

collected, shall be paid to the person prosecuting therefor, and the residue shall be paid into the treasury of the county for the use of the school fund; provided, further, that no county clerk shall be liable to any penalty or to the forfeiture of any sum whatever for causing such publication to be made in a weekly newspaper published in such county for the length of time hereinbefore named prior to the date of such county clerk's notice, when by reason of accident or other cause more than one week has intervened between the dates of its actual issue to subscribers, if such delay at any one time shall not have exceeded three days. But every such newspaper, for the purpose of this section, shall be deemed to have been regularly published once in each week as hereinbefore provided.

SECTION 2. All laws or parts of laws conflicting with any of the provisions of this act are hereby repealed so far as they conflict with the provisions of this act and no farther. Repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

N^O. 573, A.]

[Published April 24, 1895.

CHAPTER 368.

AN ACT to provide for the manner of asking and receiving bids for public work or improvements ordered by the common council of any city of the first class in the state of Wisconsin.

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

SECTION 1. Whenever the laying and building of any sewer or the grading or making of

Board of public works to advertise for bids for public works or improvements.

any street or alley shall be ordered by the common council of any city of the first class as classified in chapter 40 of Sanborn and Berryman's annotated statutes of the state of Wisconsin, and by chapter 238, laws of 1895, the board of public works of said city shall advertise for proposals for doing the same, a plan or profile of the work to be done, accompanied with specifications for doing the same, or other appropriate and sufficient description of the work required to be done and of the kinds and quality of material to be furnished being first placed on the file in the office of said board of public works for the information of bidders and others. Such advertisements shall be published at least six days in the official city papers, and shall state the work to be done and the time for doing the same, which time shall in all cases be such a reasonable time as may be necessary to enable a contractor with proper diligence to perform and complete such work.

Proposals to be accompanied by at least 15 per cent of estimated cost.

SECTION 2. All proposals for such work shall be sealed and directed to such board of public works and shall be accompanied at the time of such bid or proposal with a sum of money equal to at least fifteen per cent. of the amount of the engineer's estimate of the cost of such work, as the board of public works in such advertisement may direct, under an agreement that such sum of money shall be returned to such bidder in case the contract for the work bid for is not awarded to such bidder, or which sum of money shall also be returned to such bidder in case such bidder will execute the contract for such work pursuant to his bid and accompany such contract with good and sufficient bond with satisfactory sureties in case the contract is awarded to such bidder, and also that in case the contract is so awarded and he shall [fail] to execute a bond with satisfactory sureties to perform the work specified for the price named in his bid within a reasonable time after such contract is prepared and ready for execution, then such sum of money shall become the property of said city as fixed and liquidated damages for

Contractor to give bond

such default, and shall be paid by said board to the city treasurer of such city. All bids unless fulfilling the requirements of this act shall be rejected.

SECTION 3. All acts or parts of acts contravening the provisions of this act are hereby repealed. Repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 603, A.]

[Published May 4, 1895.

CHAPTER 369.

AN ACT to enable Burnett and Washburn counties to receive certain moneys paid into the state treasury, pursuant to chapter 197, laws of 1879.

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

Whereas, By chapter 197, of the laws of 1879, Preamble.
the St. Cloud, Grantsburg and Ashland Railroad company was required to pay into the state treasury, for a period of fifteen years, five per centum of its gross earnings; and,

Whereas, By section 3, of that act, it was made the duty of the state treasurer upon the receipt of said money in each year to endorse the amount so received upon the bonds of said county of Burnett, held by the state; and,

Whereas, Said Burnett county as it existed at the time of the passage of said chapter 197 has since been divided, and the county of Washburn organized and created out of a portion of its territory; and,