

that whenever brook-trout shall be seized under the provisions of this act, the sheriff or other officer having them in custody shall forthwith sell them for the best price for cash, and dispose of the proceeds thereof the same as if an execution had issued as herein provided.

SECTION 4. All fines received under the provisions of this act shall be paid, one-half to the informer and the other half into the county school fund. To whom fines to be paid.

SECTION 5. All acts or parts of acts in conflict with this act are hereby repealed; *provided*, that nothing herein shall apply to or affect the laws of this state relating to the propagation, preserving and raising brook-trout, nor shall anything herein apply to the accidental taking of brook-trout in pound-nets set for white-fish and other large fish. Repeal of conflicting acts.

SECTION 6. This act shall be in force from and after its passage and publication.

Approved March 13, 1876.

CHAPTER 414.

[Published March 29, 1876.]

AN ACT to organize a State Board of Charities and Reform, and define their duties.

The people of the State of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. To the end that the administration of public charity and correction may be conducted upon sound principles of economy, justice and humanity, and that the relations between the state and its dependent and criminal classes may become better understood, there is hereby created a State Board of Charities and Reform. Creation of State Board of Charities and Reform.

SECTION 2. The said board shall consist of five members, who shall be appointed by the governor, and confirmed by the senate, and shall hold their office for the term of five years, and until their successors are appointed and qualified, except that at the first appointment the term of one member shall be fixed for one year, of another for two years, of another for three years, of another for four years, and of the other for five years. When any vacancy shall occur Number of board, by whom appointed, and length of term. Vacancies.

in the board by resignation, expiration of time of office, death or otherwise, the governor shall appoint a new member to fill such vacancy. All such appointees shall be confirmed by the senate.

Meetings of Board.

SECTION 3. The board shall meet at a time and place to be fixed by the governor, within thirty days after their appointment, to organize and transact such business as may be necessary to carry into effect the provisions of this act. They shall afterward meet in April, on or before the 15th day, and in January, on or before the 10th day, in each year, and they may hold such other meetings as they may decide upon.

Appointment and duties of secretary,

SECTION 4. The board shall appoint a qualified elector as secretary, whose duty it shall be to keep the books and records of the board, to prepare such papers, to make such visits, and to engage in such researches and investigations as may be required of him by the board. He shall hold his office three years, unless sooner discharged by the board.

Duty of board to investigate and supervise state institutions.

SECTION 5. It shall be the duty of the board to investigate and supervise the whole system of the charitable and correctional institutions supported by the state, or receiving aid from the state treasury, or organized under general and special acts, by personal visits to such, making themselves familiar with all matters necessary to be understood in judging of their usefulness, and of the honesty and economy of their management; and it shall be their duty to recommend such change and additional provisions as they may deem necessary for their greater economy and efficiency.

Duty of board to investigate condition of poor-houses.

SECTION 6. It shall be the further duty of the board to commence and to conduct a course of investigation into the condition of poor-houses in the state, personally visiting and inspecting them from time to time, ascertaining how many persons of each sex are therein maintained, at what cost, under what circumstances, as to health, comfort and good morals; how many insane persons are therein confined, and whether such arrangements are made for their care as humanity demands; also, how many idiotic persons are therein supported; also, how many poor children the said poor-houses contain, and what provision is made for their suitable care and education. They shall also collect statistics as to the number of the poor who are supported or relieved by towns or otherwise, at the public expense, outside of poor-houses, the cost at

which such support or relief is furnished; and any other important facts therewith connected. They shall also inquire to what extent the provisions of the law in regard to binding out poor children are complied with, and in general they shall seek to collect such facts as may throw light upon the adequacy and efficiency of existing provisions for the support and relief of the poor and any causes operating to increase or diminish the amount of pauperism in the state, or to place the burden of relieving it where it does not properly belong.

SECTION 7. It shall be the further duty of the board to commence and conduct a course of investigation in regard to jails, city prisons, houses of correction and other places in the state, in which persons convicted or suspected of crime, or any insane persons are confined, ascertaining by visit or otherwise their sanitary condition, their arrangement for the separation of hardened criminals from juvenile offenders, and from persons suspected of crime or detained as witnesses; also whether any useful employment is furnished for prisoners, whether the insane are treated with due regard for humanity, and what efforts are put forth for the reformation of criminals; and in general, they shall endeavor to ascertain for the information of the legislature any important facts or considerations bearing upon the best treatment of criminals and the diminution of crime.

Duty of board to examine jails, prisons, etc.

