

Appropriation.

§ 2. There is hereby appropriated to the Postmaster at Madison, out of any money in the Treasury not otherwise appropriated, a sum sufficient for the payment of the above accounts, to be drawn quarterly from the Treasury, upon the presentation of said accounts properly certified to by their respective officers.

Approved, March 6, 1857.

Chap. 64.

Published, March 27, 1857.

AN ACT to provide a State Hospital for the Insane.

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

Name.

§ 1. An institution is hereby established, the name of which shall be "The Wisconsin State Hospital for the Insane."

Board of Commissioners.

§ 2. For the purpose of the establishment, and the erection of the buildings of said institution, the Governor is hereby authorized to appoint three persons, who shall constitute a Board of Commissioners, who shall hold their said offices for the term of three years from and after the passage of this act, unless the said hospital buildings shall have been sooner completed, or until the legislature shall otherwise provide; who, before entering upon the duties of their respective offices, shall severally take and subscribe an oath or affirmation, before some officer authorized to administer oaths, to faithfully execute the trust reposed in them by this act, which said oath or affirmation shall be filed in the office of the Secretary of State.

Vacancy in board

§ 3. In case the Commissioners mentioned in the second section, or either of them, shall neglect or refuse to file his official oath or affirmation in the office of the Secretary of State, as aforesaid, for the space of thirty days from the passage and approval of this act, then such person or persons so refusing or neglecting, shall be considered as having declined said office, and there-

upon it shall be the duty of the Governor by appointment to fill such vacancy; and if at any time thereafter any vacancy shall happen in said Board of Commissioners, it shall also be the duty of the Governor to fill such vacancy, and any person so appointed, before entering upon the discharge of the duties of their said office, shall qualify in the same manner as is provided in the second section of this act.'

§ 4. For the purposes contemplated in this act, it shall be the duty of said Commissioners to examine the land now belonging to the State, which was purchased of L. J. Farwell for the site of a Lunatic Asylum, with the view of determining whether or not said location and lands combine the necessary advantages for the site of such an Institution, and if it is the opinion of said Commissioners, or a majority of them, that the best interest of the State requires the selection of some other location, they shall then have the power, and it shall be their duty, to make another selection for the site and location of said hospital, and to negotiate for and secure the same. The said Commissioners in determining the location of said hospital, shall also take into consideration offers of donations to the State of lands for the site of said hospital, of materials for its construction, and the cheapness of materials and labor therefor, and shall locate the same where the said hospital can be erected and supported with least expense, and at the same time afford a healthful location and easy of access.

§ 5. It shall also be the duty of said Commissioners to examine any and all plans that may be in the Executive or other State offices, as well as any other plans that may be submitted to them, and to select therefrom, or cause to be prepared a complete set of plans and drafts for said hospital, together with full specifications in detail for the construction of the same.

§ 6. The aggregate cost of said Institution, with the location, shall not exceed, when completed, the sum of one hundred thousand dollars; and in determining the plan to be adopted, the said Commissioners shall in no event provide for a greater expenditure than the aforesaid sum; and all contracts that shall involve a greater expenditure than the above mentioned sum, shall be null and void.

§ 7. The said Board of Commissioners shall have authority to appoint one of their number to act as Presi-

Com. to select site of Asylum.

Plans for hospital.

Cost of Asylum.

Com. to elect their own officers

dent, one to act as Secretary, and one to act as the Building Superintendent, and if the said Board shall deem it necessary in order to obtain information in relation to the most approved modern improvements, which are being introduced into similar institutions for heating, ventilation and culinary purposes, they are hereby authorized to appoint one of their number for that purpose to visit either, or all of the following institutions, to wit:—The Michigan State Asylum, at Kalamazoo, the Utica Asylum, New York, and the North Hampton Asylum, Mass.

Notice of proposals for building.

§ 8. As soon as a plan of said building shall have been adopted, it shall be the duty of said Commissioners without unnecessary delay, to cause notices to be published in some newspaper in each of the incorporated cities of this State, at least once in each week for eight successive weeks, that sealed proposals will be received at the office of Secretary of State, in the city of Madison, for furnishing materials, and for the performance of all the labor to completion of said hospital buildings or such parts thereof as it proposed to be put under contract. It shall in said notices be stated that the plans and specifications for the entire building so to be let, will be open to the inspection of all persons interested during the business hours of each day, at the office of the Secretary of State, during the whole time of advertising as aforesaid—the manner in which bids will be received for the different kinds of materials, and labor shall also be stated as well as the time and place when said Commissioners will meet to open said proposals, and award the contracts. Said Commissioners shall advertise for proposals for doing the entire work to be let and furnishing all materials for a gross sum—and also for bids for doing different parts of the work, specifying the same, and for furnishing the different kinds of materials required in the whole or in part. The said Commissioners shall publish with such notice blank forms which may be used in making proposals for work and materials. The Commissioners shall prepare printed blank forms to be furnished on request to persons wishing to make proposals for doing work or furnishing materials.

Manner of accepting proposal.

