

## CHAPTER 641

## COUNTY JAILS

**641.01 CONSTRUCTION AND MAINTENANCE OF JAILS.**

**HISTORY.** 1893 c. 157 s. 1; G.S. 1894 s. 7417; 1903 c. 198; R.L. 1905 s. 5462; G.S. 1913 s. 9334; G.S. 1923 s. 10847; M.S. 1927 s. 10847.

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 several county officers therein, the sheriff cannot oust them. *Curtis v County of Lincoln*, 136 M 25, 161 NW 210.

The county commissioners may restrict the use that can be made of any portion of the jail not necessary for the use of the sheriff and his family for residence purposes; and if the remainder is rented out the revenue therefrom should go to the county treasurer. 1942 OAG 213, April 4, 1941 (390A-17).

**641.02 FUGITIVES FROM JUSTICE, HOW KEPT; COMPENSATION.**

**HISTORY.** 1893 c. 157 s. 2; G.S. 1894 s. 7418; R.L. 1905 s. 5463; G.S. 1913 s. 9335; G.S. 1923 s. 10848; M.S. 1927 s. 10848.

**641.03 UNITED STATES PRISONERS.**

**HISTORY.** 1893 c. 157 ss. 3, 4; G.S. 1894 ss. 7419, 7420; R.L. 1905 s. 5464; G.S. 1913 s. 9336; 1917 c. 304 s. 1; G.S. 1923 s. 10849; M.S. 1927 s. 10849; 1931 s. 91.

Federal prisoners cannot be boarded at a rate of less than one dollar a day by the county. OAG June 16, 1933.

Unless negligence is shown, the sheriff is not liable for money lost by a federal prisoner, though placed in a jail safe. OAG July 27, 1933.

**641.04 COMMITMENT PRESERVED.**

**HISTORY.** 1893 c. 157 ss. 5, 6; G.S. 1894 ss. 7421, 7422; R.L. 1905 s. 5465; G.S. 1913 s. 9337; G.S. 1923 s. 10850; M.S. 1927 s. 10850.

**641.05 REGISTER OF PRISONERS; RETURN TO COURT.**

**HISTORY.** 1893 c. 157 ss. 7, 8; G.S. 1894 ss. 7423, 7424; R.L. 1905 s. 5466; G.S. 1913 s. 9338; G.S. 1923 s. 10851; M.S. 1927 s. 10851.

**641.06 OFFICERS APPOINTED BY SHERIFF.**

**HISTORY.** 1893 c. 157 s. 9; G.S. 1894 s. 7425; 1903 c. 378; R.L. 1905 s. 5467; 1907 c. 257; 1913 c. 332 s. 1; G.S. 1913 s. 9339; G.S. 1923 s. 10852; M.S. 1927 s. 10852.

The statute intends that a jailor shall be a deputy of the sheriff. The sheriff has the exclusive power of appointing a deputy to act as jailor, though such appointment is not effectual and complete until approved by the judge of the district court. Such jailor can be removed by the sheriff only. *State ex rel v McIntyre*, 25 M 383.

**641.07 LABOR FOR JAIL PRISONERS.**

**HISTORY.** 1893 c. 157 s. 10; G.S. 1894 s. 7426; 1897 c. 127 ss. 1, 2; R.L. 1905 s. 5468; 1913 c. 373 s. 1; G.S. 1913 s. 9340; G.S. 1923 s. 10853; M.S. 1927 s. 10853.

County is not liable, under this section, for injuries a prisoner receives while at work in county jail. OAG March 13, 1933.

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A city ordinance may provide that prisoners labor for the city in lieu of fines. OAG Dec. 7, 1935 (341).

The court when sentencing a prisoner to the county jail, may specify hard labor, but prior to doing so the prisoner must have had sentence of being "confined in any county jail." 1934 OAG 268, March 24, 1933 (240k).

### 641.08 SUPERVISION.

HISTORY. 1897 c. 127 ss. 3, 4; R.L. 1905 s. 5469; 1913 c. 373 s. 2; G.S. 1913 s. 9341; G.S. 1923 s. 10854; M.S. 1927 s. 10854.

### 641.09 POWER OF OFFICERS.

HISTORY. 1897 c. 127 s. 5; R.L. 1905 s. 5470; G.S. 1913 s. 9342; G.S. 1923 s. 10855; M.S. 1927 s. 10855.

### 641.10 CREDIT FOR LABOR; PROTECTION OF PRISONER.

HISTORY. 1897 c. 127 ss. 6, 7; R.L. 1905 s. 5471; G.S. 1913 s. 9343; G.S. 1923 s. 10856; M.S. 1927 s. 10856.

Credit for labor. 1940 OAG 42, Dec. 21, 1940 (559a).

