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Governor's message and accompanying documents. 1855

Madison, Wisconsin: Beriah Brown, 1855

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GOVERNOR'S MESSAGE,
AND
ACCOMPANYING DOCUMENTS.

1855.

NOT FOR PUBLICATION

STANDARDIZATION

ANNUAL MESSAGE

OF

WILLIAM A. BARSTOW,

GOVERNOR OF THE STATE OF WISCONSIN,

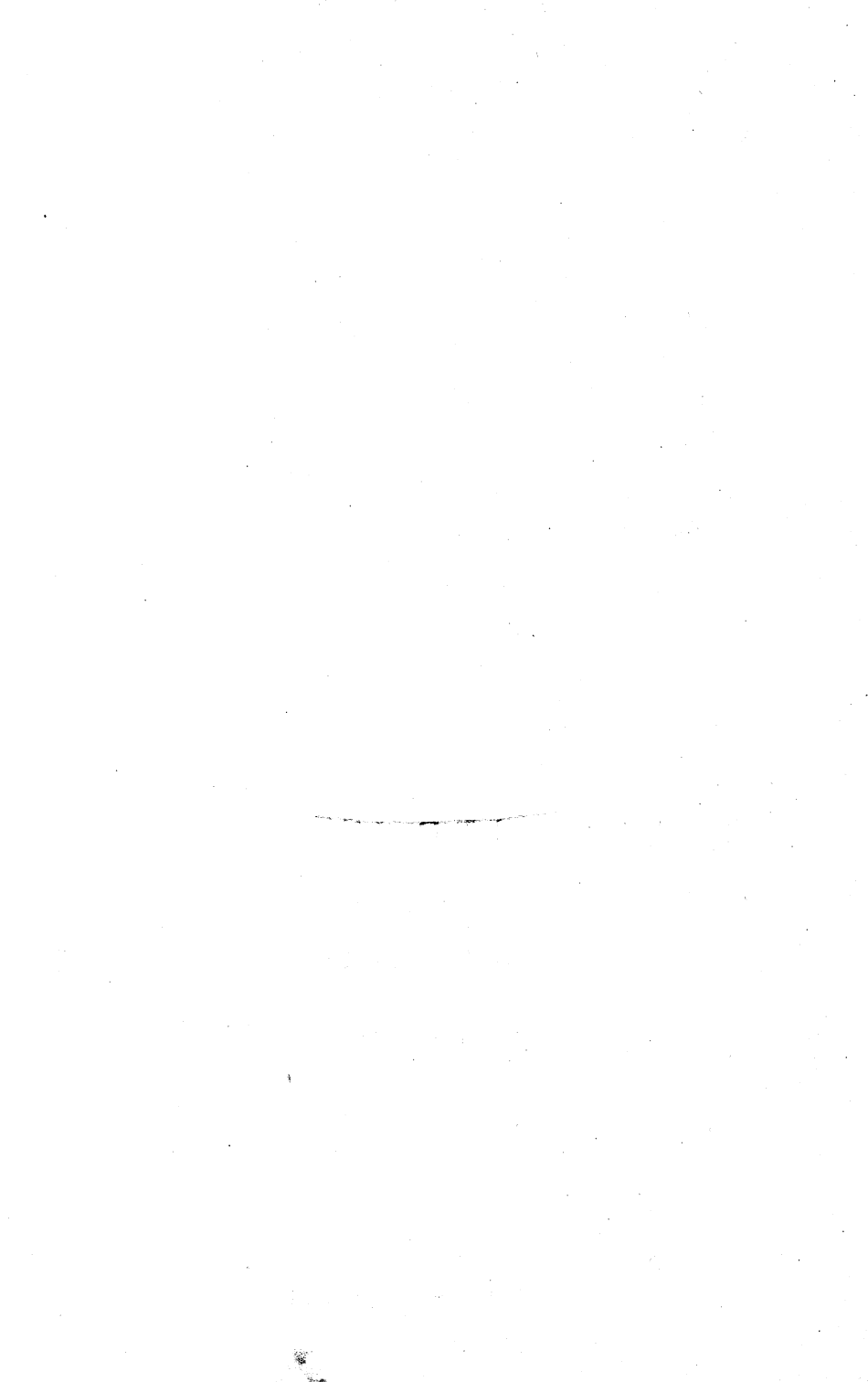
ADDRESSED TO THE

SENATE AND ASSEMBLY.

JANUARY 12, 1855.

MADISON:
BERIAH BROWN, PRINTER.

1855.



M E S S A G E.

Fellow Citizens of the Senate and Assembly :

You, having assembled to discharge the high and responsible trust confided by the Constitution to the representatives of the people, it becomes my duty to lay before you such information, concerning the condition of the State, as I may possess; and to recommend for your consideration and action, such matters as, in my judgment, the wants and interests of the people demand at your hands. But, before proceeding to the performance of that duty, I regard it as not only proper, but even obligatory upon me to advert to the results of the year which has just closed; and to indulge in congratulations to an extent never before warrantable in the History of Wisconsin. With the exception of the epidemic, which has prevailed so generally throughout our country, it may be truly said, that the past year has been one of more than ordinary good health, even in this State—so remarkable for its salubrity. Prosperity has crowned enterprize and industry, in whatever honorable channel exerted, until the admission is compelled from all, both at home and abroad, who are acquainted with its resources, that no State presents greater inducements to the various industrial classes than our own. It has been ascertained that the amount of our exports, during the past year (including Lumber and Mineral) has exceeded the sum of thirteen millions of dollars.

While a great Commercial revulsion seems to be visiting many sections of the Union, crippling their resources and impairing

their prosperity, no State shares less in its effects, or is better prepared for its consequences. We have but to pursue that onward, though cautious policy, which has characterized our course thus far, in order to ensure the occupancy of that desirable position among the confederated States, which an energetic and intelligent population—favored by our advantages of soil and climate, joined to a fortunate commercial position—are so well calculated to command. Let us faithfully endeavor to perpetuate our prosperity and happiness—relying with confidence upon the Supreme Ruler for strength and wisdom.

While the wants and varied interests of a young and growing State like ours, necessarily call for much legislation, there is not at this time apparent an amount of legislative labor necessary to be performed, sufficient to justify a protracted session. Excessive legislation is too frequently indulged in—resulting in onerous taxes and the enactment of conflicting and unwholesome laws.—Still, while I believe it to be my duty to urge upon you the propriety of a brief session, and a rigid observance of economy in the expenditure of the public monies; I am far from meaning to be understood, as wishing to curtail either, to the prejudice of any interest which it may be your duty to provide for or protect.

Among the important matters to which I wish particularly to invite your attention, and on which, in order to secure a proper and timely result, it will become your duty to act at an early day, is that of a careful examination of the Official Reports, and the real condition of the several departments of the State Government. These reports will immediately be laid before you, and they will be found to be full and explicit. Your constituents have a right to claim at your hands, such information as you may be able to obtain; and it is your duty to investigate closely into the doings of those intrusted with their interests. The conduct of all public servants, under our form of Government and Laws, is, and should be, subject to inspection; and, upon a thorough and careful examination, it is but simple justice to all parties concerned that the people should know and understand the result. This

duty of the Legislature, though frequently demanded of them by the officers themselves, has, I regret to say, been too long neglected and shamefully avoided.

The Reports of the Secretary of State, and State Treasurer, will exhibit to you in detail, a full statement of the receipts and disbursements of the Treasury Department, during the fiscal year, closing on the 31st day of December—from which I am enabled to lay before you, such information concerning the same, as I deem important for the purposes of this communication. It appears that the entire amount paid into the Treasury, during the year 1854, on account of the various funds, was, \$401,738,42

Viz:	Account of General Fund,	\$191,299,46
	do Principal of School Fund,	85,583,27
	do do University do	9,945,59
	do Income of School do	106,235,03
	do do University do	8,775,07

Add balance in the Treasury	January 1st, 1854, on	
	account of all Funds,	\$57,436,48

Total	\$459,274,90
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During the same period the disbursements appear to have been as follows, viz:

Account of General Fund,		\$222,154,12
do	Principal of School Fund including loans,	84,996,06
do	do University do do do	21,898,93
do	Income of School do	97,188,88
do	do University do	10,640,44
do	Fox & Wis. Improvement Fund,	129,00
		\$437,007,43

Showing a balance in the Treasury, on the first day of January, 1855, on account of the various funds of \$22,267,47

The Secretary of State, in his report, estimates the amount probably necessary to be drawn from the Treasury, on account of the General Fund, during the present year, to meet present and accruing liabilities, at \$253,059,52

In this estimate, it is proper to state, that the sum of \$141,638,72 is included, as necessary to meet arrearages, arising from the erection of Penitentiary buildings and support of convicts during the past and present year, also the sum necessary to be applied toward the erection of a Lunatic Asylum, and the completion of a portion of the buildings designed, and the support of, the Institutions established, for the education of the Blind, and Deaf and Dumb.

To meet the foregoing liabilities, the resources are stated as follows, viz:

State Tax as levied and equalized under the act of 1854,	\$225,000,00
Bank Tax, (estimated)	30,000,00
Rail and Plank Road Tax, (do)	9,0 0,00
Miscellaneous Resources, (do)	24,829,91
Total,	<hr/> \$288,829,91

Among the matters of interest presented by this Report, is a brief review of the public expenditures, since the admission of Wisconsin into the Union—showing the yearly appropriations therefor, from 1848 to 1854, inclusive—amounting in the aggregate, to the sum of \$830,244,30; of which \$94,071,31 was in the years of 1848-9; \$71,675,38 in 1850; \$112,420,80 in 1851; \$123,474,06 in 1852; \$163,910,58 in 1853, and \$264,692,07 in 1854. Of the last named sum, appearing under the head of expenses for 1854, \$63,696.03 was for the expenses of other years; so that the actual expenses, for the objects of 1854, were \$200,996,04, inclusive of such as are provided for by permanent provisions—thus only exhibiting that annual increase in public expenses, consequent upon the organization and progress of a new state, and growing in a great measure out of the necessary expenditures in providing Penitentiary and other public buildings, and the establishment of charitable institutions. While, from the foregoing, it would appear that the expenses for the year 1854, were between thirty and forty thousand dollars more than for any previous year, yet the aggregate, for general purposes, for that year, was evidently some

forty thousand dollars less than for 1853. This is accounted for by the fact that upwards of \$80,000 more than in any previous year for such purposes, was appropriated for the erection of a State Prison, Lunatic, Deaf and Dumb, and Blind Asylums—including the moderate appropriations made for the benefit of the State Agricultural and Historical Societies; all of which did then, as they do now, appear to be just and worthy objects of Legislative favor; and some of which, at least, must continue to be objects of that character and destined to create no small proportion of the public expenses, unless other provisions than at present exist, are made for their defrayal.

With the suggestions of the Secretary, in relation to existing laws, on the subjects of the registration of marriages, births and deaths—foreign insurance agencies—the judiciary fund—the fixing of a penalty in the event of a failure of Town Assessors to make return, and the publication of the election laws, I most fully concur. His exhibit, however, of the expense heretofore incurred by the Legislature, for newspapers and postage, is worthy of more than a passing notice at this time; and can but impress you with the importance of a reform, in respect to these matters. It appears that the expense for those two items alone, has for several years, averaged nearly ten thousand dollars annually—a very large proportion of which, I have ever regarded as unnecessary and unwarrantable in its character, and should be reduced and confined to such sum, as the legitimate objects of legislation may properly demand.

The report of the Board of Commissioners of School and University Lands, has been elaborately prepared, and comprises much of interest, connected with the responsible trust committed to their charge.

It appears that the aggregate principal of the School fund, amounted on the first day of January, to the sum of \$1,670,258 77—being an increase, during the past year, of \$528,454 49; derived chiefly from the sale of lands. The gross amount of interest, received since the last apportionment made to common

schools, including the sum payable prior to the tenth day of March next, (that being the time fixed by law for the annual distribution) is \$142,434 29 ; which, according to the estimate of the State Superintendent of Schools, is equal to 93 cents for each scholar—an increase of 21 cents over the previous year.

