

CHAPTER 340.

[Published April 6, 1876.]

AN ACT to provide for the safe keeping of public moneys, and the investment of surplus funds.

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

Officers to hold and keep moneys.

SECTION 1. Every public officer who by virtue of any public office in this state, becomes the custodian or possessor of any moneys belonging to such office *ex-officio* or otherwise, shall faithfully hold and keep the same until drawn, transferred, or invested in accordance with law; and the use or loaning of such moneys by any public officer without the authority of law, shall be deemed embezzlement, and upon conviction thereof he shall be punished by imprisonment in the state prison for a term of not less than one year, nor more than ten years, in the discretion of the court.

Loaning of moneys to be deemed embezzlement.

What deemed embezzlement.

SECTION 2. The use or conversion of any public moneys other than by lawful authority, and the use or deposit of such moneys for private purposes or gain, shall be deemed as loaning or embezzeling the same, and upon conviction thereof, the party so offending shall be punished as provided in section one of this act.

State authorities may invest public moneys.

SECTION 3. Whenever in the opinion of the lawfully constituted authorities, it may be deemed advantageous to the state to invest public moneys in interest bearing bonds of the United States, or this state, it may be lawful for the same authorities which otherwise might control and direct the expenditure of the same to direct such investments to be made; *provided*, that such direction shall be made and kept of record, and that the account of loss or gain shall be kept with the particular fund from which the investment is made, and the loss or gain thereby shall inure to the same fund.

Commissioners of school and university lands may invest moneys.

SECTION 4. The commissioners of school and university lands by and with the approval of the governor, may from time to time direct such investments from any fund held by or belonging to the state, not otherwise provided for, and may specify the kind and amount of such bonds to be taken; and, also, may direct the subsequent disposal of such bonds, the pro-

ceeds of which shall be covered into the fund from which taken.

SECTION 5. It shall be the duty of the governor and attorney-general, at least once in each quarter year, and at such other times as the governor may elect, to examine and see that the sum of all moneys, appearing by the books of the secretary of state and state treasurer as belonging to the several funds, is in the vaults of the treasury; and in case of a deficiency, to require the treasurer to make the same at once good. Should the treasurer refuse or neglect for the period of ten days thereafter to have the full sum due in the treasury, it shall be the duty of the attorney-general to institute proceeding at law to recover the same.

Duty of governor and attorney-general to see that money is in treasury.

SECTION 6. Sections one and two, of this act, shall apply to all public officers within this state, and for any violation of the provisions thereof suit may be instituted by any tax-payer, as in other criminal proceedings.

Application of sections one and two.

SECTION 7. Nothing contained in this act shall be construed as prohibiting the investment of funds by any county, town, city or village authorities in the outstanding indebtedness of their own respective organizations.

Construction of act.

SECTION 8. All acts or parts of acts conflicting with or contravening the provisions of this act, are hereby repealed.

Repealed.

SECTION 9. This act shall take effect and be in force from and after the first Monday in January, 1878.

When act to take effect.

Approved March 13, 1876.

CHAPTER 341.

[Published April 7, 1876.]

AN ACT to establish the salaries of the state officers.

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

SECTION 1. The attorney general shall receive a salary of three thousand dollars per annum, which shall be in full for all services rendered by him in his official capacity, including his services as commissioner of school and university lands; which shall be paid out

Salary of attorney-general.