

road company, express company, insurance company or telegraph company, doing business in this state, may come, shall convert the same to his own use, he shall be deemed guilty of embezzlement, and shall be punished in the same manner, and to the same extent as if he had stolen the amount so embezzled, and a neglect or refusal to pay over such moneys on demand shall be deemed *prima facie* evidence of his having embezzled the same.

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

Approved March 23, 1871.

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## CHAPTER 136.

[Published March 31, 1871.]

AN ACT to organize a state board of charities and reform.

*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 existing between the state and its dependent and criminal classes may become better understood, there is hereby created a state board of charities and reform. State board created.

SECTION 2. The said board shall consist of five members, who shall be appointed by the governor and shall hold their offices 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 in the board by resignation, death or any other cause, the governor shall appoint a new member to serve for the residue of the unexpired term. Number and terms of office.

Meetings of the board.

SECTION 3. The board shall meet in the office of the secretary of state within sixty days after their appointment, to organize and to transact such other business as may be necessary to carry into effect the provisions of this act. They shall afterwards meet in October 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.

Secretary—his duties.

SECTION 4. The board shall appoint a qualified elector as secretary, whose duty it shall be to keep the records and books 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 for three years, unless sooner discharged by the board.

Duties of the board.

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, 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 also be their duty to recommend such changes and additional provisions as they may deem necessary for their greater economy and efficiency.

Further duties.

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, and 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 Further duties. to commence and to 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.

SECTION 8. The board shall have full power at all Powers of the board. 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 condition of the buildings, 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 institution and establishment; 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.

SECTION 9. On or before the first 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 Report—when to be made and what to contain.

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 appropriations 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 any information, suggestions or recommendations which they may choose to present upon the matters by this act assigned to their supervision and examination. Three thousand (3,000) copies of this report shall be printed by the state printer, in the same manner as those of the state officers are printed, for the use of the board and of the legislature.

Not to be interested in contract.

**SECTION 10.** 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.

Not to receive compensation, except expenses.

**SECTION 11.** The members of the board shall receive no compensation for their services rendered under this act. Upon filing with the secretary of state sworn statements of the amount of 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 upon 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, \$1,200 per annum, payable upon the warrant of the board, quarterly, from the state treasury; his actual and necessary traveling 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 out of any money in the treasury not otherwise appropriated, a sum sufficient to comply with the provisions of this act.

Salary of secretary.

Number of trustees of state institutions fixed.

**SECTION 12.** Hereafter the board of trustees of the Soldiers' Orphans' Home, of the Institution for the Education of the Blind, and of the Institution for the Education of the Deaf and Dumb, and the board of man-

agers of the Industrial School for Boys, shall consist of five members each, who shall be appointed by the governor for terms of three years each, except that his first appointments under the authority of this section shall be so arranged that in each board two members shall be appointed for one year, two for two years and one for three years. So much of previous acts relating to the aforesaid institutions as authorizes their present trustees or managers to hold their offices, is hereby so far repealed that said trustees and managers shall go out of office so soon as their successors are appointed and qualified; and the persons appointed under authority of this section are hereby declared to be the legal successors to their respective offices, and entitled to receive from their predecessors all funds, books and papers belonging to the aforesaid institutions respectively.

SECTION 13. This act shall take effect and be in force from and after its passage.

Approved March 23, 1871.

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## CHAPTER 137.

[*Published March 31, 1871.*]

AN ACT to provide for the trial of offenses upon information, and to make the general laws of the state applicable thereto.

### REFERENCES TO AMENDMENTS.

References.

Sections 7, 8, 9, 10, 11, of chapter 118, revised statutes.

All of chapter 177, revised statutes.

Sections 1, 2, 3, chapter 178, revised statutes.

Sections 1, 3, 7, 9, 10, 11, 13, chapter 179, revised statutes.

Section 6, chapter 180, revised statutes.

Section 2, chapter 181, revised statutes.

Sections 1, 3, 4, 5, 6, chapter 163, revised statutes.

Section 7, chapter 164, revised statutes.

Sections 5, 7, chapter 170, revised statutes.