SECTION 8. The board shall have full power at all times to look into and examine the condition of the institutions and establishments referred to in this act, to inquire into and examine their methods of treatment, instruction, government, and management of their inmates, the official conduct of trustees, managers, directors, superintendents, and other officers and employes of the same, the conditions of the building, grounds and other property connected therewith, and into all other matters pertaining to their usefulness and good management; and for these purposes they shall have free access to all parts of the grounds and buildings, and to all books and papers of said institutions and establishments; and all persons now or hereafter connected with the same are hereby directed and required to give, either verbally or in writing, as the board may direct, such information, and to afford such facilities for inspection as the board may require. And the several members of the board and the secretary thereof are each hereby authorized

Powers of board in examining institutions.

to administer oaths in examining any person or persons relative to any matters connected with the inquiries or investigations authorized by this act. And if any person so examined shall swear falsely on his or her examination, they or he shall be deemed guilty of perjury, and shall be punished in the manner provided in section two, of chapter 167, of the revised statutes, entitled, "Of offense against public justice."

In case board desire to have depositions taken provisions of chap. 25, G. L. 1868 to apply.

SECTION 9. In case the said board shall desire to avail themselves of the provisions of chapter 25, of the general laws of 1868, "An act to provide for taking the deposition of witnesses in certain cases," they shall place a vote to that effect upon their records, and directing their secretary to make an application to some court commissioner, justice of the peace, or other officer authorized by the laws of this state to take depositions, to be used and read in the circuit courts in this state, and upon such application it shall be the duty of such court commissioner or other officer to proceed in all respects as though the application had been made by the officers of state institutions, as provided in said chapter twenty-five, and all the provisions of said chapter twenty-five shall apply to the taking of depositions of witnesses on the application of the State Board of Charities and Reform, the same as though application was made by trustees, managers or regents of state institutions.

Fees of officers serving papers.

SECTION 10. Any officer serving papers under the provisions of this act, shall be entitled to the fees now allowed by law for similar services, to be audited and paid in the manner provided in said chapter twenty-five, for the payment of the fees of the commissioner or other officer and the fees of witnesses.

Board to make special investigation when directed by the governor.

SECTION 11. It shall be the duty of the State Board of Charities and Reform, when directed by the governor so to do, to investigate into the past or present management of any or either of the penal, correctional, reformatory or charitable state or county institutions, and they shall keep the governor advised of the progress being made in such investigation, and such reports shall from time to time be made as the governor may require; and upon the completion of such investigations, they shall report to the governor the facts of the case in full. For services thus rendered under the direction of the governor, each member of the board shall receive the sum of five dollars per day for the time actually devoted to such investigations, and accounts therefor, when approved by

Per diem of members of board.

the governor, shall be audited by the secretary of state and be paid from the state treasury.

SECTION 12. On or before the 15th day of December in each year, the board shall present to the governor a report of their proceedings and of their expenses under this act. Said report shall contain a concise statement of the condition of each of the charitable and correctional institutions supported by the state or receiving aid from the state treasury, together with their opinion of the appropriation proper to be made for each for the following year. It shall also embody the results of their investigations during the year, in regard to the support of the poor and the treatment of criminals, and shall also contain information, suggestions or recommendations which they may choose to present upon the matters by this act assigned to their supervision and examination. Three thousand copies of this report shall be printed by the state printer, in the same manner as those of state officers are printed, for the use of the board and of the legislature, and three hundred copies of said number shall be bound for the use of the board.

Annual report of board.

SECTION 13. All members of the board and the secretary of the board, are hereby prohibited from being interested directly or indirectly in any contract or arrangement for building, repairing, furnishing or providing any supplies of either of the institutions placed under their supervision.

Members of board or secretary not to be interested in contract with state.

SECTION 14. The members of the board shall receive no compensation for the services rendered under this act. Upon filing with the secretary of state sworn statements of the amount of the expenses actually and necessarily incurred by them in carrying out the other provisions of this act, they shall have the amount of said expenses refunded to them from the state treasury, and the secretary of state is hereby authorized and required to draw his warrant on the state treasury for the amount of expenses so incurred and proven. The secretary of the board shall receive for all services rendered by him, under this act, fifteen hundred dollars (\$1,500) per annum, payable upon the warrant of the board, quarterly, from the state treasury. His actual and necessary expenses incurred in performing his duties, shall be refunded in the same manner as those of the members of the board. And there is hereby appropriated a sum sufficient to comply with the provisions of this act.

Members of board to receive no compensation for services. Actual expenses to be refunded.

Salary of secretary of board.

The board shall be supplied with all necessary stationery, blanks, printing, postage-stamps, stamped envelopes for their own use, in the same manner as state officers are now supplied with these articles.

Repealed.

SECTION 15. Chapter one hundred and thirty-six, of the general laws of the year 1871, and chapter one hundred and thirty-seven, of the general laws of 1872, and all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

SECTION 16. This act shall take effect and be in force from and after its passage.

Approved March 13, 1876.

CHAPTER 415.

[Published April 4, 1876.]

AN ACT conferring certain powers on the city of Portage.

The people of the State of Wisconsin, represented in senate and assembly, do enact as follows:

Authority to appropriate money for celebrating 4th of July.

SECTION 1. The common council of the city of Portage are hereby authorized to appropriate out of any moneys belonging to the general fund of said city, a sum not exceeding one thousand dollars, for celebrating the fourth of July, 1876, in such manner as they may direct.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 13, 1876.