### 641.11 COMPENSATION FOR BOARDING PRISONERS.

HISTORY. 1893 c. 157 s. 11; G.S. 1894 s. 7427; R.L. 1905 s. 5472; 1909 c. 192 s. 1; G.S. 1913 s. 9344; 1917-c. 184 s. 1; G.S. 1923 s. 10857; M.S. 1927 s. 10857; 1933 c. 251; 1935 c. 262; 1943 c. 198 s. 1; 1945 c. 69 s. 1.

If a prisoner is sentenced to the county jail for violation of a city ordinance the city must pay the county the costs in taking care of the prisoner pursuant to section 642.04. 1934 OAG 267, Sept. 25, 1933 (390a-16); OAG Feb. 15, 1939 (559a).

### 641.12 COLLECTION OF BOARD BILLS.

HISTORY. 1893 c. 157 s. 12; G.S. 1894 s. 7428; R.L. 1905 s. 5473; G.S. 1913 s. 9345; G.S. 1923 s. 10858; M.S. 1927 s. 10858.

Cities and villages are liable for expenses of prisoners committed to county jail for violating ordinances. 1934 OAG 675, June 18, 1934 (341m).

### 641.13 CHARGES FOR OTHER THAN COUNTY PRISONERS.

HISTORY. 1893 c. 157 s. 13; G.S. 1894 s. 7429; 1901 c. 182; R.L. 1905 s. 5474; G.S. 1913 s. 9346; G.S. 1923 s. 10859; M.S. 1927 s. 10859; 1929 c. 320.

Where prisoners are confined in a county jail other than in the county in which their offense was committed, under the statute, the county in which the offense was committed is solely liable for expense incident to such confinement. *Daniels v County of Polk*, 117 M 1, 134 NW 290.

Note under 641.11. 1934 OAG 267, Sept. 25, 1933 (390a-16).

Credit for labor. 1940 OAG 42, Dec. 21, 1940 (559e).

Section 387.27 authorizes a committing judge, upon a proper showing, to require the sending county to pay all or part of the cost of employing a matron to look after female prisoners committed to jail in the receiving county. 1942 OAG 151, Nov. 6, 1941 (127-a).

### 641.14 JAILS, HOW KEPT.

HISTORY. 1893 c. 157 s. 14; G.S. 1894 s. 7430; R.L. 1905 s. 5475; G.S. 1913 s. 9349; G.S. 1923 s. 10862; M.S. 1927 s. 10862.

### 641.15 CLOTHING, BEDDING, FOOD, AND CARE.

HISTORY. 1893 c. 157 ss. 15, 16; G.S. 1894 ss. 7431, 7432; R.L. 1905 s. 5476; G.S. 1913 s. 9350; G.S. 1923 s. 10863; M.S. 1927 s. 10863.

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The county is liable for medical aid furnished to prisoners. 1934 OAG 306, March 24, 1933 (127c).

The village need not pay the county for medical care given to violators of a village ordinance. OAG Feb. 15, 1939 (559a).

## 641.16 BIBLES AND RELIGIOUS INSTRUCTION.

HISTORY. 1893 c. 157 s. 18; G.S. 1894 s. 7434; R.L. 1905 s. 5477; G.S. 1913 s. 9351; G.S. 1923 s. 10864; M.S. 1927 s. 10864.

## 641.17 SCHOOLS IN JAILS AND WORK FARMS.

HISTORY. 1913 c. 460 s. 1; G.S. 1913 s. 9352; G.S. 1923 s. 10865; M.S. 1927 s. 10865.

## 641.18 SOLITARY CONFINEMENT.

HISTORY. 1893 c. 157 s. 21; G.S. 1894 s. 7437; R.L. 1905 s. 5478; G.S. 1913 s. 9353; G.S. 1923 s. 10866; M.S. 1927 s. 10866.

## 641.19 ESCAPES, HOW PUNISHED.

HISTORY. 1893 c. 157 s. 22; G.S. 1894 s. 7438; R.L. 1905 s. 5479; G.S. 1913 s. 9354; G.S. 1923 s. 10867; M.S. 1927 s. 10867.

## 641.20 REMOVAL OF PRISONERS IN CASE OF FIRE.

HISTORY. 1893 c. 157 s. 23; G.S. 1894 s. 7439; R.L. 1905 s. 5480; G.S. 1913 s. 9355; G.S. 1923 s. 10868; M.S. 1927 s. 10868.

## 641.21 COUNTY BOARD TO CONSULT DIRECTOR OF PUBLIC INSTITUTIONS.

HISTORY. 1893 c. 157 s. 24; G.S. 1894 s. 7440; R.L. 1905 s. 5481; G.S. 1913 s. 9356; G.S. 1923 s. 10869; M.S. 1927 s. 10869.

## 641.22 PLANS AND ESTIMATES SUBMITTED.

HISTORY. 1893 c. 157 s. 25; G.S. 1894 s. 7441; R.L. 1905 s. 5482; G.S. 1913 s. 9357; G.S. 1923 s. 10870; M.S. 1927 s. 10870.

