

No. 212, S.]

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CHAPTER 218.

AN ACT for the relief of Henry Baetz and Ferdinand Kuehn, ex-state treasurers, and their sureties.

Whereas, Henry Baetz received interest on deposits of public funds while treasurer of the state of Wisconsin, from the first Monday in January, 1870, to the first Monday in January, 1874, and Ferdinand Kuehn received such interest as state treasurer from the first Monday of January, 1874, to the first Monday of January, 1878, claiming and applying the same to their own use, and

Received in
terest on public
funds.

Whereas, Said Ferdinand Kuehn on or about the first day of February, 1876, made a report to the legislature then in session of the interest he had received during the two years then last past, and notice was thereby given officially to the state of Wisconsin through its legislature that interest was then being received and theretofore had been received by state treasurers upon the deposits of public funds, and of their claim to such moneys for their own use, and

Made report of
same to the
legislature in
February, 1876.

Whereas, The legislature of the state of Wisconsin then and there took action upon the subject, and by its proceedings and enactments, especially chapters 340 and 341, of the laws of 1876, yielded and conceded to the then state treasurer and to prior state treasurers all such interest received by them, and also all such interest which the then state treasurer might receive up to the first Monday of January, 1878, the time when his term of office should expire, and

Legislature
took action and
yielded the in-
terest to them.

Whereas, No subsequent legislature has interfered with the adjustment so made, and

Has not since
been interfered
with.

Whereas, no claim for any such interest was ever made upon either of said ex-state treasurers or their sureties until the year 1891, when

No claim was
ever made.

suits for the same were brought against them on behalf of the state of Wisconsin; it appearing moreover, that after the expiration of their respective terms of office, and before the bringing of said suits, each of said ex-state treasurers became insolvent and pecuniarily irresponsible, so that the burden of repaying said interest if now enforced would fall wholly upon their sureties, who, by reason of the aforesaid action of the state ought not now in justice to be subjected to such burden, now, therefore,

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

Attorney-general authorized to set aside judgments.

SECTION 1. The attorney-general of the state of Wisconsin is hereby authorized and directed to cause to be opened and set aside the judgments rendered against said Henry Baetz and Ferdinand Kuehn and their respective sureties, and to discontinue the suits against them.

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

Approved April 13, 1895.