§ 9. At the time and place mentioned in said notice, the said Commissioners, or a majority of them, shall publicly proceed to open such sealed proposals as shall have been received under said notice, which said pro-

posals shall each be recorded in a book to be provided by them, wherein shall be kept a full record of all their proceedings, and after having been recorded as aforesaid, the same shall be carefully filed and preserved in the office of the Secretary of State, thereupon the said Commissioners shall award the contract or contracts as the case may be, to the lowest and best responsible bidder or bidders.

§ 10. After the award of the contract or contracts as provided in the next preceding section, the said Commissioners for, and on behalf of this State, shall execute in writing a contract or contracts with the person or persons whose bid or bids shall have been accepted, conditioned, among other things, on the part of the State, that payments shall be made monthly for part performances, upon the estimates to be made by the Superintendent, reserving twenty per cent. therefrom in all cases, until the completion and acceptance of such contracts as security for the faithful performance of such contract or contracts.

Contract.

§ 11. The Superintendent shall, at the close of each month, make out estimates for all the materials furnished and for labor performed during the said month, upon any and all existing contracts, which estimates, when so made out, shall be entered at length in the Commissioners record of proceedings; and after deducting twenty per cent. therefrom, the said Commissioners shall make out duplicate certificates, and signed by their President and Secretary, of the amounts that shall appear to be due upon any contract or contracts—one of which said certificates shall be returned without delay by them to be filed in the office of the Secretary of State, and the other shall be delivered to the person entitled to the same, to which shall be annexed an order drawn on the State Treasurer for the amount so certified to be due; and upon the final completion of any contract for materials furnished, or labor performed, the said Commissioners shall, in like manner, issue their certificate and order for the balance that may be due upon any such contracts, after deducting all payments that have been previously made thereon.

Monthly estimate of expense.

§ 12. The State Treasurer is hereby authorized to pay all orders drawn upon him by said Commissioners, accompanied with certificates as aforesaid, which shall be paid out of any fund which the Legislature may ap-

Treasurer to pay order.

propriate for the erection and establishment of said institution.

Com. may alter plan.

§ 13. If for any cause during the progress of construction of said hospital buildings the said Commissioners shall determine to deviate in any minor particulars from the plan adopted, they shall have the power to do so on giving timely notice to the contractor or contractors who may be interested, and in case they shall be unable to agree with such contractor or contractors upon the difference of price occasioned by such deviation, or alteration, then the matter of difference shall be referred to some disinterested person to be mutually agreed upon by the parties, whose decision shall be final between said parties.

No com. to be interested in contract.

§ 14. None of said Commissioners shall at any time be interested pecuniarily, either directly or indirectly in any contract authorized under this act, and the so being interested is hereby declared a misdemeanor, and the offender upon conviction of said offence, be punishable by fine not exceeding twenty thousand dollars, or by imprisonment in the discretion of the court.

Yearly report to Legislature.

§ 15. At the close of each fiscal year until the said hospital buildings shall have been completed the said Commissioners shall make a report to the Legislature, giving an account of all expenses incurred by them, an account of said institution, together with the progress made with said work, and such other facts and suggestions, as to them may seem material and proper.

Pay of com.

§ 16. The said Commissioners shall be entitled to receive monthly for their services, out of the fund appropriated for the erection of such buildings the sum of five dollars per day for their time actually and necessarily devoted to said services, and their actual traveling expenses while traveling on business appertaining to their said office, their accounts to be rendered in detail and verified by their affidavits, to the Secretary of State, who is hereby authorized to audit and allow the same, and his certificate of allowance shall be endorsed on said accounts, and when so certified the State Treasurer is authorized to pay the same, and not otherwise, and all persons to whom payments shall be made by virtue of this act shall sign a receipt upon the account or accounts so certified as aforesaid, which receipts shall constitute sufficient vouchers for said Treasurer, in the settlement of his accounts.

Appropriation.

§ 17. The sum of thirty-five thousand dollars is here-

by appropriated out of the general fund, to carry into effect the provisions of this act.

Approved, March 6, 1857.

Chap. 65.

Published March 26, 1857.

AN ACT authorizing the borrowing of money on the faith and credit of the State, to pay certain State bonds heretofore issued.

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

§ 1. For the purpose of paying the fifty thousand Loan of \$50,000. dollars of State bonds, which fall due on the fifth day of April, 1857, a loan of fifty thousand dollars is hereby authorized and required to be made on the faith and credit of the State in the form hereinafter specified.

§ 2. The Governor, as soon as practicable, after the Form of bonds to be issued. passage of this act, shall cause to be prepared State bonds with coupons attached, of the State of Wisconsin, for the sum of one thousand dollars each, to the number of fifty, and shall execute the same as the Executive of the State, for and on behalf of the State, and cause the great seal of the State to be affixed thereto; said bonds to be made payable at the Bank of North America in the city of New York, five years from the first day of April, A. D. 1857, with interest at the rate of six per centum per annum, payable semi-annually at the said Bank of North America, on the first day of April and October of each year, from the first day of April, 1857, to the first day of April, 1862.

§ 3. The bonds and coupons when so executed, the How negotiated. Governor shall negotiate on or before the first day of April next for the purposes expressed in this act; *Provided*, That on or before the expiration of fifteen days after the passage of this act, any holder of the bonds issued under an act entitled "An Act to authorize the borrowing of money," etc., approved April 14, 1852, shall have a preferred right to subscribe at par for an