The claim of the State to the quantity unselected of the 500,000 acre grant, amounting to about 125,000 acres, belonging to the School fund, and heretofore denied by the General Government, upon the ground that there was an arrearage due the Government from the State, arising from the connection of the Territory with the Rock River Canal, has, during the past year, been amicably adjusted, upon terms entirely favorable to the State ; and the lands thereby accruing, have been chiefly selected. It seems highly probable that a like favorable adjustment will be had, of our claim to the five per centum of the nett proceeds, arising from the sales of Government lands, to which the State is entitled—amounting at this time, it is supposed, to about \$60,000 ; and withheld by the Government, for the same cause ; as will more fully appear from a statement of the facts of the case, and the argument of the matter, which will be laid before you. Considerable additions have been made to this fund, during the past year, arising from fines collected by agents appointed for that purpose, under an act authorizing the same—a large proportion of which, it is believed, never would have reached the Treasury, except through the operation of some similar enactment. A defect in the law, however, it is said, has in some instances, been made an excuse for not paying ; to the correction of which, your attention is invited. The rapid increase of this fund, exceeding so greatly the early anticipations formed in regard to it, affords cheering evidence of its ultimate sufficiency, for the purpose intended. To know that the means of obtaining a common school education, are within the reach of all, is a source of just pride and congratulation, and should prompt us to protect them by the erection of such safeguards, as the interests and well being of posterity demand. Under an act of the Legislature of 1854, requiring the commissioners and Governor to revise the

mode of keeping the School and University accounts and records, important improvements have been made, and the work contemplated by said act, is rapidly progressing. In order, however, to ensure the continuance of this, a more permanent provision for the expenses, than at present exists, should be made therefor, at the present session; and I can conceive of no just cause why such expenses should not be paid from the fund, for which they are incurred.

As the law now is, in cases where the interest due upon School and University Lands purchased has not been promptly paid on the day it became due, there have been a number of instances where the lands thus forfeited have been entered by others; and upon their making the payments required, the original purchasers have been deprived of all of their rights in the property. This, in many instances, is calculated to work extreme hardship to those who, through ignorance or accident, fail to pay the interest due upon the day fixed; and some provision should be made, either for extending the time after advertisement, or giving the parties concerned such reasonable equity of redemption as will enable them to retain their lands, if they wish so to do. In this connection, and with a view of subserveing the best interests of the State, without prejudice to the fund, I submit to you the propriety of providing a reasonable limit to the quantity of School and University land which any one individual may hereafter purchase; and, as far as practicable, insure the occupation of the same to actual settlers. This I deem to be the best policy to be pursued on the part of the State, and by the encouragement thus rendered to a class of citizens whose principal resources consist in their energy and industry, the fund may be advantaged to as great a degree as under the present system; and the State at large will be benefitted to an extent, which the practice of monopolizing large tracts, by a few individuals, has a tendency to prevent. The only class whose interests such action will have a detrimental effect upon, is one composed of speculators merely, and who are not the tillers of the soil. An instance of such

attempted monopoly occurred during the year 1853, when a few parties combined, and bought in connection, upwards of 130,000 acres; and also during the last year, a single individual purchaser appears upon the books of the department as the proprietor of nearly 60,000 acres; and in sundry other instances, similar operations, on a smaller scale, have occurred. If, without detracting from the proper fund, and the income arising therefrom, this growing evil can be prevented, I deem it to be your duty to provide the same by such enactments as are best calculated to ensure the desired result.

I recommend to your especial notice, the very full and clear report of the State Superintendant, as exhibiting ample evidence that our common school system was well devised, and is now thoroughly organized; having, by its practical operations, demonstrated that the hopes early formed in regard to it, were not extravagant. The cause of education in this State, has manifested a degree of prosperity that furnishes us with good reason for rejoicing; and the degree of interest, not only exhibited, but felt by all in its advancement and permanent establishment, affords strong testimony of its continuance and value. The various institutions of learning, established in different parts of the State, and not assisted from any fund over which it has the charge, are all as flourishing and prosperous as we could, at this early day, have any reason to hope they might be. We have cause to be proud of the fact that so many of them, conducted as they are by able and learned men, have already been reared in our cities and villages, and are spreading widely their beneficial influence. The second dormitory building of the State University is now nearly completed, and will be ready for the reception of students by the first day of June. It affords me pleasure to state that this valuable institution continues to increase its influence and usefulness, and is steadily progressing in all of its departments. The report of the Board of Regents, which has not yet been received, but which will in a short time be laid before you, will exhibit particularly all matters of interest connected with the University, and will

doubtless merit your attention. The gross amount of the University fund, on the first day of January, amounted to \$161,146 61. The amount of income applicable to the support of this institution for the present year, including the accruing interest for 1855, is \$12,405 45.

The report of the Bank Comptroller enables me to lay before you reliable information, concerning the operations of the various banks, under the General Banking law of the State. It appears that the whole number of Banks established, and transacting business, under the law is *twenty-four*, with an aggregate capital of \$1,450,000 00. The amount of securities, consisting entirely of State Stocks, deposited with the Comptroller, is \$1,033,000 00; upon which the issue of circulating notes, amounted on the first day of the present year, to \$937,592 00—yielding a revenue to the State, by tax, for the year 1854, of \$18,165 63.

It is a gratifying fact, and one upon which we may congratulate ourselves, that thus far the practical working of our banking system, gives evidence of its superiority over many, if not over all, those adopted by other States. Notwithstanding the numerous failures of banking institutions in other States, and the money panic, which of late has so generally prevailed, but one of the institutions, organized under the general law of this State, is reported to have failed, to redeem promptly its notes. As an evidence of great determination, on the part of bankers, to merit confidence, in nearly every instance, upon the request of the Comptroller, additional securities have been deposited, to an amount corresponding with the recent decline in the market value of stocks; or by the return to the Comptroller, of an amount of circulating notes, equal to such depreciation. The promptness evinced by the banks, in thus responding, and the sound discretion exercised in the management of a department so important, to the credit and business interests of the State, cannot but command your approbation.

Our banking law, although generally regarded as being as well adapted to secure the interests of the bill holder, as any which

could well be framed, yet it is not void of defects, which are pointed out in the report of the Comptroller, and will, I trust, receive your attentive consideration, and in that connection it may be well to consider whether there is not a class of securities within our own State, of the nature of bonds issued by some of the principal cities, that may under proper restrictions be received as the basis of banking.

The present unsettled condition of monetary affairs, which is pervading the country so generally, and more recently brought nearer home to us, with increased deleterious effects, in consequence of numerous Bank failures in neighboring States, induces me to invite you to the examination of the subject, and urge upon you the necessity of such enactments as will, as far as practicable, provide a remedy, and protect the people against the imposition and fraud, so frequently practiced, by the introduction and circulation of doubtful currency, brought to our State and forced into very general use—not unfrequently through the aid of our local bankers, who neither hold themselves responsible for its redemption, nor make it a source of revenue to the State, by the payment of a tax upon the capital, if any there is, thus employed. The effects of this practice upon the legitimate business of banking, under the law of this State, is to discourage, and frequently cripple those institutions which were established in good faith under it. For while the banker, under our law, is required to amply secure every dollar issued—redeem those issues, on demand, in coin, and pay a State tax upon his whole capital, he is frequently compelled, in self defence, to place foreign insecure issues, to a certain extent, upon an equality with his own—thereby giving countenance and credit to a currency, having its origin in parts too far removed to insure safety, and liable, sooner or later, to become worthless to the holder.

Viewing this matter in the light I do, I can arrive at no other conclusion, than that justice to the State, as well as the banking institutions established under its laws, and the safety of the bill holder, demand of you, either to provide for prohibiting the

circulation of all foreign bank notes, not secured in a manner equal to our own; or, at least, require as far as practicable, such bankers as may issue foreign notes, to treat them in all respects as their own currency, issued in conformity to our banking law, and render it, subject to the same requirements, in every important particular.

A report, in detail, of the condition and wants of the State Prison, is submitted by the Commissioner thereof, to which I invite your early and careful attention. During the year 1853, Henry Brown, then Commissioner, contracted with Andrew Proudfit, to erect the stone work of the south wing of the permanent Prison building. Subsequently, the present Commissioner made other contracts, for the remaining portions of the work, and material necessary for the completion of the same. The whole structure is now very nearly finished, and it is intended to place the convicts within it, during the present month. This building is of the most permanent and substantial character, being fire proof, 200 by 50 feet, four stories high, and containing two hundred and eighty-eight cells, and it is to be hoped, will be sufficient for the purposes intended, for many years to come. As a matter of just convenience to the officers in charge, and for the purpose of ensuring against escapes, the main building ought to be erected, as soon as the means for that purpose, without embarrassing the Treasury, can be appropriated. While convict labor has contributed much toward the erection of the building, still there is yet, over and above all former appropriations, made for that object, a large sum due to contractors—beside considerable balances, for the maintenance and management of the prison, which it will be your duty to examine into, and provide for. Provision was made, at the last session of the Legislature, for rewarding convicts for overwork. While this principle may be just and worthy in its tendencies, I regard the practice of paying to the convicts themselves, any portion of such earnings, until after their discharge, as liable to work great evils, by being improperly used, as they not unfrequently are, and in a manner affecting the prison discipline, and the security of prison-

ers. If such earnings can be confined to the support of the families of the convicts, where they may have them, during their imprisonment, and in cases where they have no families, the money be retained until the discharge of the convict, the main objections to the practice of rewarding them for their labor is, in my mind, overcome. The question whether convict labor can be profitably employed, without working a serious injury to such of our citizens as are engaged in the mechanical or manufacturing pursuits, has often been seriously discussed, and it is still doubtful what may be the duty of the State in the premises. Now that comparatively little labor will, for some years to come, be required of the convicts, in the erection of prison buildings, and entertaining grave doubts, both as to the policy and propriety of the states engaging in manufacturing articles for sale, by convict labor, I submit to your consideration, the propriety of authorizing the letting, to the highest bidder, for a term of years, such of said labor, to be used within the prison enclosure, as cannot be profitably employed by the State, in the erection of buildings,—requiring the contractor, to furnish his own tools and shops for such labor; Thus throwing the whole matter open to competition, and relieving the State of great responsibility and perplexity connected with the same.

In my first message to the Legislature, I urged upon their attention, the propriety of adopting the preliminary measures to secure the erection of an Institution for the benefit of the insane.—An act was passed at that session, authorising the Governor to appoint three commissioners and a Superintendant, who were clothed by law with power to purchase suitable grounds and to erect the necessary buildings. In April last the appointments contemplated by that act were made, since which time, appropriate grounds for that purpose near the village of Madison have been purchased and conveyed to the State, and contracts entered into for the erection of buildings, upon the most modern and approved plans. The main building and two wings are, by the terms of the contract, to be in readiness for the reception of patients, by the first day of January, 1856. The appropriation for this object be-

ing small compared with the magnitude of the work, was evidently intended simply to secure the commencement of the undertaking. As to the propriety of prosecuting with energy, such an undertaking so praiseworthy and just in its character, I need not here urge upon you, further than to say, that more aid is indispensable, and will, I trust, be found at your hands. For information in detail, concerning the transactions of the Commissioners and Superintendant, and the condition and wants of the Institution, I refer you to the reports of the officers in charge.

The prosperous condition of the Institutions established for the education of the Blind and Deaf and Dumb, as is more fully shown by the reports of the respective boards of Trustees, is well worthy of notice. Indications of correct and judicious management by those in charge of them are apparent. The provision heretofore made by the Legislature for the establishment of these charitable institutions, must be regarded as having been bestowed upon objects worthy and humane in their character, and as meeting only the demands of simple justice to the unfortunate of those classes. And while I hold it to be our duty, to make ample provision for those objects, and in no event to fail to provide annually for their free support, I cannot in view of the liberal provision before made for them, and the insufficient provision made for other institutions [similar in their character, consistently urge at this time your making appropriations for the purpose of materially enlarging their buildings during the present year, to any more than the completion of such portions, as are already commenced. In support of this, I refer to the reports which exhibit the number of pupils in each; as being much less than equal to the accommodations provided, and from the best information I am enabled to obtain, will be found ample for the present year. The propriety of providing by law, however, at the present session for the ultimate extension and completion of the buildings, according to the plans adopted, in my judgment, is unquestionable; and to that end, such provision at the present session as will accomplish that object, within the necessary space of time, I am cheerfully dis-

posed to favor. Means for the erection of shops, necessary for the use of the Deaf and Dumb, and the support of each of these Institutions during the present year, are clearly objects claiming immediate provision, to the extent of which I refer to the respective reports.

The Geological survey of the State has been prosecuted during the past year with great energy, and most encouraging results. The able report of Professor Percival, our State Geologist, will doubtless elicit attention, both at home and abroad; and I trust will receive at your hands an early examination; as its importance will justify the publication of a larger edition than is usual of this report, so immediately connected with the great mining interest of the State. The surveys thus far made have been chiefly confined to the lead districts, and that having now been nearly completed, it is intended, during the coming season, to direct the examination of the country north of the Wisconsin River, to our copper mines, bordering on Lake Superior. There may, in my judgment, be prosecuted in connection with the Geological survey, a Zoological examination, for a comparatively trifling expense, resulting in such discoveries and collections, connected with the natural history of the State, as in future will be viewed as valuable and interesting, and to secure the full benefit of which, early action is necessary.

