jail to workhouse—Power of district judge—**That in any county of this State in which there is now or shall be hereafter maintained by any county or by any city and county, a workhouse, correctional or work farm for the confinement of criminal offenders, any district judge of the judicial district in which said county is situated, shall have the power, either of his own motion, or on the application of the county attorney of such county, for sufficient cause, to order any prisoner who shall be confined in the county jail of such county under sentence to such jail by any district judge, justice of the peace or municipal judge, to be transferred from such county jail and recommitted to any such workhouse, correctional or work farm at hard labor, for the remainder of the term for which such prisoner was originally sentenced. ('17 c. 20 § 1)

Section 3 repeals inconsistent acts, etc.

[9384—]3. **Same—Orders for transfer and recommitment—Duties of sheriff and superintendent—**That whenever any such district judge shall make an order for the transfer of any prisoner from the county jail to any such workhouse, correctional or work farm such order shall be made in duplicate by such judge, shall recite therein the name of the court by which said

prisoner was sentenced to such county jail, the date of sentence, the general nature of the offense for which sentenced, the length of the original sentence, the length of such sentence still remaining, and any other facts obtainable from the commitment under which said prisoner may be held, that will furnish material information regarding said case, and shall direct the superintendent or other keeper of such workhouse, correctional or work farm, to safely keep such prisoner at hard labor for the remainder of such original term of sentence, as stated in such order, unless otherwise released according to law, or the parole rules and regulations of such workhouse, correctional or work farm. That both of said orders for transfer and recommitment of such prisoner to such workhouse, correctional or work farm, shall be filed forthwith, with the sheriff of such county or other keeper of said jail, and said sheriff or other keeper of said jail shall thereupon retain one of said orders of transfer and recommitment in his possession and shall without delay, at the expense of the county, transfer such prisoner named in such order and deliver him or her, together with the other of said duplicate orders for the transfer and recommitment of such prisoner to the superintendent or other keeper of said workhouse, correctional or work farm, who shall retain said order and safely keep said prisoner named therein for the remainder of said sentence at hard labor, as specified in said order, unless otherwise released as hereinbefore provided. That said order for transfer and recommitment of any such prisoner, as hereinbefore mentioned, shall have the same force and effect as the writ of commitment issued by the court which sentenced said prisoner in the first instance, and in addition shall be full authority for the holding and keeping of said prisoner, at hard labor, by the superintendent or other keeper of said workhouse, correctional or work farm, and for his apprehension by any peace officer in case of the escape of such prisoner from any such workhouse, correctional or work farm. On the request of any district judge of the district in which any such workhouse, correctional or work farm is located, the sheriff of any such county shall without delay furnish a copy to such judge of any commitment in his possession. ('17 c. 20 § 2)

JUVENILE OFFENDERS

9392. How kept—Every sheriff or other person having charge of a minor under the age of eighteen years, chargeable with any crime, shall provide a separate place of confinement for him, and under no circumstances place him with grown-up prisoners. No court or magistrate shall commit a minor under the age of fourteen years to a jail, lock-up, or police station pending hearing or trial; and, whenever he is unable to procure bail, he may be committed to the care of the sheriff or other public officer, or to the probation officer, who shall keep him in some suitable place provided by the city or county. Every minor while in confinement shall be provided with good reading matter, and his relatives and friends likely to exert a good influence over him shall at all reasonable times be permitted to visit him. (Amended '17 c. 265 § 1)

9393. Trial of minors—Who excluded—At the hearing or trial of a minor under the age of eighteen, charged with any crime, the trial judge or magistrate, prior to his being brought into the courtroom, shall clear the same of all persons except officers of the court, including attorneys, witnesses, relatives, and friends. (Amended '17 c. 265 § 2)