

## CHAPTER 38.

[Published March 10, 1870.]

AN ACT to amend section one of chapter 110 of the general laws of 1867, entitled "an act to amend chapter 13 of the revised statutes, entitled 'of notaries public.'"

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Amended.

SECTION 1. Section one of chapter one hundred and ten of the general laws of 1867, is hereby amended by striking out the words, "to the governor," where they occur in the sixteenth line of said section, and inserting in the place thereof the words, "into the state treasury."

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

Approved March 10, 1870.

## CHAPTER 39.

[Published March 11, 1870.]

AN ACT to provide for an additional institution for the insane.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Additional institution to be established.

SECTION 1. There shall be established as soon after the passage of this act as practicable, an additional state institution for the proper care and treatment of the insane.

Commissioners to locate institution to be appointed.

SECTION 2. For the purpose of the establishment, location and erection of the buildings of said institution, the governor is hereby authorized to appoint six persons, one from each congressional district, together with the medical superintendent of the Wisconsin state hospital for the insane, to constitute a board of commissioners, who shall meet at the state capital within

sixty days after the passage of this act, and organize by appointing one of their number chairman and another secretary, and said commissioners shall proceed to duly consider the present and future necessities of the state, and to examine, select and possess for the state, a tract of land suitable and desirable for the location of said institution; said location shall contain not less than one hundred and sixty acres of land for a farm and site upon which the institution shall be built. In selecting a location for said institution the commissioners shall have especial regard to the following conditions: first, there shall be at easy command upon the premises an unfailing supply of pure water, sufficient for bathing, steam heating apparatus, sewerage and all other purposes for a household of three hundred and fifty persons; second, there shall be good natural facilities for complete and perfect sewerage; third, the commissioners shall have regard to cheapness and excellence of building material and convenience of access: *provided*, the said tract of land may be acquired by donation, or may be purchased at a price not exceeding the sum of ten thousand dollars, and the said board shall take a deed of conveyance of the same in fee simple to the state of Wisconsin, and cause the same to be properly recorded in the office of the register of deeds, for the county in which the same shall be located: *provided*, this institution shall be located within two miles of a railroad station.

What conditions commissioners to observe.

SECTION 3. When the location shall have been made and approved by the governor, and on the execution and delivery of said deed of conveyance, the said board of commissioners shall in case the same is acquired by purchase, certify to the secretary of state the conditions of said purchase and the amount due, and he shall draw a warrant on the state treasurer for the purchase money to be paid to the grantor. The said commissioners shall receive five dollars per day each for every day spent in locating said institution, and their necessary traveling expenses during the time employed in said service. When the location is made as herein provided, the service of said commissioners shall end. All accounts for such services and expenses shall be rendered in detail and verified by affidavit; and the secretary of state is hereby authorized to audit

Commissioners shall certify to secretary of state.

Their compensation.

the same and draw a warrant on the state treasurer for the payment thereof.

They shall take and subscribe oath.

SECTION 4. Before entering upon the duties of their office, the persons appointed to constitute said board of commissioners 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; and in case of vacancy in said commission, by death or otherwise, the same shall be filled by appointment by the governor. The said board shall make a full report of all their proceedings to the governor at the close of their term of service.

Building commissioners to be appointed.

SECTION 5. When the location and possession of the site shall have been accomplished, the governor shall appoint three commissioners, to be known as the building commissioners for the additional institution for the insane, whose term of office shall be for three years, if the building be not sooner completed, or the legislature otherwise determine.

They shall procure plans.

SECTION 6. The said board of building commissioners, after consultation with the medical superintendent of the present state hospital for the insane, shall at the earliest day practicable, procure plans, drawings and specifications for the buildings necessary and proper for said institution, the general features of which shall be similar to the present state hospital for the insane, with such modifications as experience may dictate, but the plan determined on by the board shall be such as will admit of future enlargement, so as to preserve the symmetry, and be when ultimately completed of capacity not less than the present hospital building at Madison: *provided*, that the erection only of such portion of such building shall be undertaken by the said board under the provisions of this act, as may be completed and made ready for occupancy by the appropriation herein made.

Shall advertise for proposals.

SECTION 7. When the said board of building commissioners shall have obtained the proper plans of building, to be approved by the governor, they shall advertise for thirty days, in one paper in Madison, Milwaukee, and three other prominent points in the state, for sealed proposals for the erection of such

buildings hereby authorized, commencing with one of the wings, according to the plans and specifications determined on, with such conditions as they shall deem necessary to properly guard the interests of that state; and they are hereby empowered to contract with the lowest responsible bidder or bidders, for the erection of the said buildings, which shall be completed on or before the first day of January, A. D. 1872, said contractor or contractors to give adequate security for the faithful performance of said contracts.

SECTION 8. Said board shall have power to appoint and discharge at their discretion a competent building superintendent, whose duty it shall be to superintend the work as it progresses, and shall receive such compensation as the board shall determine. May appoint superintendent.

SECTION 9. The superintendent shall at the close of each month, make out estimates in detail of all materials furnished and labor performed during said month, duly certified to the board of commissioners, who after having examined and approved and recorded the same in their record of proceedings, and after deducting fifteen per cent. of the total amount to be retained until the completion of the contract, shall certify to the correctness of the same to the secretary of state, who shall thereupon draw his warrant on the state treasurer for payment. Upon the final completion of contracts the said board will in like manner certify to the total amount due, including per centage. He shall make out estimates.

SECTION 10. There is hereby appropriated, out of any money in the state treasury, not otherwise appropriated, the sum of one hundred and twenty-five thousand dollars, or so much thereof as may be necessary for the purposes contemplated in this act: *provided*, not more than forty thousand dollars shall be drawn from the treasury during the year 1870. Appropriation.

SECTION 11. No member of the board of commissioners shall at any time or in any manner, be interested pecuniarily, either directly or indirectly in any contract authorized in this act, and being so interested is hereby declared a misdemeanor, and the offender, upon conviction of said offense, shall be punished by fine not exceeding ten thousand dollars, or by imprisonment, in the discretion of the court. Commissioners not to be interested in contract.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved March 10, 1870.