The military spirit exhibited by a portion of our fellow-citizens is both commendable and worthy of further encouragement than is now provided by law. In order to render the Militia of practical utility, the proper steps should be taken by the Legislature to encourage the formation of uniformed companies, which seems to be the best, if not the only practicable means, at present, of bringing into use the quota of arms which our State is entitled to draw annually from the United States government. Imperfect as is the system for obtaining an enumeration of the militia of the State, yet the partial reports of the assessors of the several towns, show an increase which entitles the State, for the present year, to receive equal to about 400 stand of arms, valued at nearly

\$5,000 00. It is recommended by numerous military officers that a law, similar in its character to the one now existing in the State of New York, be enacted. An examination of that law has induced me to recommend it to your consideration, as worthy of imitation, and calculated to inspire a proper military spirit. The report of the Adjutant General, to which I invite your attention, contains explicit information, and many valuable suggestions, concerning the present condition of the militia.

The Attorney General, although not required by law to submit an annual report, has seen proper, in view of some matters of importance to the State connected with his department, and of which it is proper for the Legislature to be informed, to transmit, through me, a brief report, which I recommend you to consider.

Emigration to our State is annually on the increase, furnishing further evidence of the adaptation of our soil and climate to the habits and wants of the emigrant, and of the high estimate abroad placed upon our resources. The Commissioner of Emigration, in his annual report, calculates the number of emigrants from foreign countries who have found their homes in Wisconsin; to be much greater during the past than any former year. A large portion of this, I am induced to believe, resulted from the continuance of an agency in New York, and through the sub-agency, established at Quebec, under it. My former expressed views, in regard to the propriety of such agencies, I have had, as yet, no reason to change.

The Secretary of State and Governor were, by an act of the last Legislature, constituted commissioners, to procure to be published in two volumes, so much of the Documentary History, as at that time had been prepared for publication. Under this authority, a contract was made for five thousand copies of each volume, which are now nearly ready for delivery. The work has been prosecuted under the supervision of the author William R. Smith, Esq., whose report of his doings in the premises, is herewith submitted. This valuable and interesting publication, being the property of the State, it is proper that provision be made for an early distri-

bution of a portion thereof. I would therefore suggest the propriety of donating one copy to each of our common school libraries, to the libraries of each institution of learning throughout the State, and also to each of the several State Libraries of Union, and the various departments of the General Government—reserving a large number of copies for future demand, and the purpose of exchange for other valuable works, to be deposited in just proportions, in the Libraries of the State, and the State Historical Society. The annual report required of the Executive Committee of the State Historical Society, is herewith transmitted and gives evidence of strict fidelity on their part, to the trust committed to them. Through the perseverance of its managers, this society has grown into an importance which reflects much credit upon them and meriting, in my judgment, greater encouragement at your hands than has heretofore been bestowed by the Legislature. The increasing labors devolving upon the corresponding Secretary to perform, have reached that magnitude that I regard it proper in view of the interest the State should manifest, in the promotion of the objects of this society, that a reasonable salary should be provided, and paid by the State to that officer.

It affords me great pleasure to announce the fact, that the Fox and Wisconsin Improvement Company have pressed the work undertaken by them, with a degree of energy, which must prove most satisfactory to all interested in its completion. The Company have been fortunate in the selection of their officers, and in obtaining abundant means to forward the enterprise, on a scale of far greater magnitude, than was at first contemplated; being intended to pass boats of a draft of at least four feet and a half of water.

The expenditures of the Company, as reported by its President, Otto Tank Esq., since the transfer by the State, and up to the 20th of December last, are as follows, viz:

Grand Kaukalin	\$42,630.94
Little Chute	60,403.57
Cedar Rapids	8,665.80
Grand Chute	47,852.36

Menasha	6,939 16
Docks, Warehouses, boats and barges	16,948 05
	<hr/>
	\$183,460 53

The sum estimated as necessary to complete the work, is the comparatively small one of \$32,388 84. The Company have paid of the Improvement liabilities, the amount of \$123,480 81—there by giving an earnest of their design to remove all the pending indebtedness, within the time required by the act of Incorporation. The difficulties which have been overcome, in the progress of this work, were exceedingly formidable, but the benefits to be derived from it, when finished, by a large portion of the State, are on a scale of far greater magnitude. As one of the few great connecting lines of communication, between the Lakes and the Mississippi it assumes almost a National importance; and running as it does, through the entire breadth of our State, it becomes of a value to those along its line, that no other means of transportation now used could replace. Rapid settlements, and a great increase of wealth, must necessarily follow its completion, and a large portion of our State now but thinly inhabited, or a wilderness, will receive an impulse which, at no remote period, will render it a rival in all of the elements of material prosperity, to those sections already of importance, from their resources and population. A glance at the map will show the favorable Geographical position of the work, which, together with the internal improvements now in progress in Canada, confer an importance upon it which the originators of the project, in all probability, never foresaw. From the terminus of the Improvement at Green Bay, to Toronto on Lake Ontario, via. the Rail Road, terminating at Georgian Bay, and which is but 70 miles in length, it is no greater distance, than from that point in our State, to Detroit; and lessens the number of miles, usually travelled to reach the Eastern ports, by several hundreds. This is a matter of no small consequence, to the Northern and North Western portions of our State, and demonstrates the fact, that this, when established, must be the line over which a large proportion of the vast carrying trade of those sections, and much of the

country lying west of the Mississippi, will be most conveniently and cheaply done. The portion of country, contiguous to the Lake shore, must also share in the advantages thus conferred, by the opening of a nearer and cheaper avenue of communication with the commercial centers at the East.

The State at large is not without a deep interest in the completion of this important improvement within it. The number of great water powers which it will create along its extent, the manufacturing villages which it will cause to spring up in consequence, and the increase of taxable property and commercial activity, are considerations important to the welfare of our whole people. We can now plainly discover, unaided by speculative statesmen, the benefits and disadvantages of the policy of granting public lands, in the states where they may lie, to be appropriated to the construction of works of this character; and our experience will go far towards convincing others, that the benefits have largely the preponderance. Undertakings, of a magnitude which would repel private enterprise unless thus aided, are encouraged and assisted to completion, and where, without such aid, if attempted, they would languish and die, the whole country, including the General Government, by the more rapid sales of its lands, are benefitted to an extent not easily calculated.

Large additions to the State Library, through means provided by the last Legislature, have been made during the past year. A detailed report, concerning the same, will be laid before you at an early day. ~~The expenditures~~ of a moderate sum only will be required annually, in the purchase of late publications, to render it both an ornament to our State, and sufficient for the objects which induced its establishment.

The U. S. standard weights and measures, to which this State was entitled, on her admittance into the Union, have recently been received and put in order for use, in a suitable fire proof building, erected for that purpose, upon the public grounds, in pursuance of plans furnished by the U. S. Government.

In order that these costly standards may be rendered as useful,

as it was designed by Congress they should be, I deem it important that the law relating to procuring county standards, should be so amended as to require the State Treasurer, who, by law has the charge of the Government standards, to procure the manufacture from suitable material, for the use of each county, of complete and uniform standards, to be by him sealed and delivered to the proper county officer—the cost of which, to be added to the amount of State tax that each county shall respectively be liable to pay, for the year the same shall be delivered. This I regard as the best means of insuring the proper uniformity in county standards, which it is so necessary to secure.

In my former message to the Legislature, I urged the propriety of making provision for the sale of the swamp and overflowed lands, granted to this State by act of Congress, approved September 28, 1850. The Legislature at that session failing in the attempt to provide for such sale, I now renew the subject, and recommend definite action.

There are numerous considerations which should weigh, in urging an early disposition and reclamation of these lands. To dispose of them, would tend greatly to improve the health of localities contiguous to them—would hasten the settlement of the country, and make productive taxable property of much of that, which in many instances, is at present useless, and no law for their protection, or against taking the timber from them, it is believed, could be rendered sufficiently efficacious to prevent their being thus despoiled, of what, in many instances, constitutes their chief value. Besides, even admitting the possibility of enforcing such a law, it could not be done without great perplexity and expense to the State.

Since the adjournment of the last Legislature, I have endeavored to adopt measures for the purpose, not only of ascertaining the facts, relative to the quantity and value of these lands, but also to secure the fee simple title thereto to the State.

Perfected and approved lists of such of said lands as remain unsold, within the surveyed portion of the State, and formerly

subject to sale at the several U. S. Land offices, have been procured from the Commissioner of the General Land Office, and are as follows, viz. :

In the Milwaukee Land District	53,636	93-100	acres.
“ Mineral Point “	13,515	40-100	“
“ La Crosse “	217,295	18-100	“
“ Willow River “	118,015	45-100	“
“ Menasha “	717,528	62-100	“
“ Steven’s Point “	521,670	52-100	“

Making a total of one million six hundred fifty-one thousand sixty-two 10-100 acres.

Official statements from the General Land Office, of the sales made by the government of such granted lands, since the passage of the act appropriating the same, and for which the State is clearly entitled to receive either money or other lands, it is promised, and confidently believed, will be forth coming ; which, it is thought, will increase the total quantity within the surveyed portion of the State, to nearly two millions of acres ; so that, upon a moderate estimate, for that portion of the overflowed lands, in the surveyed districts, (not included in either of the lists referred to,) and the swamp and overflowed lands yet to be surveyed in the northern portion of the State, it is reasonable to suppose that the total quantity which will ultimately enure to the State, from this grant, will equal three millions of acres. For the lands embraced in the perfected lists referred to, such assurances have been received, from the Commissioner, as to render it morally certain that patents for the same will be executed to the State at an early day.

Many of these lands are valuable, and should there be a judicious provision made for their sale, a large sum of money may be speedily realized by the State, after complying with the terms of the grant.

Admitting the propriety of thus disposing of these lands, I can see no constitutional objection to appropriating the surplus pro-

ceeds, after their application to the extent required by the act granting them, to such purposes as the Legislature may deem proper; and, as a large sum has yet to be expended, in the erection of public buildings—such as the completion of the Penitentiary, the construction of the buildings for the various charitable institutions, and, at no distant day, of a new Capitol edifice, or the enlargement of the present—which, even now, owing to the insufficiency of room for offices, seems to be demanded.

From the examination I have given this subject, I am clear in the opinion that, from the sales of these lands, we may reimburse the treasury for all past outlays, on account of public buildings, of every character; and further, erect all such buildings as the State will require for many years to come. The constitutional limit for State indebtedness being small, and that limit having been reached during the years 1852 and 1853, I am strongly impressed with the belief, that in the sale of these lands is presented the only means at present within our command, by which to provide for the objects named without resorting to direct taxation, the burthens of which, for the ordinary expenses of our State, while yet in its infancy, will be found fully equal to the ability to meet.

I therefore recommend that in the event of provision being made for the sale of the lands, that the proceeds accruing to the State be set apart for the aforesaid objects.

Section three, article four, of the constitution requires the Legislature to provide by law for an enumeration of the inhabitants of the State in the year 1855. You will undoubtedly comply with this provision of that instrument at the present session. In addition to the enumeration required, I recommend that provision be made for collecting, at the same time, as full and complete information concerning the manufactures, products, and property of the State as may appear practicable. The information thus derived will unquestionably be found interesting, valuable, and creditable to our State.

