

in a newspaper published at the county seat, representing the other leading political party: *Provided, however,* That in counties not having two leading newspapers of opposite politics, as herein provided, such report must be published in some newspaper of general circulation, printed and published in said county. If any such trustee fails to make such publication, then the auditor of the county shall cause such publication to be made. If there be but one newspaper published in such county, then publication shall be made in such newspaper only. Each of such newspapers shall be entitled to five (5c) cents and no more for the publication of each item for such receipts and expenditures, the same to be paid out of the township funds: *Provided, however,* That this act shall not apply to any township wherein is situated a city having a population of one hundred thousand (100,000) inhabitants or more, according to the last preceding United States census: *Provided, further,* That not more than one item shall be printed in one line.

### Penalty.

SEC. 2. Any trustee or auditor who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five (\$25) dollars nor more than five hundred dollars.

### Repeal.

SEC. 3. All laws or parts of laws in conflict herewith are hereby repealed.

## CHAPTER 215.

AN ACT entitled an act to prevent procreation of confirmed criminals, idiots, imbeciles and rapists; providing that superintendents and boards of managers of institutions where such persons are confined shall have the authority and are empowered to appoint a committee of experts, consisting of two (2) physicians, to examine into the mental condition of such inmates.

[H. 364. Approved March 9, 1907.]

### Preamble.

Whereas, Heredity plays a most important part in the transmission of crime, idioecy and imbecility;

### Penal Institutions—Surgical Operations.

Therefore, *Be it enacted by the general assembly of the State of Indiana,* That on and after the passage of this act

it shall be compulsory for each and every institution in the state, entrusted with the care of confirmed criminals, idiots, rapists and imbeciles, to appoint upon its staff, in addition to the regular institutional physician, two (2) skilled surgeons of recognized ability, whose duty it shall be, in conjunction with the chief physician of the institution, to examine the mental and physical condition of such inmates as are recommended by the institutional physician and board of managers. If, in the judgment of this committee of experts and the board of managers, procreation is inadvisable and there is no probability of improvement of the mental condition of the inmate, it shall be lawful for the surgeons to perform such operation for the prevention of procreation as shall be decided safest and most effective. But this operation shall not be performed except in cases that have been pronounced unimprovable: *Provided*, That in no case shall the consultation fee be more than three (\$3.00) dollars to each expert, to be paid out of the funds appropriated for the maintenance of such institution.

#### CHAPTER 216.

AN ACT to amend sections 595, 596, 598, 599, 602, 607, 609 and 611 and repealing section 600 of an act entitled an act concerning public offenses, approved March 10, 1905, of an act entitled "An act concerning public offenses," approved March 10, 1905, and repealing all laws and parts of laws in conflict herewith.

[H. 438. Approved March 9, 1907.]

#### Public Offenses—Game—Quail, Grouse, Prairie Chicken— Breeding—Season.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section 595 of the above entitled act be and the same is hereby amended to read as follows: Section 595. It shall be unlawful for any person, firm or corporation to hunt, shoot or kill, pursue for the purpose of shooting or killing, or have in his or its possession, dead or alive, except for breeding purposes, and then only by permission of the commissioner of fisheries and game, any quail, ruffed grouse, prairie chicken or pinnated grouse at any time from the first day of January of any year to the tenth day of November of the same year. Whoever shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall