

consin, in an action to foreclose a mortgage or mortgages, or where an order or decree has been made by any such court, for the sale of mortgaged premises, the mortgaged premises shall be sold only upon six months notice given of the time and place of such sale, which notice shall be given in the manner provided in this act for giving notices of the sale of mortgaged premises.

SEC. 3. It shall be the duty of the sheriff, deputy sheriff, or other officers appointed by the court, to make sale of the premises immediately after receiving a copy of the order for the sale of mortgaged premises upon which such proceedings have been instituted, to publish or cause to be published, notice of the sale of such premises, (unless otherwise ordered by the court,) describing the same therein, as now required by law, in some newspaper of general circulation in the county in which such premises are situated, at least once in each month, for the period of six months before sale of the same; and if no newspaper be printed or published in said county, then the same shall be published in some newspaper in an adjoining county, for the time aforesaid, and no sale of mortgaged premises, under foreclosure by action, shall be valid, unless made in accordance with the provisions of this act.

Notice of sale
—how to be
given.

SEC. 4. So much of any law, and such parts of all acts as contravene the provisions of this act, are for the purposes of this act, hereby repealed.

Repealed.

SEC. 5. This act shall be immediately published, and shall take effect and be in force from and after its passage and publication.

Approved May 15th, 1858.

Chapter 114.

Published May 21st, 1858.

AN ACT relating to the Public Printing.

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

SECTION 1. The Governor, Secretary of State and State Treasurer, are hereby constituted a Board of Commissioners.

Board of
Printing Com-
missioners.

missioners, for letting contracts for the Public Printing, as hereinafter provided.

Duty of Board of Commissioners—to give notice for letting Public Printing.

SEC. 2. It shall be the duty of the said Board, immediately after the adjournment of the present Legislature, and immediately after the adjournment of every second or fourth session thereafter, as may be determined by the terms of the contract, to advertise in six different newspapers in the different sections of the State, for the term of three weeks, for sealed proposals for doing, at the seat of government, all printing and binding authorized or required by the Legislature for its use, or for the use of the State in all its several departments thereof, including all blanks, blank books, circulars, and every other kind of printing and binding for the School Land Commissioners. Also, all kinds of printing, binding, &c., as set forth above, for the Bank Comptroller, the Superintendent of Public Instruction, the Supreme Court, the Military, as well as every other department of the State, or in manner pertaining to any of the departments, it being the object of this act to include all printing and binding of every kind and description, for which the State may be liable to pay, except, however, any printing and binding, or either, which may have been, or may be otherwise specially provided for by any act passed at the present session of the Legislature.

Division of printing into three classes.

SEC. 3. Said advertisement shall divide the printing and binding required to be done, into three classes, to wit:

First—To comprise all printing incident to the business of the two houses while in session;

Second—To comprise the journals and documents of the two houses, and all general and local laws passed by the Legislature; and

Third—The printing of the several State departments, including all blanks, blank books, used in the several branches thereof, of all kinds and descriptions whatsoever; to include such blanks as have heretofore been lithographed or engraved, used in the several departments; all the aforesaid classes to be offered in one bid, and provided for in one contract.

May appoint some person to draw up specifications wherein to base contract.

SEC. 4. The said board of commissioners before receiving proposals as aforesaid, may employ one or more competent persons to draw up specifications, as to what shall constitute a printing bid, and a basis upon

which the same shall be computed, taking as a criterion as near as possible, the amount of work done for the preceding year; said specifications shall embrace the style of each class of work, the manner of arranging the same, providing against unnecessary "leading" or "break lines," with a view to soliciting bids for the work, as follows :

First Class—The price of plain composition, rule, or rule and figure work, per 1000 ems ; First class what to specify.

Second—The price per token for press work ;

Third—The price of paper per quire (18x24 inches) for use in book work, and also the price per quire for bill paper, and such extra incidental jobs as may be required ;

Fourth—The price of folding per 100 sections of eight pages; the price of stitching, covering and trimming pamphlets, &c.

Second Class—The price of composition, press work, paper (18x24 inches), folding and paper covering as provided in the first class. Also, the price per copy of binding in either cloth, paste-board, sheep or calf skin, as may be directed by the Legislature, or by the said board under the authority of law. Second class.

Third Class—The price per quire for blanks, counting twenty-four sheets to the quire, with one or more blanks to the sheet ; also, the price per volume for record book binding, as may be directed by the department ordering the same. Said specification shall be drawn up in plain terms, and shall clearly set forth all facts and directions which are to govern the State Printer in the performance of his duties ; and the said board of commissioners shall have the power to stipulate with the contractor, that the number of laws and other documents, now required by law, to be printed, shall not be diminished, during the continuance of said contract, and said specifications and agreements shall form a part of, and be attached to, said contract at the time of consummating the same. Third class.

Sec. 5. Bidders shall be required to furnish with their bids, specimens of all classes of work, which this act authorises them to bid for ; and such specimens as may be deposited by the successful bidder shall be filed away by the Secretary of State, and shall at all times be a standard criterion for all work to be done by him for the State ; and such specimens shall be the guide Bidders to furnish specimens of work.

Specimens of printing.

for auditing all accounts under the contract. And should the work prove inferior to such specimens, in the opinion of the Secretary of State, or officer duly authorized to canvass the same, such work shall be refused. And it shall be the duty of the said Board of Commissioners, to refuse to consider any bid not accompanied with specimens of each class of work authorized by this act to be bid for, and in determining who is the lowest bidder, the quality of the specimens presented shall be considered in connection with the price proposed.

Bids.

SEC. 6. All bids shall be sent by post, and directed to the Secretary of State, endorsed "Proposals for the State Printing," and shall be and remain sealed up, until the time specified in the advertisement for such letting, for opening the same; and no bid shall be received by said Secretary of State after said hour. The opening or making known of the contents of any sealed bid, or the receiving of any bid after that time, or considering any bid not made in compliance with this act, by the Secretary of State, shall be deemed a misdemeanor, and punished as such.

Opening of bids and awarding of contracts.

SEC. 7. At the hour specified in the advertisement for opening said bids, the said board, or a majority of the same, shall proceed to open said bids, and to determine who is the lowest and best bidder for the State Printing, and if necessary shall employ a competent person, or persons, to assist in making the necessary computation for determining such bids under oath, if the said commissioners shall so require, and after due examination, and the determining of the same, the said board shall immediately notify the successful bidder of his appointment to execute the work, who shall within four weeks, after receiving said notice, execute a bond to the Governor, in the sum of twenty thousand dollars, conditioned for the faithful performance of the duties assigned him, which bond shall be approved by the Governor, and deposited in the office of the Secretary of State; and in case said lowest bidder shall fail to fulfill his contract, or if the commissioners shall become satisfied that any fraud exists in the same, or he shall fail to execute his bond, he and his guarantees shall be liable for all additional cost which may accrue to the State by reason thereof; and the board, in case of such default, shall immediately award the contract

to the bidder next lowest and best, who shall execute a bond in the sum aforesaid, within two weeks after he is notified of said award, or at their discretion, the commissioners may advertise for new proposals. No bid for such printing shall be considered, which is not accompanied by a sufficient guarantee, that the bidder, if successful, will execute to the State a bond as contemplated by this act; "a sufficient guarantee" shall be held to mean the signatures of any number of freeholders not exceeding five, who shall make oath before some officer or officers, competent to administer oaths, that they are worth in real property, over and above all legal incumbrances, or liens, to the aggregate amount of the bond required by this act to be given by the Public Printer, which several oaths or affidavits shall be attached to, and accompany each bid offered; and it shall not be lawful for the board of commissioners, or the court before whom an appeal is authorized to be taken by this act, to consider any bid not accompanied by such "sufficient guarantee."

Bids to be accompanied by guarantees.

SEC. 8. The contract shall continue for a period of two years, from the first day of January, next after the same shall have been let, but the board of commissioners may extend the time to four years, at any time before the contract is entered into; *Provided*, The successful bidder shall give double the amount of security hereinbefore required, to wit: Forty thousand dollars, (\$40,000) conditioned for the faithful performance of the contract; *Provided, further*, That the said board of commissioners shall require the person or persons who may be the successful bidder or bidders, next after the passage of this act, to execute under the terms of said contract, before the first day of January next, all printing of pamphlets, blanks, binding, or any other matter of the School Land Commissioners, Bank Comptroller, and Superintendent of Public Instruction, and all other printing which the present contractor is not bound to execute, or which he claims not to be under the provisions of his contract, and the obligations and the requirements of this act shall be binding and of force, from and after the execution of said contract.

Term of contract.

Provisos.

SEC. 9. Before entering upon such contract, the said board shall cause to be drawn up an agreement to be entered into, between the State and the contractor, fully

To enter into agreement with contractor.

setting forth the terms and conditions under which the work contracted for, and set forth in the 4th section of this act, shall be executed, which agreement shall describe the manner of doing the work, the materials to be used, and all other facts necessary to a clear understanding of the work to be done; and no bid shall be allowed for work not performed, or materials not furnished, in accordance with such agreement.

Constructive charges, &c.

SEC. 10. No "constructive charges" for work shall be allowed; all forms of type shall be considered as new composition which may be ordered after two days subsequent to the first order; "all fractional forms and fractional tokens," shall be counted according to the usages of the "craft."

To deposit copies of all works with Secretary of State with affidavits annexed.

SEC. 11. The person so appointed to do said work, shall deposit with the Secretary of State, from time to time, copies of all work by him executed, to which shall be annexed, an affidavit, either of said contractor or printer employed upon the work, stating the number of copies printed and delivered to the State Superintendent of Public Property, whose receipt shall be a voucher for the same. The amount of composition, press-work and paper, amount of folding, stitching and binding of all book or pamphlet work, and the number, quires of blanks, &c. And such affidavit shall be *prima facie* evidence of the truth of the facts therein stated.

Printing subject to order of each department.

SEC. 12. The printing of the two houses of the Legislature shall be subject to the order and direction of the respective bodies; the printing of the several departments shall be subject to the order of the respective officers thereof; but in no event shall any work ordered, be executed by other than the State Printer; neither shall any work coming within the scope of, and which can be handsomely done in letter press printing (which heretofore has been lithographed or engraved) be given to any other than the State Printer, and all laws now in force authorizing any such orders, for printing for the several departments, which conflict with the foregoing provision of this section, are hereby repealed. No order shall be given for any work not absolutely required for the use and convenience of such office, and in quantities within the actual requirements of the departments making use of the same.

All work to be done by State Printer.

SEC. 13. The Chief Clerk of each house shall deliver to the printer aforesaid, a copy of every document or other matter ordered printed, by either house of the Legislature, on the same day such orders are made, and the same shall be printed with the least possible delay; and the Chief Clerk of each house, shall, within ten days after the close of each session, furnish to said printer a correct copy of the journals of their respective houses, together with a copy of all reports made to the same.

Duty of Chief Clerks of Senate and Assembly.

SEC. 14. The Secretary of State shall, within one week after the passage of any law, or joint resolution, furnish such printer with the correct copy of the same, to be called for at his office; and whenever, in his opinion, it is expedient for public convenience, he may direct said printer to separate the documents from the journals of the two houses, and order the same to be printed and bound in a separate volume or volumes.

Laws—copy, how furnished; may separate journals and documents.

SEC. 15. The laws passed at each session of the Legislature, shall be divided by the Secretary of State and Attorney General, into two classes, which shall be published and bound in separate volumes. The first class shall include the laws of a general nature, joint resolutions and memorials; but no law incorporating a railroad, plankroad or other company, shall be published therewith, unless such law especially requires that it be so published. The second class shall include all laws required to be published which are not embraced in, and published with the laws comprising the first class. The title pages of the respective volumes shall express whether they contain the "Acts of a General Nature," or the "Private and Local Acts and Charters of Incorporated Companies."

Laws to be divided into two classes; each class what to include.

Title pages.

SEC. 16. No law appropriating money and containing no other provisions, shall be published, unless the law expressly requires it; but, instead thereof, the Secretary of State shall make out and certify to a full statement or list of all appropriations of money made by law at any session, and the purposes for which made, and cause the same to be published with the general laws passed at such session. The signature of the Speaker of the Assembly, and President of the Senate, and Governor, shall not be printed at the end of each law or chapter, but only at the end of the

Appropriation laws, &c.

volume; but the date of approval by the Governor, shall be affixed to each law.

Number of laws to be printed, and how distributed.

SEC. 17. The Public Printer shall hereafter print eight thousand copies of the laws of the first class, and three thousand copies of the laws of the second class, and five hundred copies of the journals of each house of the Legislature. A copy of the laws of the first class shall be distributed to each person and officer now entitled to the laws passed at each session, and also to the chairman of the board of supervisors of each town; and a copy of the laws of the second class shall be distributed to each such person and officer, other than a town officer, and to the town clerk and chairman of the board of supervisors of each town.

All documents to be of uniform size.

SEC. 18. The laws and journals, messages of the Governor, reports of State officers and school commissioners, reports of committees of the Legislature, and all other documents required by the Legislature, or any department of the State, to be printed, shall be of uniform size, so as to admit of their being bound together in a compact form.

Laws, &c. to be published at legal rates.