It affords matter for congratulation, that the different Railroad

enterprizes of our State, have, to a certain extent, recovered from the temporary depression, brought about by well known causes. It is now a conceded fact, that these important agents in the rapid settlement of our country, and in the developement of its resources, afford in this State, secure means for the profitable investment of capital; and such is now our condition, that it is no longer indispensable for us to rely entirely upon furnished from older and more wealthy communities, for their construction. It has, until a comparatively recent date, been absolutely necessary to induce the aid of foreign capital, in order to take the first steps in these enterprizes; and no better evidence could be given, of the rapid and healthy growth of the State, than that of our greatly increased ability to forward such means of communication, and the certainty of their yielding a profitable return, for the investments which may be made in them. Aside from the generous reward obtained by every branch of industry and enterprize, and from the increase produced by superabundant harvests, greatly beyond the demand for home consumption, though added to by the wants of an unparalleled emigration—much of that emigration has, of itself, been of a character calculated to augment materially, the available capital of the State. Those laws of trade, which gradually and steadily regulate the supply in accordance with the demand, have insensibly, but with certainty, furnished our citizens with a great proportion of such means, as their necessities required, and their situation enabled them to secure and render profitable. Those legitimate works of internal improvement, the construction of which the onward march of our State made necessary, have felt the effect of the general impulse. Such as are already in progress, are being urged forward, with all of the means of the companies having them in charge; and it is now confidently believed, that their completion, within a reasonable time, is placed beyond the possibility of a doubt. It should be the care of the Legislature to foster, by liberal enactments, these important interests, and protect them by all such laws, as are calculated to secure their rapid construction, and the permanency of all those investments, which may

be devoted to their advancement or continuance. As one of the means necessary to effect this end, I would strongly recommend the passage of such laws, as would tend to prevent the commission of any fraud, by the over issue of stock or otherwise by the officers of incorporated companies, and which could affect the interests of those entrusting them with the management of their affairs, or that of the community at large. The occurrences which during the past few months have been brought to light, in several of the States, demonstrate the existing necessity of such enactments; and until there has been some action of this kind taken, the construction of our Roads must necessarily be retarded, by considerations which the Legislature can do much toward removing, by the imposition of severe penalties for offences of the character referred to, and such other checks, as they, in their wisdom, may see fit to establish. Such a course will have the tendency to increase greatly, the value of our securities abroad, by giving capitalists confidence in their permanent value. This subject I consider to be one of the highest importance, and I trust your earnest attention may be directed to the establishment of some law, which will have the effect desired. The opinions expressed by me, in my former message, relative to the importance of a speedy completion of our Railroads, and the means which seemed to me proper to be used for their construction, I still adhere to, and would reiterate, did not a simple reference to that document obviate the necessity of so doing. In this connection, I deem it proper to recommend, that the Legislature pass such a law, as will enable Rail and Plank Road Companies to secure the right of way over all lands owned by the State, or held in trust for any fund.

In my former message, I took occasion to urge upon the Legislature the propriety of memorializing Congress upon the subject of the Improvement of our Rivers and Harbors through the assistance of the General Government. Since that time Congress has acted upon the matter and passed an act making more liberal appropriations than had previously been set apart for these objects. From this bill, the President saw fit to withhold his sanction, and

it is to be regretted that he deemed it his duty to take such a course, in view of the deep concernment we have in the making of adequate appropriations by Congress, for these objects. Such have been demanded by the West for many years as a right to which they were entitled, as fully as that portion of our common country situated upon or near the sea board; and no satisfactory reason has yet been adduced why we should not have the full benefit of a system which has proved so highly advantageous to others. Thus far, we can with propriety say that all the benefits reaped through the assistance of the General Government, have scarcely been worth the labor it has cost to obtain them. Considering, as I do, that the right so long claimed by us is one to which we are entitled by the clearest principles of justice and national expediency, I feel it to be proper to reiterate all of the opinions I have formerly expressed upon the subject, and to urge upon the Legislature the memorializing of Congress, to either make these improvements by appropriations from the Federal Treasury, or remove the obstacles in the way of our making them ourselves.

The subject of the Revision of our Laws, is one of consequence sufficient, in my judgment, to authorize the Legislature, at the present session, to take those preliminary steps, necessary to the attainment of this object. So great is the mass of our laws now, and so crude, conflicting, and uncertain in their character; that it is very difficult for those even, whose profession gives them the best opportunities of knowing what the existing laws are, to distinguish the binding enactment from the repealed or altered law; and this evil, in connection with the manner of publishing our Statutes, leaves the people of our State nearly as much in the dark, as to the action of their Legislatures, as if they resided in some other. The certainty of a law is one of the chief benefits to be derived from it, and it is not clear but that it would be better for community to suffer the existence of bad laws, than to live under a system, which is subjected to continual alterations. Our excessive Legislation has a tendency to produce an entirely different result from the one intended, and is, perhaps, as much calcu-

lated to create evils, as to prevent or redress them. I trust that your attention will be devoted to this matter, and will result in the establishment of a system of laws which can be understood, and a reform in the manner of their publication.

The proposition submitted by the Legislature to the people, at the last general election, to so amend the Constitution as to provide for biennial sessions of the Legislature, was negatived by a very decided vote. That this instrument is, in some particulars, imperfect, and might, by alteration, be better adapted to our condition, I am thoroughly convinced; but the policy of adopting any amendment of it, until a thorough revision is had by a convention, may well be questioned. Propositions to amend either the constitution or laws, should be thoroughly considered, and the consequences attendant, canvassed with great care and mature deliberation.

The law fixing the time for the annual meeting of the Legislature on the second Wednesday of January, should, in my judgment, be so amended as to allow the various officers who are required to report annually through the Governor to the Legislature, more time after the close of the fiscal year to prepare their reports. The fiscal year, as is wisely provided, closes on the 31st day of December. For those departments connected with the financial affairs of the State, an insufficient space of time is now allowed after the closing of their accounts, on the last day of the year, to prepare in due form the reports required of them by law. In order, therefore, to provide a remedy for the evil stated, and to afford the Governor a reasonable time for obtaining such information from the reports as is proper for him to communicate to the Legislature at the opening of the session, as well as for numerous other reasons which might, with propriety, be urged, I recommend that provision be made for the annual sessions hereafter to commence as late as the third or fourth Wednesday in January, instead of the second, as is now provided.

We, in common with our sister states, have in general, great cause for rejoicing, at the results of the year which has just closed-

Although the pestilence has left in its train, many sorrowing hearts and desolated homes, yet aside from this, the nation has reason to be thankful. Throughout our borders, all the arts of peace have been crowned by those just rewards, the hope of which has called them into existence. Plenty has richly repaid industry, and while the Old World is pouring out its blood and treasure upon fields of battle, we have been permitted to enjoy the fruits of our labors in peace. Civil and Religious liberty are ours by inheritance, and we have, to the fullest extent, realized the blessings attendant upon them—supported, as they have been, by no force beyond that of an enlightened public opinion. Like the return of the seasons, and the operation of all natural laws, our political system has continued its working, until we have come to regard this wonderful result of the wisdom of our forefathers, as a matter of course, and receive its benefits as we do the daily gifts of Providence.

The perpetuity of this system can only be maintained, however, by a strict obedience to the laws, for the faithful execution of which I shall be found ever ready, should the emergency arise.

So far as your labors may be confined to the legitimate objects for which you are convened, and are calculated to promote the best interests of the whole people—if not in violation of that instrument which we alike are sworn to support—you may rely with confidence upon my ready co-operation.

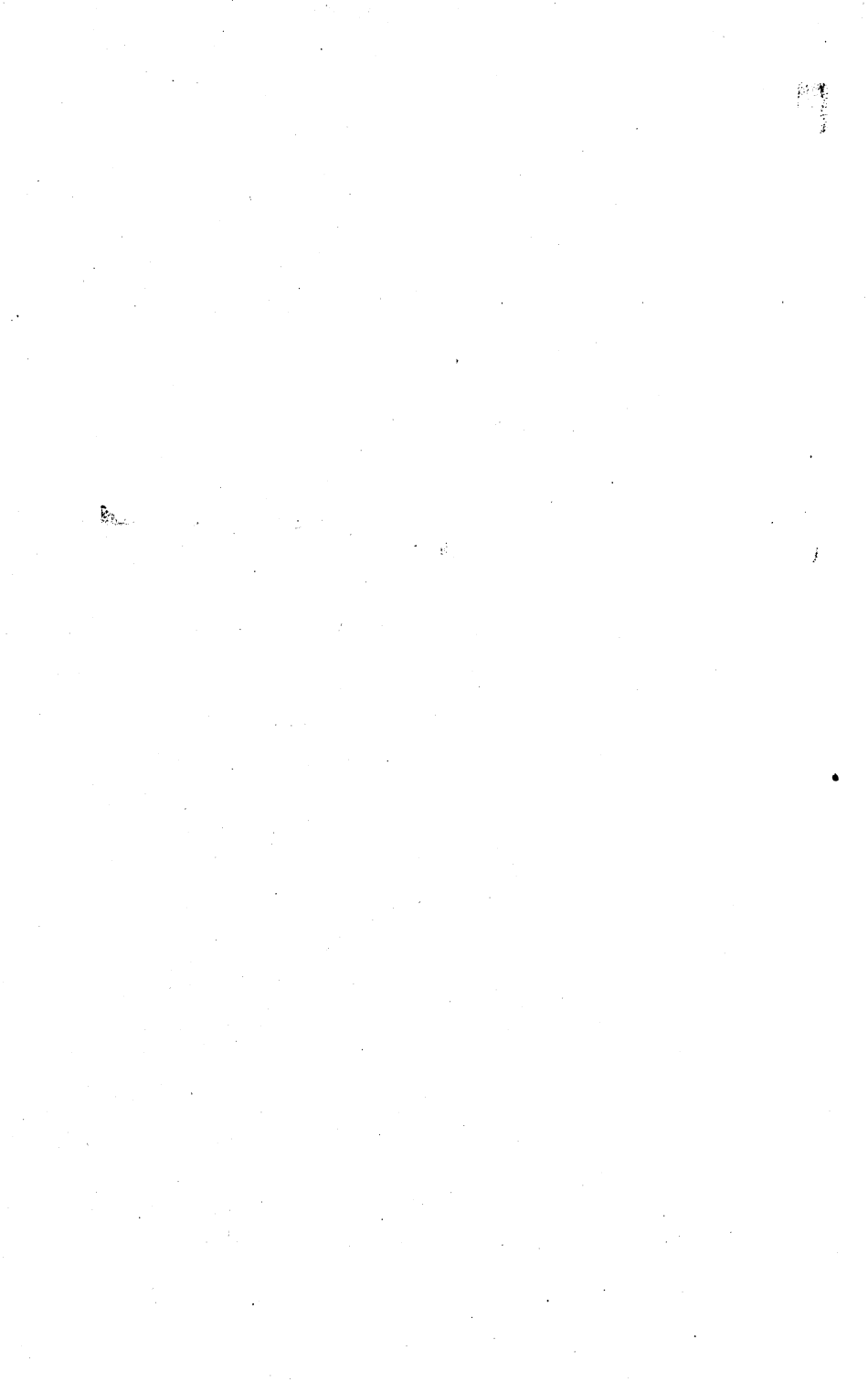
WM. A. BARSTOW,

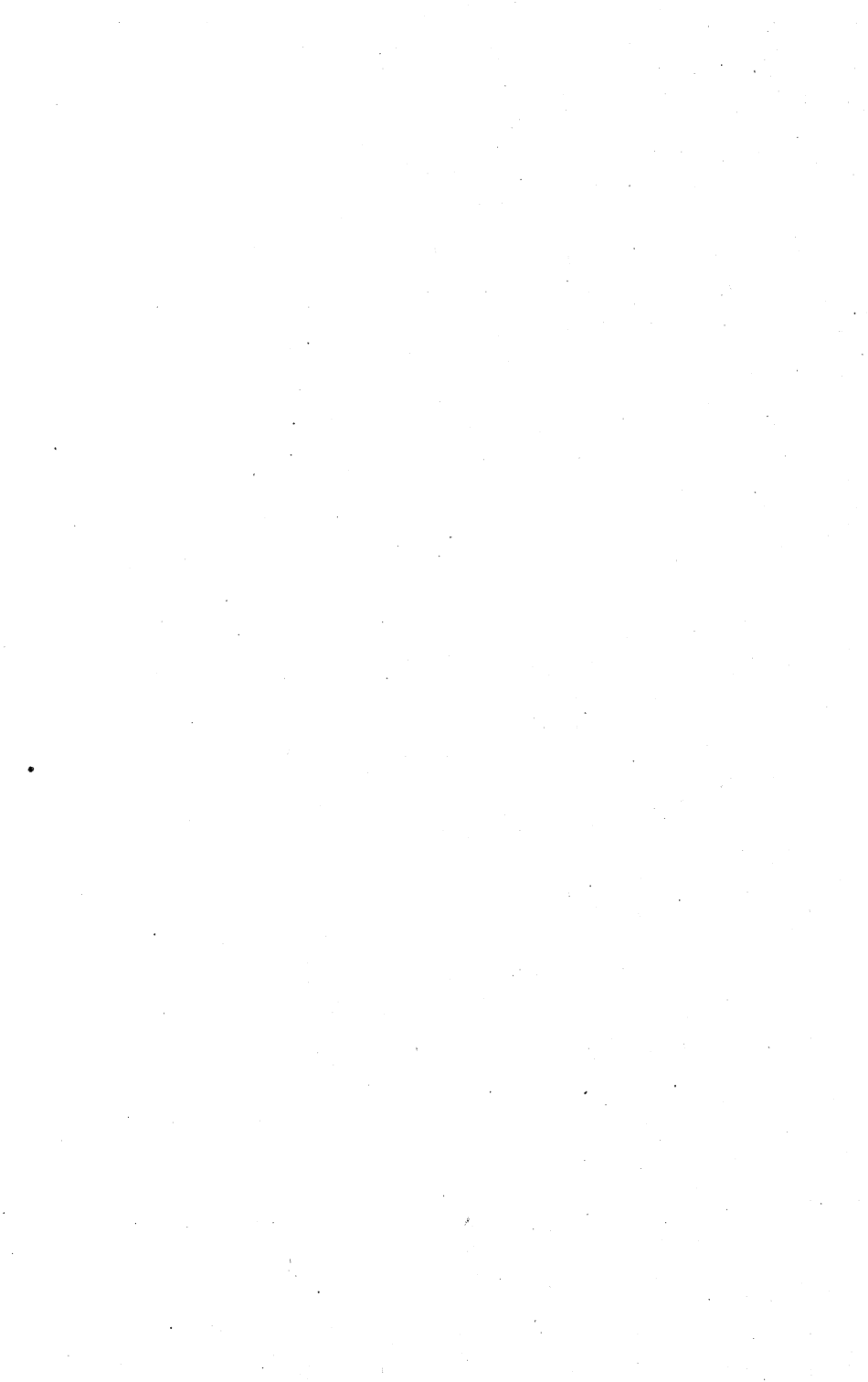
EXECUTIVE DEPARTMENT,

MADISON, January 12th. 1855.









ANNUAL REPORT

OF THE

SECRETARY OF STATE,

OF THE

STATE OF WISCONSIN,

FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, PRINTER.
1855.

REPUBLICAN PARTY

1891

STATE OF MISSOURI

1891

STATE OF MISSOURI

FOR THE YEAR 1891

1891

MISSOURI STATE ARCHIVES

1891

SECRETARY'S OFFICE,

MADISON, January 1, 1855.

HIS EXCELLENCY WILLIAM A. BARSTOW,

Sir: Herewith I have the honor to transmit, for communication to the Legislature, the Seventh Annual Report from this office.

Very respectfully,

Your obedient servant,

ALEXANDER T. GRAY,

Secretary of State.



REPORT.

SECRETARY'S OFFICE, WIS.,
Madison, December 30, 1854,

To the Legislature :

In conformity with the provisions of law contained in chapter nine of the Revised Statutes, the undersigned, Secretary of State, has the honor to submit the Annual Report from this office showing "a complete statement of the funds of the State; of its revenues and of the public expenditures during the year eighteen hundred and fifty four, with a detailed estimate of expenditures to be defrayed from the Treasury for the ensuing year," and also touching other matters pertaining to his office, which are deemed worthy of legislative consideration.

The several funds of the State, separate and distinct accounts of which are kept by the Secretary of State, as Auditor, are eight, to wit :

I—*The General Fund.*

II—*The Judiciary Fund.*

III—*The Fund for the Blind.*

IV—*The School Fund.*

V—*The School Fund Income.*

VI—*The University Fund.*

VII—*The University Fund Income.*

VIII—*The Improvement Fund.*

They are formed and explained as follows :

THE GENERAL FUND

This fund embraces all of the revenues of the State, the avails of which are applicable to the payment of the ordinary expenses of the State government, and is derived from the following sources, to-wit :

Arrearages due to the late territory.

The annual taxes levied in each county for State purposes.

The semi-annual tax charged against banks, being three fourths of one per cent on the capital stock thereof.

The duties received from Hawkers and Pedlars for license, and from,

The Judiciary Fund.

The expenditures from this fund are authorised by permanent or temporary appropriations of the Legislature, and by the several acts requiring the Secretary of State to audit certain accounts.

The following are the transactions in this fund for the fiscal year ending this day :

FIRST QUARTER. *

RECEIPTS.

Adams County State Tax,	-	-	\$	810	38
Bad Ax,	do	-		738	01
Brown,	do	-		2,329	31
Calumet,	do	-		1,818	29
Crawford,	do	-		1,177	68
Columbia,	do	-		6,628	60
Dane,	do	-		10,237	46
Dodge,	do	-		5,554	40
Fond du Lac,	do	-		9,800	67
Grant,	do	-		10,662	23
Greene,	do	-		4,341	36
Iowa,	do	-		5,000	
Jefferson,	do	-		5,724	04
Kenosha,	do	-		6,207	46
La Crosse,	do	-		1,620	52
La Fayette,	do	-		3,400	

* NOTE.—For convenience in adjusting the accounts of Members of the Legislature, the transactions of the first four months of the year are included in the *first quarter*.

RECEIPTS.

Marathon,	do	-	-	400
Manitowoc,	do	-	-	2,000
Marquette,	do	-	-	5,097 91
Milwaukee,	do	-	-	14,937 52
Outagamie,	do	-	-	533 40
Ozaukee	do	-	-	2,121 06
Racine,	do	-	-	7,702 84
Rock,	do	-	-	10,487 53
Richland,	do	-	-	1,143 71
Sauk,	do	-	-	3,008 80
Sheboygan,	do	-	-	5,978 41
Walworth,	do	-	-	8,835 34
Washington,	do	-	-	3,046 38
Waukesha,	do	-	-	9,486 68
Waupacca,	do	-	-	727 52
Waushara,	do	-	-	859 12
Winnebago,	do	-	-	5,092 34
Governor's contingent account,		-	-	776 54
J. Lehmert, license, hawker and pedlar,		-	-	10
M. Schlastenski,	do	-	-	10
Miles Joyce,	do	-	-	10
John Rvessel,	do	-	-	10
J. Levigne,	do	-	-	10
H. D. Hyman,	do	-	-	16 08
Samuel Block,	do	-	-	30
Nash & Co.,	do	-	-	30
City Bank, Kenosha, State Tax,		-	-	375
Jefferson Co. Bank,	do	-	-	187 50
Farmers & Miller's Bank,	do	-	-	375
Rock River Bank,	do	-	-	375
State Bank of Wisconsin,	do	-	-	1,125
Wisconsin Bank,	do	-	-	375
Wis. M. & F. Ins. Co. Bk.	do	-	-	750
Erie & Mich. Teleg. Co	do	-	-	22 50
S. Park Coon, Canal Land Mortgages,		-	-	677 52
E. B. Fisher,	do	-	-	80
A. L. Castleman,	do	-	-	209 16
H. Stansbury,	do	-	-	199 62
Jonas Foltz,	do	-	-	109
Richard Hardell,	do	-	-	120
Seth Rice,	do	-	-	108
Harrison Reed,	do	-	-	165
W. Denney,	do	-	-	40
John D. McDonald,	do	-	-	288
H. J. Hildreth,	do	-	-	80
Orson Reed,	do	-	-	144
Wm. C. Gates,	do	-	-	25

RECEIPTS.

John A. Messenger,	do	-	138	42
D. Little,	do	-	170	32
R. Masters,	do	-	73	07
A. Alden,	do	-	246	34
Sweet & Edgerton,	do	-	320	
E. Pearman,	do	-	288	
M. H. Fairservice,	do	-	64	50
W. H. Gleason, error last year,		-	5	
C. D. Gage,	do	-	25	
J. Robinson,	do	-	30	
P. Kelly,	do	-	50	
Wm. H. Lander, tax on suits,		-	25	
Total,	-	-	165,487	54

DISBURSEMENTS.

Jas. T. Lewis, Pres't of the Senate,	-	\$415
Ben. Allen, do do pro tem.	382	50
F. W. Horn, Speaker of the Assembly,	415	
Wm. Hull, do do pro tem.	415	
L. F. Harvey, Member of the Senate,	197	50
Jesse Hooker, do Assembly,	125	
Per diem of 102 members of the Legislature,		
each \$207 50,	23,115	
Mileage of Members of Legislature,	1,974	40
Ben. Allen per diem 1853,	120	
Atwood & Brown, Appropri'n 1853 & '54,	8,847	24
David Atwood, do do	124	24
Alden & Holt, audited,	11	30
John Q. Adams per diem 1853,	45	
Michael Ames, do, 1853 & 1854,	197	50
Ole Aslacksen, appropriation,	60	25
Beriah Brown, approp'ns & audited 1853 & '54	5,895	22
Bradford & Bro. appropriation,	280	01
Coles Bashford per diem 1853,	165	
Bliss & Chaney, audited,	9	30
Dan C. Brown, do	6	90
Baker & Doty, do	5	05
F. J. Blair, appropriation,	59	06
Briggs & Foster, audited,	11	30
Jas. S. Baker, do	12	
John Ballard, appropriation 1853,	70	
John Bell, per diem, 1853,	45	
John Burke, appropriation,	132	50
John Burt, do	207	50
J. Allen Barber, per diem, 1853,	44	50

DISBURSEMENTS.

Jno. A. Brown, audited, - -	5 05
Jno. C. Bunner, do - -	62 50
J. F. Birchard, appropriation, -	1,228 24
J. R. Briggs, per diem 1853, -	45
Harry Barnes, do do - -	45
H. D. Barron, audited, - -	36 31
Bloomfield & Kopp, do - -	93 45
M. H. Bovee, per diem 1854, -	45
Bugh & Nimmoeks, audited, -	5 05
O. F. Bartlett, per diem 1853, -	45
Philo Belden, do do - -	45
R. A. Bird, audited, - -	5 05
Reiner Bergatz, appropriation, -	105 13
S. G. Bugh, Chief Clerk Senate, -	2,250
S. M. Booth, audited and appropriation, -	502 85
Beeson & Thomas, audited, - -	16 45
Tim. Burns, per diem 1853, -	90
Thos. S. Bowen, do - -	45
W. A. Barstow, salary, &c., - -	925
W. A. Bugh, audited, - -	7 05
W. D. Bacon, per diem 1853, -	45
W. P. Barnes, appropriation & per diem 1853, -	57
W. H. Besly, witness fees, - -	32 05
W. W. Brown, witness fees and appropriation, -	265
Alex. Cook, do - -	55 60
A. F. Cady, appropriations 1853 and 1854, -	175 05
A. L. Collins, witness fees, - -	56
Campbell, Brush & Co., appropriation, -	388 99
O. B. Coleman, per diem 1853, -	45
C. Clement, audited, - -	168 45
Chas. E. Chamberlain, per diem 1853, -	70
Darwin Clark, appropriation, -	345 72
D. Casey, witness fee, - -	73 60
D. H. Chandler, do - -	48
Enoch Chase, per diem 1853, -	45
E. A. Calkins, appropriation, -	129
Casey & Fallen, audited, - -	5 05
Geo. Cogswell, witness fee, - -	77 60
Geo. W. Jate, per diem 1853, -	50
Cover & Goldsmith, audited, -	5 05
Cary & Harrison, appropriation, -	200
H. M. Crombie, audited, - -	5 50
John Crawford, witness fee, - -	18 68
Jerry Crowley, audited, - -	5 05
J. W. Cary, per diem 1853, -	45
M. M. Cothren, salary, - -	470
P. Cosgrove, appropriation, - -	182 50

DISBURSEMENTS.

O. D. Coleman, per diem, 1853.	-	45
Richard Carlisle, do do	-	45
R. P. Clement, appropriation 1853,	-	108
N. V. Chandler, audited,	-	1954
Sam'l Crawford, salary,	-	500
S. Park Coon, appropriation,	-	759 86
S. S. Conovor, do	-	822 97
W. Clark, witness fee,	-	16
Wm. E. Cramer, audited,	-	462 65
W. P. Clark, appropriation,	-	106
Chas. Dunn, per diem 1853,	-	45
D. S. Duarie, appropriation,	-	24 86
Edward Daniels, salary,	-	1,124 75
Geo. P. Delaplaine, do	-	250
H. N. Davis, witness fee,	-	42 80
J. R. Doolittle, salary and appropriation,	-	815
Jason Downer, witness fee,	-	41 20
J. E. Dodge, per diem 1853,	-	45
John W. Davis, do	-	45
N. M. Donaldson, appropriation & per diem '53	-	55
Donaldson & Tredway, appropriation,	-	555 88
P. Duffie, do	-	33
W. M. Dennis, per diem 1853 & salary,	-	1,045
"Emigranten," audited,	-	7 05
Emigrant Agency, expenses,	-	500
A. E. Ellmore, witness fee,	-	70 64
Chas. A. Eldridge, appropriation,	-	25
C. B. Ellis, do	-	146 50
H. F. Eastman, audited,	-	4 40
W. S. Evertts, witness fee,	-	18 20
A. Finch, jr., do	-	84
Charles Foote, appropriation & audited,	-	181 03
Charles W. Fitch, do	-	19 45
D. Fitch, audited 1853,	-	38 87
E. N. Foster, per diem 1853,	-	45
G. J. Fowler, witness fee,	-	33 20
Fratney & Herzberg, appropriation & audited,	-	642 45
H. L. Foster, per diem 1853,	-	70
J. C. Fairchild, appropriation,	-	15 37
John Fitzgerald, do	-	600
P. Hines, do	-	16
P. J. Fleischer, do	-	110
S. W. Field, per diem 1853,	-	70
Thos. Fenton, do	-	45
I. H. Fellows, do	-	45
Alex. T. Gray, salary,	-	600
Governor Contingent Account, Appropriation,	-	10,000

DISBURSEMENTS.

H. W. Grunnison, appropriation,	-	60
James P. Greeves, witness fee,	-	60 40
Gould & McLaughlin, audited,	-	74 73
O. B. Graves, appropriation,	-	124 50
W. Graham, witness fee,	-	33
W. H. Gleason, appropriation and audited,	-	1,294
B. F. Hopkins, appropriation 1853,	-	234 59
Carr Huntington, audited,	-	5 05
Hulet & Cary, do	-	4 40
David Holt, appropriation,	-	84 55
Du Ray Hunt, do	-	217 50
E. Hilyer, per diem 1853,	-	45
E. Hurlbut, witness fee,	-	72 60
E. C. Hull, audited 1853 and 1854,	-	27 70
Edward M. Hunter, per diem 1853,	-	120
E. F. Hemstein, appropriation,	-	132 50
H. Hærtell, salary,	-	500
H. Holmes, per diem 1853,	-	45
Jas. Halpin, appropriations	-	4,504 24
John Hart, witness fee,	-	34 40
J. A. Hadley, audited,	-	4 40
John E. Holmes, per diem 1853,	-	15
John W. Hunt, appropriation and salary,	-	700
Hurd & Johnson, audited,	-	9 45
Levi Hubbell, salary,	-	470
Mary A. Howe, witness fee,	-	25
Hall & Pierce appropriation and audited 1853,	-	336
S. W. Hill, per diem 1853,	-	45
Titus Hayes, do	-	45
Thomas Hood, appropriation 1853,	-	305 80
Tim O. Howe, salary,	-	570
Wm. Hull, appropriation,	-	200
Wm. A. Hawkins, per diem 1853,	-	70
Wm. H. Howard, appropriation,	-	100
J. K. Inman, witness fee,	-	8 75
Chas. E. Jenkins, do	-	92 40
D. N. Johnson, appropriation,	-	15
Edward H. Janssen, app'n & salary '53 & '54.	-	1,250
John B. Jacobs, appropriation,	-	49
R. Jenkinson, do	-	21 75
August Kruer, salary,	-	400
Chas. M. Kingsbury, appropriation,	-	8
C. R. Knight, do	-	182
E. B. Kelsey, do	-	39
J. G. Knapp, witness fee,	-	18
L. F. Kellogg, appropriation and witness fee,	-	373 37
M. Keenan, do	-	306 20

DISBURSEMENTS.

Rufus King & Co. audited, -	-	219 67
S. G. Knight, witness fee, -	-	23 45
Hiram Knowlton, salary, -	-	870
A. D. Ladue, per diem, -	-	22
B. B. Ludlum, appropriation, -	-	36
Charles Lum, witness fee, -	-	42 50
Charles H. Larabee, salary, -	-	287
Livsey & Carroll, appropriations, -	-	314 94
F. S. Lovell, witness fee, -	-	45 20
J. Lauderdale, per diem 1853, -	-	45
J. Lemon, appropriation, -	-	207 50
J. J. Loomis, appropriation, -	-	22 73
Edward Lees, do and per diem 1853,	-	70
James T. Lewis, do	-	165
Rob't M. Long, salary, -	-	300
Rob't W. Lansing, appropriation and audited,	-	200
A. Marschner, do	-	15 05
A. McArthur, witness fee, -	-	62 40
A. Menges, salary, -	-	500
C. H. McLaughlin, appropriation, -	-	174
Chas. N. Mumford, do	-	57
D. M. Miller, do	-	38
E. Mariner, witness fee, -	-	68 40
Ed. McGarry, per diem 1853, -	-	45
Ezra Miller, do	-	120
F. J. Mills, audited, -	-	9 45
George R. McLane, per diem, -	-	120
H. Madden, do	-	45
Jas. Morrison, appropriation, -	-	362 46
J. Myers, per diem 1853, -	-	45
J. L. Marsh, audited, -	-	5 05
L. Miller, per diem, -	-	45
Matthias Martini, appropriation, -	-	451 73
Mapes & Root, audited, -	-	5 05
P. L. Mossin, appropriation, -	-	24
R. N. Messenger, per diem 2853, -	-	45
T. D. Morris, appropriation, -	-	122 16
Miner & Skinner, do	-	5 05
Thos. McGlynn, do	-	207 50
Thos. McHugh, Chief Clerk Assembly,	-	2,250
Wm. S. Murray, per diem 1853, -	-	45
Memhard & Williams, -	-	47
H. S. Nickerson, appropriation, -	-	148
W. W. Noyes, audited, -	-	51 45
J. H. Oshlander, -	-	70
Bostwick O'Conner, appropriation, -	-	174
N. Olmstead, per diem 1853, -	-	45

DISBURSEMENTS.

Thos. J. Otis, appropriation, -	-	312 38
Postage, appropriation & audited,	-	4,582 38
A. F. Phillips, do -	-	132 50
B. Pinckney, per diem 1853, -	-	45
Charles Piquette, appropriation,	-	15 50
D. J. Powers, per diem 1853, -	-	45
Elisha Pearle, do -	-	70
George C. Pratt, witness fee, -	-	27 40
George H. Paul, appr'n and audited 1853,	-	174 45
Haven Powers, do -	-	120
H. L. Page, do 1853, -	-	370
Judson Prentice, per diem do -	-	45
J. D. Plunkett, audited do -	-	22 50
J. H. Payne, witness fee, -	-	19 20
J. W. Porter, per diem 1853, -	-	45
N. Prater, appropriation, -	-	132 50
Sam'l Pierce, do -	-	132 50
S. D. Powers, do 1853, -	-	100
Wm. H. Pettit, witness fee, -	-	90 72
Wm. R. Perry, appropriation 1852, -	-	5
Jacob Quintus, do and audited,	-	117 40
Henry Quarles, appropriation, -	-	207 50
Amos Reed, audited, -	-	9 40
A. W. Randall, witness fee, -	-	16 80
Robinson & Bro., audited, -	-	5 05
C. M. Roesser, do -	-	6 40
D. C. Reed, per diem 1853, -	-	115
E. Robinson, do -	-	45
Edward G. Ryan, appropriation,	-	3,132 36
Francis Randall, witness fee, -	-	48 40
H. J. Ross, do -	-	18
James D. Reymert, audited, -	-	507 45
James Robinson, error 1853, -	-	20
Reed & Nevitt, audited, -	-	9 40
Orson Reed, per diem 1853, -	-	45
Patrick Rogan, do -	-	45
Peter Rogan, witness fee, -	-	51 60
R. B. Rice, appropriation, -	-	17 20
Rob't L. Ream, do 1851, -	-	37 50
S. Richie, do -	-	132 50
S. Ryan, audited, -	-	15 05
V. W. Roth, appropriation, -	-	31
W. H. Roe, per diem, -	-	45
"See Bote," audited, -	-	16 40
Albert Smith, witness fee, -	-	42 40
Alva Stewart, per diem 1853, -	-	165
A. D. Seaman, appropriation, -	-	54

DISBURSEMENTS.

A. D. Smith, salary,	-	-	500
A. H. Smith, witness fee,	-	-	29 10
Schoff & Butts, audited,	-	-	9 45
C. L. Sholes, audited & per diem 1853,	-	-	49 40
Strong, Crapo & Russel, appropriation,	-	-	192 67
C. Stevens, per diem 1852,	-	-	70
David Scott, appropriation,	-	-	116 15
Daniel Shaw, audited,	-	-	197 50
D. G. Snover, appropaiation,	-	-	132 50
Sholes & Densmore, audited-	-	-	175 05
D. M. Seaver, salary,	-	-	500
Geo. B. Smith, witness fee,	-	-	40 24
H. Stebbins, per diem 1853,	-	-	45
State Historical Society, appropriation,	-	-	500
John Shaw, do	-	-	1,200
J. A. Smith, audited,	-	-	9 45
J. D. Smith, appropriation,	-	-	132 50
John J. Slightam, do	-	-	205
James K. Smith, witness fee,	-	-	54 70
Jesse M. Sherwood, appropriation,	-	-	932
John L. Sweeny, do 1853,	-	-	282
J. W. Seaton, per diem, do	-	-	45
Levi Sterling, do do	-	-	45
State Library, appropriation,	-	-	3,000
State Loan, interest on bonds,	-	-	7,500
State Prison, appropriations 1853 and 1854.	-	-	17,106 31
South Wing of State Prison, appropriation,	-	-	7,758 43
P. B. Simpson, per diem 1853,	-	-	45
Seaton & Paul, audited,	-	-	5 05
Stevens & Rogers, do	-	-	4 40
T. L. Smith, appropriation 1853,	-	-	70
W. Sayles, per diem, do	-	-	45
W. Spooner, salary, do	-	-	497
W. Sanderson, witness fee,	-	-	50 40
Wm. Slightam, appropriation,	-	-	45
Winfield Smith, witness fee,	-	-	71 60
Wm. N. Seymour, do	-	-	8 12
Wm. R. Smith, appropriations 1853 & '54,	-	-	1,250
Schoeffler & Wendt, do and audited.	-	-	749 22
D. Taylor, per diem 1853,	-	-	70
D. L. Thayer, appropriations 1853 & '54,	-	-	202 50
Tibbits & Gordon, do	-	-	1,645 69
George P. Thompson, witness fee,	-	-	47 84
H. A. Tenney, do	-	-	4
I. S. Tallmadge, per diem 1853,	-	-	45
Jonathan Taylor, witness fee,	-	-	79 60
L. Towslee, appropriation.	-	-	29 30

DISBURSEMENT.

M. J. Thomas, appropriation,	-	25
Pat Toland, do	-	290
Thos. J. Townsend, salary and appropriation,	-	2,850
Wilson Torrey, do	-	174
Wm. H. Thomas, witness fee,	-	31 64
Wm. L. Utley, salary 1853, -	-	75
E. R. & F. A. Utter, audited,	-	5 05
D. S. Vittum, per diem 1853,	-	165
A. Whittemore & Co., appropriation '53 & '54,	-	2,076 27
A. S. Wood, do	-	195
Wisconsin Blind Institute, do '50 '53 & '54,	-	3,280 84
Charles Wheeler, do do	-	232 50
Cal. C. White, witness fee, -	-	110 22
Chas. K. Watkins, do -	-	29 20
Wis. Deaf & Dumb Inst., appropriation 1853,	-	1,750
E. Wakely, per diem 1853, -	-	45
Ezra Wheeler, do -	-	45
Weed & Eberhard, appropriations '53 & '54,	-	1,558 44
E. V. Whiton, salary and witness fee,	-	522 80
H. A. Wright, do per diem 1853,	-	845
H. C. West do	-	45
H. K. White, witness fee, -	-	46
Isaac Woodle, -	-	45 80
John Walworth, audited, -	-	5 05
John K. Williams, appropriations '53 & '54,	-	550
John Wright, do -	-	67 23
Joseph Wilson, do -	-	132 50
J. H. Wells, witness fee, -	-	41 20
J. H. Wells, (Marquette,) audited, -	-	31 20
John T. Wilson, do -	-	102
L. Wyman, witness fee, -	-	19 20
O. J. Wright, audited, -	-	5 05
Robert Weir, witness fees, -	-	30
Russel Wheeler, do -	-	45 20
R. B. Wentworth, appropriation and audited,	-	60 95
R. F. Wilson, do do	-	162
Rob't W. Wright witness fee, -	-	42 80
Thos. West, per diem 1853 and appr'n,	-	70
T. T. Whittlesey, do -	-	45
Wm. K. Wilson, witness fee, -	-	69 40
H. D. York, per diem 1853, -	-	45
Total -	-	165,277 53
Amt. overpaid last quarter, -	-	8,110 70
Receipts brought from page 8,	165,487 54	
aid, -	7,900 69	
	<hr/>	<hr/>
	\$173,388 23	\$173,388 23

SECOND QUARTER.

RECEIPTS.

Brown County,	State Tax,	136 50
Jefferson do	do -	320
La Fayette do	do -	3,378 96
Portage do	do -	1,024 19
St. Croix do	do -	424 96
Outagamie do	do -	702
Badger State Bank,	do -	187 50
Bank of Commerce,	do -	320 50
Columbia County Bank,	do -	50 42
Exchange Bank,	do -	375
Farmers & Millers' Bank,	do -	375
Bank of Fond du Lac,	do -	187 50
Fox River Bank,	do -	17 49
Jefferson County Bank,	do -	375
City Bank of Racine,	do -	375
Bank of Racine,	do -	375
State Bank,	do -	375
State Bank of Wisconsin,	do -	1,125
Wisconsin Bank,	do -	375
W. Fry, License, Pedlar,	-	30
M. Boynslackiy do	-	30
Wm. R. Berry, do	-	40
S. Mock, do	-	40
Tilten & Mallery, do	-	60
H. E. Hood, do	-	40
C. R. Knight, refunded error,	-	49 50
H. S. Nickerson, do	-	15 50
Total,	-	10,805 02

DISBURSEMENTS.

