

**SECTION 2.** There is appropriated a sum sufficient to carry out the purposes of this act.

(Am. 1911, c. 664, s. 129.)

**SECTION 3.** This act shall take effect and be in force from and after its passage and publication.

(Am. 1911, c. 664, s. 129.)

Approved July 6, 1911.

No. 613, S.]

[Published July 7, 1911.

## CHAPTER 582.

AN ACT to authorize the institution of suits to determine the title to the swamp lands in the Stockbridge & Munsee Indian reservation in the county of Shawano, Wisconsin, and to authorize the institution of suits to determine the liability of the state for the seizure of logs cut on said lands or for moneys collected for logs cut on said lands, and making an appropriation.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** 1. Any member of the Stockbridge & Munsee Indian tribe, claiming title to any swamp lands in the Stockbridge & Munsee reservation in the county of Shawano, Wisconsin, may bring an action against the state of Wisconsin in the circuit court of Shawano county, Wisconsin, to have the title to said lands determined and adjudged.

2. Such action may be commenced by the service of a summons and complaint upon the state of Wisconsin, by delivering a copy thereof to the attorney general, or leaving it at his office in the capitol with one of his assistants. The attorney general shall appear and defend the action in behalf of the state.

3. In any such action, the certificate of the clerk of the business committee of the Stockbridge & Munsee Indians that any member or members of said tribe have selected any piece or parcel of said swamp lands shall be sufficient evidence of the claim of such member of said tribe to such land to enable him to bring such action, and shall be sufficient evidence of his selection and of the allotment to him of such parcel to enable him in such action to have the benefit of and to claim under any acts, resolutions, or treaties of the state or of the United States.

4. If the state of Wisconsin shall be found and adjudged not to have good title to the land involved in any such action, then judgment shall be entered forever barring it therefrom, and conforming the claimant's claim and title thereto as against the state; and if it shall be found and adjudged that the state has

good title to such land, the judgment shall so declare and shall determine and fix the nature and extent thereof.

(Am. 1911, c. 664, s. 130.)

5. One or more of the claimants of said parcels of swamp land may join in one action.

SECTION 2. Any person claiming to be the owner of any timber, logs, ties, posts, poles, or shingles cut on any of said swamp lands in the Stockbridge & Munsee reservation since the first day of September, 1909, and which said timber, logs, ties, posts, poles, or shingles have been seized by any of the officers of the state of Wisconsin under claim that the same belonged to the state of Wisconsin, may, within three years from the date of the passage and approval thereof, bring an action against the state of Wisconsin for the value thereof, with interest. The service of the summons and complaint therein shall be made upon the state of Wisconsin by delivering a copy to the attorney general, or leaving it at his office in the capitol with one of his assistants. The attorney general shall appear and defend the action in behalf of the state. If it shall be found and adjudged that said lands or the timber thereon did belong to the state of Wisconsin, then the judgment shall so find and declare. If it shall be found and determined that the state of Wisconsin has not good title to said land and was not the owner of said timber, then the plaintiff in such action shall recover the fair and reasonable value thereof at the time of taking.

SECTION 3. Or if the state of Wisconsin, instead of taking any such timber, logs, posts, poles, ties, or shingles, shall have demanded and received of any person any sum of money through any of its officials or agents on the theory and under the claim that the state was the owner of such land, timber, logs, ties, posts, poles, and shingles, then any person paying such money under such demand and claim shall be entitled to recover the same back in a similar action, if it shall be found and determined therein that the state did not have good title to said land or to said timber, logs, lumber, ties, posts, poles, or shingles cut thereon.

SECTION 4. In case of final judgment against the state in any of the actions hereinbefore provided for, upon presentation of a certified copy of such judgment to the secretary of state, after six months from the date of such final judgment, he shall draw a warrant on the state treasurer for any amount of money that may be due on such judgment for damages, with interest at six per cent from the date thereof, and the state treasurer shall pay the same out of any funds in the state treasury not otherwise appropriated.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved July 6, 1911.

No. 980, A.]

[Published July 7, 1911.

## CHAPTER 583.

AN ACT to create a state board of public affairs with powers of supervision and inspection of public bodies, to carry on certain investigations, and to make estimates and recommendations relative to public expenditures and other public matters, and making an appropriation therefor.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Unless such construction would be inconsistent with the manifest intent of the legislature, the following terms, as used in this act, shall be construed as indicated:

(1) The phrase "public body" shall mean and include every incumbent of any office or position under the constitution or laws of this state; every department, commission or board in which any such incumbent is employed as such; and every officer, office, department, commission, board or institution, the conduct or operation of which involves the receipt, expenditure or handling of any state funds or property.

(2) The term "accounts" shall mean all accounts, records and reports relating to the jurisdiction of any public body.

(3) The term "jurisdiction" shall mean and include all duties, liabilities, authority, powers or privileges imposed or conferred by law upon any public body.

SECTION 2. The governor of the state, the secretary of state, the chairman of the finance committee of the assembly, the chairman of the finance committee of the senate, and three other persons, none of whom shall be a member of the faculty of the university of Wisconsin, appointed by the governor and approved by the senate, are constituted a board of public affairs.

SECTION 3. The present chairman of the finance committee of the senate and assembly, respectively, shall take their places upon such board, and shall continue to be upon such board, during the present session of the legislature and after its adjournment, until the selection of their successors as such chairmen. Such succeeding chairmen shall thereafter be members of this board.

SECTION 4. 1. Immediately after the passage of this act the governor shall, by and with the advice and consent of the senate, appoint the members of such board, other than the ex officio members thereof, but such members so appointed shall not be