SEC. 19. The fees to be allowed hereafter for publishing in the State paper or other newspaper, any law, notice, or other matter required to be published for the State, shall be the same as may be prescribed for publishing legal advertisement and notices.

Printing accounts—how paid.

SEC. 20. All accounts for public printing shall be paid out of the general fund, and the Secretary of State shall draw an order on the State Treasurer for the same, and the State Treasurer shall pay all such orders out of any money in the treasury not otherwise appropriated; *Provided*, That all blanks, blank books, and other printing required for the use of the school land commissioners, and of the Superintendent of Public Instruction, shall be paid for out of the several funds to which the printing relates; and Secretary of State is required to certify to the Treasurer, out of which particular fund the amount audited or appropriated, is to be paid.

Proviso.

Governor to place reports and message in hands of printer as soon as made.

SEC. 21. Immediately after the annual reports of the several departments shall have been placed in the hands of the Governor, he shall put them, with a copy of his annual message, into the hands of the State Printer, who shall proceed to print, stitch and cover them, in the usual manner, in one volume, as speedily as possible; the number of such volumes shall be one

hundred copies for the use of the State departments, and one thousand copies for the use of the two houses of the Legislature.

SEC. 22. At the commencement of every session of the Legislature, there shall be appointed by their respective houses, a committee consisting of two members of the Senate, and three members of the Assembly, which shall constitute the committee on printing. Printing committee of the legislature.

SEC. 23. The committee on printing shall have power to examine all accounts and other papers on file in the office of the Secretary of State, to decide upon questions of delay and neglect, and generally to investigate all matters relating to the printing of the State; the committee shall make a report by bill or joint resolution to the Legislature of all its actions, and the same shall be approved or rejected. Power of printing committee.

SEC. 24. The Legislature, and during the recess of the Legislature, the Governor, Secretary and Treasurer, may annul any contract for printing, for an unreasonable delay in the execution of the work, or for doing it in an inferior or improper manner. The annulling of the contract shall not release the security from their obligation upon the bond of such contractor. Annulling of contract.

SEC. 25. When any contract shall be declared null for any cause, the said commissioners shall immediately proceed as if such contractor had refused to give security. How to proceed when contract becomes void.

SEC. 26. Should any bidder feel himself aggrieved by the decision of the said commissioners in making the decision and appointment of the lowest bidder, he may proceed by writ of mandamus against the commissioners, in any circuit court of this State, and shall have the right to try the facts of the case by a jury. To proceed by writ of mandamus when bidders feel aggrieved.

SEC. 27. If it shall at any time become necessary to publish an extra number of copies of any law or laws of this State, such publication shall be by authority of law, such law to define the number of copies which shall be published; *Provided*, That the printing, folding, stitching, covering and binding of said extra copies of law or laws, shall be done in strict accordance with the provisions of this act. Extra number of copies of laws to be printed by authority. Proviso.

SEC. 28. Chapter five hundred and four of the general laws of 1852, relating to printing, and all acts or parts of acts contravening any of the provisions of this act, are hereby repealed. Repealed.

SEC. 29. This act shall take effect and be in force from and after its passage.

Approved May 17th, 1858.

Chapter 115.

Published May 20th, 1858.

AN ACT to amend Chapter Fifteen (15). of the Revised Statutes, in relation to the Assessment and Collection of Taxes.

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

BY WHOM, AND WHERE, PROPERTY SHALL BE LISTED.

To list all property subject to taxation.

Proviso.

By whom property to be listed.

SECTION 1. Every person of full age and sound mind, not a married woman, shall list the real and personal property subject to taxation, of which such person is the owner, situate and being in the county in which he resides, and all moneys of which he is the owner, in his possession, or on deposit, subject to his order, check, or draft; and all credits due from any person, body corporate or politic, whether in or out of such county; *Provided*, That bona fide debts, owing by any person, company, or firm, may be deducted from the gross amount of moneys and credits of such person, company or firm. The property of every ward shall be listed by his guardian; of such minor, having no other guardian, by his father, if living; if his father is not living, by his mother; if neither father nor mother be living, by the person having such property in charge. The property of every wife shall be listed by her husband, if of sound mind; if not of sound mind, by herself. The property of every person for whose benefit such property is held in trust, shall be listed by the trustee. The property of every estate of a deceased person shall be listed by the executor or administrator. The property of corporations whose assets are in the hands of receivers, shall be listed by such receivers. The property of every firm, company, or corporation, shall be listed by the principal, accounting officer, partner or agent thereof. Merchants' and manufacturers'