Jonathan E. Arnold, appropriation,	-	1,000
D. C. Bush, do	-	182
John Butler, do	-	106 08
Bugh & Nimmock, audited,	-	34 50
Cover & Goldsmith, do	-	20
M. M. Cothren, salary,	-	375
Sam'l Crawford, do	-	666 67
Charles Foote, appropriation -	-	112 90
R. W. Griswold, witness fee,	-	17 20
A. C. Ingham, do	-	50 12
Edward M. Hunter, sala	-	250
C. H. Larrabee, do	-	375
R. M. Long, do	-	100
T. Lund, appropriation,	-	200
M. Martin do	-	257 50

DISBURSEMENTS.

Simeon Mills, appropriation, -	-	160	25
A. D. Smith, salary, -	-	666	67
State Agricultural Society, appropriation,	-	190	
South Wing State Prison, do	-	2,146	95
E. V. Whiton, salary, -	-	166	66
Wis. Blind Institute, appropriation, -	-	1,500	
J. H. Wells, audited, -	-	40	55
Total -	-	8,618	05
Amount overpaid last quarter, -	-	7,900	69
Balance overpaid, -	-	5,713	72
		16,518	74
		16,518	74

THIRD QUARTER.

RECEIPTS.

Bank of the West, State Tax, -	-	435	55
Kenosha City Bank, do -	-	375	
Racine County do do -	-	750	
Rock River do do -	-	375	
Oshkosh City do do -	-	375	
Wis. M. & F. I. Co. Bk. do -	-	750	
Jefferson County do do -	-	1,095	82
Milwaukee County do -	-	887	31
Glines & Co., License, Hawkers & Pedlars,	-	40	
M. Löeb & Co., do do -	-	40	
Charles Richmond, do do -	-	10	
John W. Davis, refunded, -	-	5	
E. Ricker, do -	-	39	
Total, -	-	5,177	68

DISBURSEMENTS.

David Atwood, audited, -	-	934	10
Atwood & Brown, appropriation, -	-	6,013	66
Beriah Brown, do &c. -	-	4,061	40
H. D. Barron, audited, -	-	149	52
S. G. Bugh, -	-	262	50
Wm. A. Barstow, salary, -	-	462	50
Wm. W. Brown, appropriation, -	-	425	
Crawford County, overpayment, -	-		03
George W. Cate, salary, -	-	499	17
M. M. Cothren, do -	-	435	
S. Park Coon, appropriation, -	-		86
F. F. Davis, -	-		74
J. R. Doolittle, salary, -	-	375	

DISBURSEMENTS.

Wm. M. Dennis, salary,	-	-	500	
Charles B Ellis, appropriation,	-	-		12
A V Fryer, do	-	-	150	
F Fratney, audited,	-	-	800	
H B Gardner, appropriation,	-	-	83	
W Graham, do	-	-		20
E M Hunter, salary,	-	-	250	
F W Horn, Emigrant Agent,	-	-	1,075	
J W Hunt, salary,	-	-	250	
Levi Hubbell, do	-	-	148	
J W Hill, per diem,	-	-	25	
Edward H Janssen, salary,	-	-	200	
John N Jones, postage,	-	-	2,342	63
E B Kelsey, per diem 1853,	-	-	70	
Jas Kneeland, appropriation,	-	-	40	
Wiram Knowlton, salary,	-	-	375	
Rob't M Long, do	-	-	200	
Chas H Larrabee, do	-	-	375	
R W Lansing audited,	-	-	114	
Q Loehr, appropriation,	-	-	45	
Geo R M Lane, lunatic do	-	-	300	
John McManman, salary,	-	-	150	
A Menges, do	-	-	250	
Alex Mitchell, appropriation	-	-	58	
J G Percival, salary,	-	-	410	
Curtis Reed, per diem 1853	-	-	70	
J D Reymert, audited,	-	-	187	50
V W Roth, appropriation,	-	-		50
Schuff & Rutts, audited,	-	-	66	25
D M Seaver, salary,	-	-	250	
J R Sharpstein, per diem 1853,	-	-	75	
Swamp Lands, appropriation,	-	-	225	
State Prison, do	-	-	500	
South Wing, do	-	-	6,543	90
Schoeffler & Wendt, audited,	-	-	1,672	60
D S Vittum, lunatic appropriation,	-	-	162	50
John Welch, do	-	-	262	16
John White, do 1851,	-	-		57
John K Williams, do 1853,	-	-	116	
H Wright, salary, &c.,	-	-	400	
R Wilcox, per diem 1853,	-	-	45	
Wisconsin Blind Institute, appropriation,	-	-	125	
Wm. A Wheeler & Co., do	-	-	39	25
Total,	-	-	32,571	66
Amount overpaid last quarter,	-	-	5,713	72
Receipts as above,	-	-	5,177	68
Balance,	-	-	33,107	70
			38,285	38
			38,285	38

FOURTH QUARTER.

RECEIPTS.

O F Dana, tax on suits,	-	-	83
Manitowoc County, revenue,	-	-	1,844 98
Portage do do	-	-	544
Waushara do do	-	-	196 66
Bank of Commerce, Tax,	-	-	75
Columbia County Bank do	-	-	187 50
Dane do do do	-	-	185 42
City Bank Kenosha do	-	-	375
City Bank Racine do	-	-	375
Farmers & Millers' Bank do	-	-	375
Northern do do	-	-	512 50
Racine Connty do do	-	-	750
Rock River do do	-	-	375
State do do	-	-	375
State Bank of Wisconsin do	-	-	1,875
Wis M & F Ins Co do	-	-	750
Simeon Steinhart, Pedlar's License,	-	-	30
Silverman & Co do	-	-	30
James Cameron do	-	-	10
M Schwars do	-	-	10
Chandler & Killey do	-	-	30
S Hirschberg do	-	-	30
Rabbas & Wolf do	-	-	30
A Guddlefinger do	-	-	10
Alex Guddlefinger, do	-	-	40
John Blackenhurst do	-	-	40
S Klauber do	-	-	10
A L Castleman, Canal Land Mortgage,	-	-	5 16
Total,	-	-	\$9,829 22

DISBURSEMENTS.

Jas S Alban. appropriation,	-	-	120
J R Briggs, do	-	-	120
S G Bugh, on account,	-	-	100
W A Barstow, salary &c.,	-	-	462 50
W W Brown, appropriation	-	-	350
J Crowley audited,	-	-	136 40
M M Cothron, salary,	-	-	375
N V Chandler, audited,	-	-	5 05
O S Comfort, appropriation,	-	-	83
Sam'l Crawford, salary,	-	-	500
J R Doolittle, do	-	-	375
Wm M Dennis, do	-	-	500
A T Gray, do	-	-	600

DISBURSEMENTS.

Gustavus Grahl, audited, -	-	27 15
Fratney & Heizberg, do -	-	870 05
K J Fleisher, do -	-	144 69
E W Hunter, salary, -	-	250
F F Hobbs, appropriation, -	-	20 80
F W Horn, Emigrant Agent, -	-	2,550
John W Hunt, salary, -	-	250
J N Jones, audited, -	-	723 47
E H Janssen, salary, -	-	200
Levi Hubbell, do -	-	375
James & Marriner, appropriation, -	-	14
August ruer, salary, -	-	600
Wiram Knowlton, do -	-	375
C H Larrabee, do -	-	375
M D Miller, appropriation, -	-	83
A Marschmes, audited, -	-	50
Chas Roesser do -	-	6 46
Geo Paul, do -	-	95 25
J G Percival, Geological Survey, -	-	50
H P Powers, appropriation, -	-	83
Robinson & Bro, audited, -	-	52 81
Reed & Nevett, do -	-	64 50
Abm D Smith, salary, -	-	500
A S Sanborn, on account services, -	-	388 50
D M Seaver, salary, -	-	250
Geo R Smith, do -	-	800
Levi Sterling, appropriation, -	-	120
Swamp Lands, do -	-	700
State Prison, do -	-	500
S G Stacey, salary, -	-	200
Schoeffler & Wendt, audited, -	-	215
Wm R Smith, appropriation, -	-	100
D S Vittum, on account services, -	-	488
H A Wright, salary, -	-	400
O J Wright, audited, -	-	28 25
Sam'l F Wright, lunatic appropriation, -	-	10
Total, -	-	15,686 88
Receipts as above, -	9,829 22	
Amount overpaid last quarter, -		33,107 70
Amount overpaid, -	38,965 36	
	48,794 58	48,794 58

2. THE JUDICIARY FUND.

This fund is created by virtue of the following portions of the Revised Statutes.

PAGE 201, "*Section 61.* Every Clerk of the circuit court shall, at the expiration of every three months after the commencement of his term of office, transmit to the secretary of state an account in writing, verified by his affidavit, to be filed with such account, of all moneys received by him for taxes on suits commenced in the circuit court during the preceding three months, specifying in such account, the title of each suit and the proceeding on which such taxes have been received; and shall, as often as required by the judge of the circuit court, pay over to him all moneys in his hands, received for taxes on suits, who shall execute to the said clerk duplicate receipts therefor, one of which shall be filed and preserved in his office, and the other shall be transmitted by mail to the secretary of state, who shall charge in his books the amount specified in such receipt to the account of such judge, and deduct the same from his next quarter's salary. And it is hereby made the duty of all clerks of the circuit courts, whose duty it was to receive a tax of one dollar on suits as provided by section seventeen of an act entitled 'An act to provide for the election of judges, and for the classification and organization of the judiciary of the state of Wisconsin,' approved June twenty-ninth, one thousand eight hundred and forty-eight, to pay over to their successors in office, within twenty days from the passage of this chapter, all moneys which may be or should have been by said clerks received as provided by said act."

PAGE 762, "*Sec. 17.* On each suit in the circuit court there shall be levied a tax of one dollar, which shall be paid to the clerk at the time of the commencement thereof, which tax so levied shall be paid into the treasury of the state, and form a separate fund, to be applied to the payment of the salary of judges; said sum of one dollar shall be taxed in the bill of costs and recovered as other costs of suit."

In many instances clerks entirely neglect to report to this office

the number of suits commenced, while others fail to pay over the money received by them. The whole amount reported by clerks up to this time is \$9,327,00 as follows :

In 1-49,	-	-	-	-	-	-	-	\$1,928
" 1850,	-	-	-	-	-	-	-	1,162
" 1851,	-	-	-	-	-	-	-	1,336
" 1852,	-	-	-	-	-	-	-	2,124
" 1853,	-	-	-	-	-	-	-	1,414
" 1854,	-	-	-	-	-	-	-	1,363

Of this amount the sum of \$7,318,50 has been paid over, leaving \$2,008,50 unaccounted for. The attention of clerks has been frequently called to the foregoing provisions of law but with little success.

An abstract of balances due from Clerks, as above shown, on this day is presented herewith, marked "A."

It will be seen by this abstract that the sum of \$295 has been paid, for which the reports have not been made.

In the last four annual reports from this office complaint has been made of the inefficiency of this law. It still remains unchanged, and increasing negligence on the part of clerks is the result of this seeming approval of the Legislature. The following suggestions of Secretary BARSTOW in his report bearing date December 31, 1851, are recommended to the Legislature as worthy of consideration.

"In order to remedy the evil complained of, and for the purpose of simplifying the manner of keeping the necessary accounts, it is suggested, as a better means of realising and disbursing this portion of the State revenue, that the clerks be required, as now, to report to this department, quarterly, the amount of tax for which they are liable, and to pay over, at the same time, to their respective County Treasurers the amount so reported, taking duplicate receipts therefor, one of which shall be forwarded to the Secretary of State, to be by him credited to said clerk, and charged to the proper County to be paid by said County annually to the State Treasurer, at the time provided for the payment of State taxes ;

and in the event of a failure on the part of any clerk to so report and pay, to suffer such penalty as may be prescribed."

3. FUND FOR THE BLIND.

The act incorporating the Wisconsin Institute for the education of the Blind, approved February 9, 1850 provided that a tax of one fifteenth of one mill, should be levied upon every dollars worth of property in this State for the year 1850 to be kept as a separate fund, to be known as the "Fund for the Blind." The balance remaining in this fund, on the first day of January last was \$405,84, which amount has been balanced by the General fund, as that Institution is now supported by appropriations therefrom.

