

CHAPTER 230.

[Published March 24, 1874.]

AN ACT to provide for the purchase of paper required for public printing and blank books.

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

SECTION 1. It shall be the duty of the commissioners of public printing, during the first week in September, A. D. 1874, and every six months thereafter, to advertise for sealed proposals in two newspapers printed in the city of Madison, two newspapers published in the city of Milwaukee, and two newspapers published in the city of New York, once in each week for four weeks, for furnishing the state with such paper as said commissioners may deem necessary for use in printing, and blank books, as may be required by the state.

To advertise for proposals.

SECTION 2. Said advertisement shall state the size, quality and amount of paper required, the necessary form for bids, the time when and the place where the bids will be opened, the necessary bond to accompany each bid, and such other information as said commissioners may deem necessary.

Describe quality and amount required.

SECTION 3. The paper shall be divided into two classes, and shall be bid for separately. The first class shall consist of what is commonly called "print" and "book" paper. The second class shall consist of such fine paper as is necessary in executing the job printing and blank work required by the state. All paper must be clear and uniform in color.

Divided into two classes.

SECTION 4. Previous to advertising for proposals, said commissioners shall provide suitable samples of the various qualities of paper required for the use of the state, which shall be properly labelled and kept in the office of the secretary of state, for the inspection of bidders, and shall at all times be the standard criterions of the quality, weight and size of the paper to be furnished by the contractor.

Shall provide samples.

SECTION 5. Every bid for paper shall be in writing, sealed, and shall have endorsed thereon, "proposals for furnishing paper," and shall be deposited in the office of the secretary of state. Each proposal shall be accompanied with a bond, executed in due form by the bidder, with two good and sufficient sureties, satisfactory to the commissioners, in the penal sum of two

Form of bid.

Shall give sureties.

thousand dollars, conditioned for the faithful performance of his contract, and for the payment as liquidated damages by such bidder to the state, of any excess of cost over the bid or bids of such bidder, which the state may be obliged to pay for such paper by reason of the failure of such bidder to complete his contract. Said bond shall be null and void if no contract is awarded him. No bid unaccompanied by such bond shall be entertained by said commissioners.

When proposals to be opened

SECTION 6. The commissioners of public printing, or any two of them, at the expiration of the time for receiving proposals as aforesaid, shall proceed to open in public all such proposals by them received, and they shall award the contract for each class of paper to the lowest bidder therefor: *provided*, that nothing herein contained shall be construed so as to prevent the same person from becoming contractor for both classes. If two or more bidders propose for the same contract, and the proposal of one be lower on certain qualities of paper, and that of another lower on other qualities of paper, then said commissioners shall make a strict computation of said bids, and shall assign the contract to the lowest aggregate bidder as shall appear by said computation: *provided, however*, preference shall always be given to any bidder residing and doing business in the state of Wisconsin, if said bid shall be as low, freight added, as that of any other bidder not doing business in this state.

To whom paper to be delivered.

SECTION 7. All paper shall be delivered to the secretary of state and by him delivered to the superintendent of public property, who shall be the proper custodian thereof, upon receipting to the secretary of state for the same.

If not of contract quality to be refused

SECTION 8. The commissioners of public printing shall carefully examine the paper received from the contractors, and ascertain whether it corresponds in size, quality and weight to the samples in the office of the secretary of state. If any of the paper furnished by the contractors fails to be as good in quality and not up in all respects to that called for by the contract, then said commissioners shall notify said contractor of the fact and that they refuse to accept the same.

Contractor shall preserve samples.

SECTION 9. The contractor for each class of paper shall file and preserve a sample of each kind and quality of paper embraced in his bill, which he shall deliver over to the secretary of state with his accounts for the same. All accounts shall be carefully examined by the secretary of state; if any error be found in such accounts by said secretary of state, he shall immedi-

ately correct and return the same to the contractor who rendered it, and when the account is finally corrected and adjusted, he shall draw a warrant on the state treasurer for the amount thereof, which amount shall be paid from the general fund. When warrant to be drawn.

SECTION 10. There is hereby annually appropriated out of any money in the state treasury not otherwise appropriated, a sum sufficient to meet the expenditures authorized by this act.

SECTION 11. All acts or parts of acts contravening the provisions of this act are hereby repealed.

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

Approved March 10, 1874.

CHAPTER 231.

[*Published March 17, 1874.*]

AN ACT to authorize John H. Knapp and others to construct and maintain a dam across a branch of Yellow river, in the county of Barron.

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

SECTION 1. John H. Knapp, Henry L. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglass, and their associates, successors and assigns, are hereby authorized to erect and maintain a dam across a branch of Yellow river, in section No. 34, in township No. 36 north, of range No. 13, west of the 4th principal meridian, in the county of Barron, said dam to be for the purpose of facilitating driving of logs down said stream: *provided*, that said dam shall be erected upon lands owned by them or some of them. Names of incorporators. Authorized to erect and maintain a dam.

SECTION 2. Any person or persons who shall willfully break, destroy or open said dams, shall be liable to the proprietors thereof, in an action of trespass, to the amount of damages done in addition to the penalties already provided by law, to be recovered before any court of competent jurisdiction. Penalty for destroying such dam.

SECTION 3. This act shall take effect from after its passage.

Approved March 10, 1874.