

CHAPTER 642

LOCKUPS

642.01 LOCKUPS; HOW ESTABLISHED.

A municipal corporation is not liable for negligently maintaining its lockup or prison in a defective and unfit condition by reason of which a prisoner confined therein is injured; neither is a municipal corporation liable for the wrongful acts of its police officers, constable, or marshal in making arrests or detaining persons. *Gullikson v McDonald*, 62 M 278, 64 NW 812.

Those succeeding to the powers of the board of control may condemn a lockup, but lack authority to condemn a workhouse. OAG Jan. 22, 1936 (59-A-14).

642.04 CITIES MAY SEND PRISONERS TO JAILS OUTSIDE.

Villages must pay to the county the necessary costs and expenses of taking care of prisoners in the county jail sent there for violation of village ordinances. The village is not liable for keep of prisoners committed to the county jail for violation of a state law. OAG Feb. 16, 1940 (127-c).