## 641.23 FUNDS, HOW PROVIDED.

HISTORY. 1893 c. 157 s. 26; G.S. 1894 s. 7442; 1903 s. 94; 1903 c. 198 s. 3; R.L. 1905 s. 5483; G.S. 1913 s. 9358; G.S. 1923 s. 10871; M.S. 1927 s. 10871.

## 641.24 BONDS.

HISTORY. 1893 c. 157 ss. 27, 28; G.S. 1894 ss. 7443, 7444; R.L. 1905 s. 5484; G.S. 1913 s. 9359; G.S. 1923 s. 10872; M.S. 1927 s. 10872.

## 641.25 DISTRICT JAILS; HOW DESIGNATED.

HISTORY. 1893 c. 157 ss. 29, 30; G.S. 1894 ss. 7445, 7446; R.L. 1905 s. 5485; G.S. 1913 s. 9360; G.S. 1923 s. 10873; M.S. 1927 s. 10873.

Section 641.25 provides the circumstances when a prisoner may be committed to the county farm of another county, but the section is silent upon their being committed to a work farm and doing hard labor in another county. 1934 OAG 268, March 24, 1933 (240k).

## 641.26 CONDEMNATION OF JAILS.

HISTORY. 1893 c. 157 s. 31; G.S. 1894 s. 7447; R.L. 1905 s. 5486; G.S. 1913 s. 9361; G.S. 1923 s. 10874; M.S. 1927 s. 10874.

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Where the director of state institutions has condemned a jail for conditions which no longer exist, but still neglects to reinstate the jail, the remedy is a proceeding in mandamus before the district court. OAG April 6, 1934 (127b).

### ST. LOUIS COUNTY

#### 641.27 BOARD OF PRISONERS.

HISTORY. 1913 c. 200 s. 1; G.S. 1913 s. 9347; G.S. 1923 s. 10860; M.S. 1927 s. 10860.

#### 641.28 RATE OF BOARD; STATEMENTS.

HISTORY. 1913 c. 200 s. 2; G.S. 1913 s. 9348; G.S. 1923 s. 10861; M.S. 1927 s. 10861.

#### 641.29 BOARDING AND CARE OF PRISONERS; DUTIES OF SHERIFF; NO ADDITIONAL COMPENSATION.

HISTORY. 1925 c. 127 s. 1; M.S. 1927 s. 10861-1.

#### 641.30 COUNTY TO PROVIDE EQUIPMENT.

HISTORY. 1925 c. 127 s. 2; M.S. 1927 s. 10861-2.

#### 641.31 COUNTY TO FURNISH SUPPLIES.

HISTORY. 1925 c. 127 s. 3; M.S. 1927 s. 10861-3.

#### 641.32 PRISONERS TO ASSIST; KITCHEN.

HISTORY. 1925 c. 127 s. 4; M.S. 1927 s. 10861-4.

#### 641.33 THREE MEALS A DAY.

HISTORY. 1925 c. 127 s. 5; M.S. 1927 s. 10861-5.

#### 641.34 CLOTHING WASHED WEEKLY.

HISTORY. 1925 c. 127 s. 6; M.S. 1927 s. 10861-6.

#### 641.35 QUARTERS FOR JUVENILE AND HANDICAPPED PERSONS.

HISTORY. 1925 c. 127 s. 7; M.S. 1927 s. 10861-7.

#### 641.36 PRISONERS CONFINED AT PLACES OTHER THAN COUNTY-SEAT.

HISTORY. 1925 c. 127 s. 8; M.S. 1927 s. 10861-8.

#### 641.37 SUPERVISION OF JAIL.

HISTORY. 1925 c. 127 s. 9; M.S. 1927 s. 10861-9.

#### 641.38 MATRON AND ASSISTANT MATRON.

HISTORY. 1925 c. 127 s. 10; M.S. 1927 s. 10861-10.

### RAMSEY COUNTY

#### 641.39 SHERIFF TO BOARD PRISONERS.

HISTORY. M.S. 1927 s. 10861-17; 1937 c. 164 s. 1.

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**641.40 COUNTY TO EQUIP KITCHEN.**

HISTORY. M.S. 1927 s. 10861-18; 1937 c. 164 s. 2.

**641.41 SHERIFF TO APPOINT EMPLOYEES.**

HISTORY. M.S. 1927 s. 10861-19; 1937 c. 164 s. 3.

**641.42 LIMIT TO COMPENSATION OF EMPLOYEES.**

HISTORY. M.S. 1927 s. 10861-20; 1937 c. 164 s. 4.

**641.43 SHERIFF TO KEEP RECORD.**

HISTORY. M.S. 1927 s. 10861-21; 1937 c. 164 s. 5.

**641.44 SHERIFF MAY EMPLOY TRUSTIES IN KITCHEN.**

HISTORY. M.S. 1927 s. 10861-22; 1937 c. 164 s. 6.