

Chap. 87.

Published, April 30, 1857.

AN ACT to regulate voluntary assignments with a view of insolvency.

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

§ 1. That all voluntary conveyance, sales, assignments or transfers whatever, of any real estate, chattels real, goods and chattels, rights, credits, monies or effects whatever hereafter made with a view of insolvency, shall be void as against creditors, unless the assignee in all cases shall be a resident of this State; and shall before taking upon himself the several trusts conferred upon him, or them, by the instrument of assignment, appointing such assignee, execute a bond in a penal sum, and with sufficient sureties to be approved by the county judge of the county where the assignee resides at the date of the instrument of assignment, conditioned to pay over all monies that shall come to his or their hands from the effects of the assignor, after deducting the necessary expenses of performing the trust to the several persons or parties named in the instrument of assignment, appointing such assignee according to the tenor and effect of such instrument of assignment.

§ 2. This act shall take effect from and after its passage.

Approved, March 7, 1857.

Chap. 88.

Published, March 21, 1857.

AN ACT to authorize the establishment of a House of Refuge for Juvenile Delinquents in the State of Wisconsin.

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

§ 1. The Governor of the State of Wisconsin shall appoint three Commissioners for the purpose of selecting a suitable site on which to erect a House of Refuge

Governor shall appoint Commissioners.

for juvenile delinquents, and the said Commissioners shall within eight weeks from the time of their appointment proceed to examine and determine upon the site aforesaid; *Provided*, That it shall be located where the citizens shall contribute the largest sum towards the erection of the same; in determining such location the said Commissioners shall take into consideration any propositions which may be made to them, and of the performance of which they shall have satisfactory assurance to give to the State; the lands necessary for the site of said House of Refuge, or any materials or money to aid in the erection thereof, and any bond or other obligation executed to the people of this State and delivered to said Commissioners, to secure any such site, materials or money for the purpose aforesaid, shall be valid and binding upon the parties executing the same.

Deed of property

§ 2. If the said Commissioners shall procure by purchase, or voluntary cession, the site for the said House of Refuge, the deed thereof shall be duly executed to the people of this State and delivered to the Secretary of State, and thereupon the State Treasurer is hereby directed to pay on the order of the Secretary of State to the grantor or grantors, of whom the site shall be purchased, such sum or sums of money as may be required to pay for the site agreeably to the contract of the said Commissioners; *Provided*, The sum to be paid on such order does not exceed the sum of fifteen hundred dollars.

May contract for the erection of building.

§ 3. At any time not exceeding six months after the said site shall be obtained by the said Commissioners, they, the said Commissioners, are hereby empowered to contract for the erection and enclosure of the said House of Refuge on such plan and in such terms as they may deem just and proper; *Provided*, The said plan and the terms of said contract shall be approved by the Governor, Secretary of State, and Attorney General, and, *Provided also*, That said House of Refuge shall be built in a plain manner, and that said Governor, Secretary and Attorney General shall approve no plan for the erection or building of such House of Refuge which shall, in their judgment, require more than twenty thousand dollars for the completion of such building, and the said Commissioners shall elect and designate one of their number who shall superintend the building of the said House of Refuge, with a view to the due

execution of the work on the part of those with whom the said Commissioners shall contract for the enclosure and erection thereof.

§ 4. The said Commissioners above mentioned, before entering on the duties of their office, shall each give his bond to the people of the State in the penal sum of ten thousand dollars, with two or more sufficient sureties, to be approved of by the Governor, conditioned for the faithful performance of the duties required of them by this act. Commissioners shall take oath.

§ 5. The State Treasurer is hereby directed to pay to the said Commissioners, on the order of the Secretary of State, out of any money in the Treasury not otherwise appropriated, such sum or sums of money as they may from time to time require for the building of the said House of Refuge, not exceeding such sum as will, with the sum drawn and paid for the site of said House of Refuge, amount to twenty thousand dollars, at such times as the sum may be wanted by said Commissioners, in sums not exceeding five thousand dollars at any one time, and the expenditure of at least four thousand dollars thereof shall be accounted for before any other sum shall be advanced. State Treasurer directed to pay out money.

§ 6. It shall be the duty of said Commissioners to make a detailed report of all the money received and expended by them by virtue of this act, and of the progress which shall have been made in the erection and enclosure of the said buildings, to the Governor of this State, on or before the first of January next, and so often thereafter as the Governor shall or may from time to time require. Commissioners shall report.

§ 7. Each of said Commissioners herein mentioned shall be allowed for his services four dollars per day while actually employed in the duties of his office, and at the rate of five cents per mile for all the necessary travel in the performance of the duties required by virtue of this act. Per diem of Commissioners.

