

CHAPTER 107.

[Published March 27, 1868.]

AN ACT to provide for continuing the work on the state capitol.

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

SECTION 1. The governor, state treasurer, secretary of state, attorney general and bank comptroller, are hereby constituted a board of building commissioners, and are authorized to let by contract, to the lowest responsible bidder, the building and erection of the foundation of the south wing and of the rotunda of the state capitol to the top of the water table, and the erection and completion of the north wing thereof, the whole to be in conformity with the plan commenced; and such contract shall require the full completion of the same on or before the thirty-first day of December, 1868.

Proposals, &c., for foundation of south wing and rotunda, and for erection of north wing.

SECTION 2. Before advertising for proposals, the commissioners and the superintending architect may make such alterations in the plans and specifications, not materially altering the original plan, as to them may seem advisable.

Plans may be altered.

SECTION 3. In advertising for proposals, in making the contract, and in making payments for work under the same, the commissioners shall follow the provisions of an act entitled "an act to authorize the enlargement of the state capitol, and providing and appropriating means for the payment of the same," approved February 28th, 1857, so far as the same shall be applicable; and in addition to the requirements of said act, they shall require of the contractors reasonable security for the prompt and faithful prosecution and completion of the work under such contract, within the time to be specified in such contract, and shall reserve the right and have the power, if the contractor shall neglect or abandon the work, or fail to prosecute the same with such diligence and dispatch as will reasonably secure the completion of the work in the time specified in the contract, to declare such contract abandoned and forfeited, and shall relet the same to such other suitable person or persons as will secure the completion of the work by the time specified in such contract; and no liabilities shall exist on the part of the state for any service rendered

Act applicable.

Contract may be declared forfeited, &c.

under or upon any contract so abandoned and forfeited : *provided*, that in case it shall become necessary to relet the work, the commissioners shall relet to the lowest responsible bidders in the same manner as is provided for in section one of this act.

Appropriation.

SECTION 4. For the payment of the work, as the same progresses under the contract, there shall be and hereby is appropriated out of the state treasury, a sum sufficient to defray the cost of building said foundation and wing : *provided*, that the entire cost of said work, whether included in the specifications of the architect or not, shall not exceed the sum of sixty-three thousand dollars.

Limit to cost.

Monthly estimates.

SECTION 5. Once in each month the superintending architect shall estimate and report to the commissioners the amount of work performed and material furnished under the contract for such enlargement, and if they approve the same, the governor shall certify eighty-five per centum thereof to the secretary of state, who shall draw his warrant on the treasurer for the same. Upon the completion of the work under such contract, the remaining fifteen per centum shall be certified and paid in like manner.

Architect—his salary, &c.

SECTION 6. The building commissioners are hereby authorized to employ an architect to superintend the work, whose compensation on his estimate shall be as follows : One per centum for details to larger scales, and one per centum for superintendence, which shall be in full payment for all services performed by said architect; and the commissioners may, if in their judgment the public good requires it, discharge such architect, and employ another in his place and stead ; in which case the compensation of said architect for services rendered, shall be adjusted upon the same terms as are heretofore provided for the compensation of the architect, having regard to the amount of services rendered.

To receive no bonus.

SECTION 7. The architect employed under this act is prohibited from receiving, directly or indirectly, any commission, bonus, reward or compensation from the contractor or contractors who may be employed in the construction of the work contemplated by this act, or of any part thereof, or from any one in the employ of or furnishing materials to such contractor or contractors.

Forfeiture.

SECTION 8. In case of a violation of the foregoing section, the architect shall be discharged, and shall for-

feit all claim and right to compensation for services rendered up to the time of such discharge.

SECTION 9. This act shall be of no force or effect, unless the city of Madison shall, in accordance with a resolution adopted by the common council thereof, on the seventh day of March, 1868, furnish, free of rent to the state, commodious and suitable rooms for all the state officers and departments that shall necessarily be removed from the state capitol during the foregoing enlargement thereof, such rooms to be furnished until the completion of the above named work; and as an evidence of the acceptance of such conditions by said city, its mayor and common council shall file with the secretary of state, within twenty days after the passage of this act, a written acceptance of the same, by resolution or ordinance.

City of Madison
to furnish rooms
free of rent, &c.

SECTION 10. This act shall not be so construed as to permit the foregoing named commissioners to let the contract herein, for a larger sum than sixty-three thousand dollars; and any contract by them for any work herein specified, for a larger sum than sixty-three thousand dollars, shall have no binding force or effect upon the state.

Construction.

SECTION 11. This act shall take effect and be in force from and after its passage.

Approved March 26, 1868.

CHAPTER 108.

[Published March 27, 1868.]

AN ACT authorizing the borrowing of money on the faith and credit of the state, to defray extraordinary expenditures.

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

SECTION 1. For the purpose of defraying extraordinary expenditures on the enlargement of the capitol, 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 prescribed.

Loan of \$50,000
authorized.