§ 8. The said Commissioners shall, for four weeks in succession, advertise in a newspaper published in each of the cities of Racine, Milwaukee, Janesville and Madison, for sealed proposals for erecting and completing the said building and enclosure, and shall make a contract with the lowest bidder or bidders; *Provided*, Such bidder or bidders shall give satisfactory security for the performance of his or their contracts, and, *Provided also*, That such contract or contracts, or such securities,

shall be approved by the Governor. No such bid shall be received unless the same shall be accompanied by a bond to the people of the State of Wisconsin in the penal sum of ten thousand dollars, executed by the person or persons making such bid, and by two sureties, conditioned that the person making such bid will within twenty days after such bid shall have been accepted, enter into a contract according to such bid and give such security as is above required for the full and faithful performance thereof. In case the condition of such bond shall be broken, the Attorney General shall cause such bond to be prosecuted whenever in his opinion the interest of the State shall require it, and in the suit brought thereon the people of the State of Wisconsin shall be entitled to recover the difference between the bid mentioned in the condition of the said bond, and the sum mentioned in the bid upon which a contract shall be finally made, and also any other damages which the State may sustain by the breach of the condition of such bond.

Managers how appointed.

§ 9. The Governor shall appoint nine discreet men under his hand and seal, who shall act as managers of the House of Refuge established by virtue of this act, and who shall, on the acceptance of their respective appointments, perform the duties required of them by virtue of this act, without any compensation for their services.

shall be divided into three classes

§ 10. The said managers shall be divided by the Governor into three classes of an equal number, and the class to which each of such managers belong shall be set forth in the certificate of their appointment. The terms of office of the first class shall expire on the first Tuesday in March, in the year succeeding their appointment; of the second class, on the first Tuesday in March, in the next year thereafter; and the third class on the first Tuesday in March of the succeeding year. When vacancies shall occur in said Board of Managers, such vacancies shall be filled by the Governor, and the term of office of such managers shall be such that they shall hold their offices for three years as near as may be, and that the term of office of one-third shall expire on the first Tuesday of March in each year. Such managers shall have power to make all rules, regulations, ordinances and by-laws for the government, discipline and management of said House of Refuge and the inmates and officers thereof, as to them may seem just

and proper; *Provided always*, That such rules and by-laws shall be in accordance with the Constitution of the United States and the Constitution of this State.

§ 11. The said managers shall appoint a Superintendent of the said House of Refuge, and such officers as they may deem necessary for the interest of the institution, with a view to the accomplishment of the object of its establishment and economy of its management; and the said managers shall make out a detailed report to the Governor, of the performance of their duty, on or before the first day of January in each year; also, a list of the persons received and what disposition was made of the same, and an estimate of the appropriation necessary for the next year, which report shall be laid before the Legislature by the Governor.

§ 12. The said managers and superintendent shall receive and take into the said House of Refuge all male children under the age of eighteen years, and all female children under the age of seventeen, who shall be legally committed to the said House of Refuge as vagrants or on conviction for any criminal offence by any court having authority to make such commitments; and the said managers shall have power to place the said children committed to their care, during the minority of said children, at such employments, and cause them to be instructed in such branches of useful knowledge as shall be suited to their years and capacities, and they shall have power in their discretion to bind out the said children with their consent or the consent of their parents or guardians, if they have any, as apprentices or servants, during their minority, to such persons, and at such places, to learn such proper trades and employments, as in their judgment will be most for the information and amendment and the future benefit and advantage of such children; *Provided*, That the charge and power of the said managers upon and over the said children shall not extend in the case of females beyond the age of twenty one years, and *provided also*, That the religious opinions of the inmates shall not be interfered with.

§ 13. All and singular the clauses and provisions contained in Chapter eighty one of the Revised Statutes, entitled of Masters and Apprentices, shall apply to the apprentices and servants and the person to whom they shall be bound under by virtue of this act, and every minor so bound, and the officers binding him,

and his master, shall be subject to all the provisions of said Chapter.

Duty of Commissioners and Governor, when the House is completed.

§ 14. Whenever the said House of Refuge shall, in the opinion of the Commissioners authorized and appointed by the provisions of this act, be in readiness for the reception of persons committed thereto, the said Commissioners shall make, under their hands and seal, duplicate certificates thereof, one of which they shall transmit by mail to the Governor of this State, and the other of which they shall cause to be filed in the office of the Clerk of the County in which such House of Refuge shall be situated. The Governor on receiving such certificate shall make a proclamation of the fact, a copy of which proclamation shall be sent to each County Clerk of this State, and to each of the Circuit and County Judges in this State, by the Secretary of State.

Duty of Courts.

§ 15. From and after the time of making such proclamation, the said Courts and the several magistrates in any county in the State, may, in their discretion, sentence to such House of Refuge any such male or female who may be convicted before them of any petit larceny, and the courts and magistrates may also in their discretion send to said House of Refuge any such male or female who may be convicted before them as a vagrant.

When money is appropriated.

§ 16. When any appropriation of money is made by the Legislature for the support of the House of Refuge, the Governor shall draw a warrant in favor of the treasurer thereof, for such portions, from time to time, or for the whole amount at one time, as he shall think proper.

Governor shall visit the House.

§ 17. The Governor shall visit the House of Refuge once at least in each year, and make such suggestions in regard to the management, government and discipline of the Institution as he may deem for the interest of the same.

§ 18. This act shall take effect from and after its passage, and there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of five thousand dollars for the purpose of carrying out the provisions of this act.

Approved, March 7, 1857.