4. THE SCHOOL FUND.

The proceeds arising from the sale of School Lands together with the five per centum of the nett proceeds of the sale of government lands to which the State is entitled—the five per cent penalty as forfeiture for the non payment of interest, when due upon School Land certificates and loans from the School fund—and the clear proceeds of all fines collected in the several counties for the breach of any of the penal laws of the State, one set apart to constitute the school fund; this fund being subjected only to certain expenses for advertising and selling lands and necessary books and blanks for conducting the transactions therein.

The transactions of the State Treasurer in this fund during the year ending this day are as follows, to-wit:

FIRST QUARTER.

RECEIPTS.

Certificates,	28,396 44
Fines,	1,785 05
Loans,	2,125
Penalty, 5 per cent.	869 24
Sales,	15,990 63
Total,	49,166 38

DISBURSEMENTS.

Beriah Brown, printing and publishing,	892 40
Dan C Brown do	8
H D Barron, do	33 55
Joseph Barnard, appraising,	75
John A Brown, publishing,	8
Milton Barlow, appraising,	15
Beeson & Thomas, publishing,	15 80
Wm O Buck, appraising,	111
Calumet Co., do	581 12
H Calkins, do	92 50
J Crowley, publishing.	5
N V Chandler, do	7 20
Wm E Cramer, do	97 85
C W Fitch, do	6 50
Fratney & Herzberg, do	25 90
George Gale, appraising,	15
Indian George, do	9
Edward C Hull, publishing,	8 10
J A Hadley, do	9 20
H P Holmes, appraising	25 50
Joachim & Co., publishing	5
Kohlman & Co., do	3
Asa Lawrence, appraising	78
A Morehouse, do	63
F J Mills, publishing	13 70
Manitowoc Co., appraising,	200
Marquette Co., do	105 50
Geo H Paul, publishing	7
L M Parsons, appraising	10
P D Marschner, do	50
W W Noyes, publishing	6
Chas S Roeser do	7
Richland Co., appraising	500 46
Rock Co., do	147 20
Reed & Nevett, publishing,	14 80
R P Rawson, appraising,	111
Robinson & Bro., publishing,	3 60
Sam Ryan, jr., do	9 68
D B Shailer, appraising,	111
School Fund, refunded for error,	30 39
School Fund Loans,	65,921
Seaton & Paul, publishing,	17 80
Stevens & Rogers, do	16 80
Schoeffler & Wendt, do	3 50
W B Shaver, do	4
Geo W Taggart, appraising,	216
Algernon Weston, do	7 50

DISBURSEMENTS.

A Whitmore & Co., plat book,		25
A S Weston, appraising,		12 50
Winnebago Co, do		108 25
D M West, do		20
Weed & Eberhard, binding,		198 50
J H Wells, publishing,		21 25
Wm White, appraising,		43 50
Total,		70,194 00
Amount on hand last quarter,	34,094 92	
Amount of receipts,	49,166 38	
Balance,		13,067 30
	<u>\$83,261 30</u>	<u>\$83,261 30</u>

SECOND QUARTER.

RECEIPTS.

Certificates,	3,412 29
Loans,	1,066
Penalty, 5 per cent,	179 52
Sales,	1,012 74
Total,	<u>5,670 55</u>
Balance last quarter,	13,067 30

DISBURSEMENTS.

Brown county, appraising,		136 50
Beriah Brown, printing and publishing,		645
Royal Buck, do		12 50
School Fund Loans,		2,436 73
Weed & Eberhard, binding.		77
Total,		<u>3,307 73</u>
Balance,		15,430 12
	<u>\$18,737 85</u>	<u>\$18,737 85</u>

THIRD QUARTER.

RECEIPTS.

Sales,	10,306 93
Fines,	623 25
Penalty,	879 15
Certificates,	2,136 44
Total,	<u>13,945 77</u>
Balance last quarter,	15,430 12

DISBURSEMENTS.

Loans,	2,800
Weed & Eberhard, book binding, &c.,	550
W H Willard, appraising,	132
Edward Lees, do	25
Jas Murdock, do	141
O A Stafford, printing,	300
Beriah Brown, do	320
R F Wilson, appraising,	100
D A Glidden, refunded, cft. 77 Pierce Co,	5 62
Total,	4,373 62
Balance,	25,002 27
	<hr/>
	\$29,375 89
	<hr/>
	\$29,375 89

FOURTH QUARTER.

RECEIPTS.

Certificates,	8,079 73
Fines,	463 91
Loans,	1,425
Penalty,	222 16
Sales,	6,509 77
Total,	<hr/>
	16,800 57

DISBURSEMENTS.

Benj Allen, appraising,	262 50
Cyrus N Allen, do	157 50
B Brown, publishing,	107 50
D C Brown, do	31 25
J Barnard, appraising,	55
John A Brown, publishing,	19 90
Sam'l G Bugh, do	18 25
Jerry Crowley, do	42 75
Cover & Goldsmith, do	4 25
H Calkins, appraising,	166
R L Gove, publishing,	7 25
Gray & Nimmock, do	17 25
Joseph Dartt, surveying,	31
E C Hull, publishing,	7 25
A C Holt, do	12 45
B F Hicks, appraising,	15
Hurd & Johnson, publishing,	18 80
Edward Lees, appraising,	480
Peter Little, do	30
Jas Murdock, do	50

DISBURSEMENTS.

P D Marschall, appraising,		35
Wm C McMichael, do		18 75
Joseph Patch, do		142 50
Robinson & Bro, publishing,		19
Wm C Rogers, do		56 20
Ryan & Co, do		8 50
J Quintus, do		8 25
Stout & Tenney, do		3 25
S W Smith, do		55 25
School Fund,		931 11
School Fund Loans,		2,506
Thomas & Reed, publishing,		98 75
R F Wilson, appraising,		215
O J Wright, publishing,		14 75
Weed & Eberhard, binding,		1,564 50
Total,		7,120 71
Receipts as above,	16,800 57	
Balance as above,	25,002 27	
Balance,		34,682 13
Total,	41,802 27	41,802 84

The records of this office exhibit the following as the present condition of this fund :

Amount due on certificates of sale, as per the books of this office,		1,374,285 09
Add error in books for 1852,	5,639 62	
do do do 1853,	35,337 79	40,977 41
Total amount of School Fund Dues,		1,415,252 50
Amount of School Fund Loans,		220,314 24
Balance in Treasury as above,		34,682 03
		1,670,258 77

This sum, except the amount stated as being in the hands of the State Treasurer, is drawing interest at seven per cent., payable during the month of January in each year. This interest constitutes

5, THE SCHOOL FUND INCOME.

This is annually appropriated by the State Superintendent to the several counties for the support of Common Schools.

The transactions of the State Treasurer, in the income, of the School Fund, for the fiscal year, are as follows:

FIRST QUARTER.

RECEIPTS,			94,159 40||	
DISBURSEMENTS.				
Refunded for error in former payments,				82 56
Bad Ax County, Apportionment,				452 88
Calumet, do do				642 96
Columbia do do				3,191 04
Crawford do do				485 28
Dane do do				6,567 12
Dodge do do				6,212 16
Fond du Lac do do				4,395 04
Grant do do				4,888 08
Green do do				3,211 92
Iowa do do				2,542 27
Jefferson do do				5,022 72
Kenosha do do				3,019 68
Marquette do do				2,593 44
Milwaukee do do				5,497 95
Ozaukee do do				2,675 21
Sauk do do				2,048 40
Sheboygan do do				3,605 56
Racine do do				4,855 18
Richland do do				514 08
Rock do do				6,320 88
Walworth do do				4,975 92
Washington do do				4,039 20
Waukesha do do				5,848 56
Waupacca do do				497 52
Waushara do do				359 90
Winnebago, do do				2,765 62
D M Seaver, platting in 1853,				730 16
Chas G Mayers, do do				254 50
Total,				88,496 50
Balance last quarter,			17,465 10	
Receipts as above,			94,159 40	
Balance,				23,128
			111,624 50||	111,624 50

SECOND QUARTER.

RECEIPTS, | 1,853 97||

DISBURSEMENTS.

Adams County, Apportionment,		285 84
La Fayette do do		3,378 96
Outagamie do do		702
Portage do do		224 19
St Croix do do		174 96
Total,		<u>4,665 05</u>
Balance last quarter,	23,128	
Balance,		<u>20,216 02</u>
	<u>\$24,981 97</u>	<u>\$24,981 97</u>

THIRD QUARTER.

RECEIPTS,	5,932 07
Balance last quarter,	<u>20,516 02</u>

DISBURSEMENTS.

Milwaukee County, Apportionment,		887 31
D A. Gliddon, refunded cft 77 Pierce Co,		2 98
Total,		<u>890 29</u>
Balance,		<u>25,257 80</u>
	<u>\$26,148 09</u>	<u>\$26,148 09</u>

FOURTH QUARTER.

RECEIPTS,	4,289 59
Balance last quarter,	<u>25,257 80</u>

DISBURSEMENTS.

Refunded on certificates recalled,		5
Polk County, Apportionment,		51 12
Milwaukee do do		1,550
Waushara do do		196 66
Manitowoc do do		1,233 36
Total,		<u>3,036 14</u>
Balance,		<u>26,511 25</u>
	<u>29,547 39</u>	<u>29,547 39</u>

The capital of the School Fund, drawing interest as before shown,
is as follows :

School Fund Dues,	1,415,292 50
do do Loans,	220,314 24
Total,	1,635,576 74
The interest upon this sum, for one year, at 7 per cent. is	214,940 37
To which add balance on hand as above	27,493 92
Making a Total of	142,434 29

The amount now on hand includes the advanced interest already paid for the year 1855. This will lessen the amount due, to the extent of such advanced payment. Loans and sales, however, during the winter will doubtless increase the income to such an extent, that the amount to be apportioned in March next, will reach the sum of \$145,000 00.

6. THE UNIVERSITY FUND.

This fund is composed of the nett proceed of the sale of University lands, and from the 5 per cent. penalty as forfeiture for the non-payment of interest when due upon University land certificates and loans from the University Funds.

The transactions in this fund, during the year closing this day, are as follows, to wit:

FIRST QUARTER.

RECEIPTS.

Certificates,	2,155 47
Penalty, 5 per cent.	21
Sales,	2,010 41
Total,	4,186 88
Balance last quarter.	10,867 22

DISBURSEMENTS.

Loans,	9,125
Lorenzo Preston	15
C T Overton,	20
Refunded for error,	3 60
Balance,	5,890 50
	15,054 10
	15,054 10

SECOND QUARTER.

RECEIPTS.

Loans,		250	
Penalty,		96	15
Sales,		2,104	32
Balance,		5,890	50

DISBURSEMENTS.

Loans,			1,946
Balance,			6,394 97
		<hr/>	<hr/>
		8,340 97	8,340 97

THIRD QUARTER.

RECEIPTS.

Sales,		2,337 94	
Certificates,		330	
Balance last quarter,		6,394 97	

DISBURSEMENTS.

Loans,			7,953
Balance,			1,109 91
		<hr/>	<hr/>
		9,062 91	9,062 91

FOURTH QUARTER.

RECEIPTS.

Certificates,		112	
Penalty,		21	25
Sales,		507	05
Balance last quarter,		1,019 91	

DISBURSEMENTS.

Loaned to University,			2,836 33
Amount overpaid,		1,086 12	
		<hr/>	<hr/>
		2,836 33	2,836 33

The records of this office exhibit the following as the present condition of this fund :

Amount due on certificates of sale as per the books of this office,	125,557 18	
Add error of books in 1853,	10,359 10	
	<hr/>	
Total amount of University Fund Dues,	135,916 28	
Amount due on do do Loans,	25,230 33	
	<hr/>	161,146 61
Amount overpaid as above,		<hr/> 1,086 12
		<hr/>
Total principal,		160,060 49

This sum, except the amount above stated as being in the Treasury, is drawing interest at 7 per cent., payable during the month of January in each year. This interest constitutes

7. THE UNIVERSITY FUND INCOME.

This is annually applied toward the current expenses of the State University.

The transactions of the State Treasurer in the income of the University Fund for the year, are as follows:

FIRST QUARTER.

RECEIPTS,	7,077 21	
Balance last quarter,	2,990 56	
	<hr/>	
DISBURSEMENTS.		
Interest on School Fund Loan,		3,500
State University,		4 500
Refunded for error,		11 99
		<hr/>
Total,		8,011 99
Balance,		2,055 78
	<hr/>	<hr/>
	10,067 77	10,067 77

SECOND QUARTER.

RECEIPTS,	754 81	
Balance last quarter,	2,055 78	
	<hr/>	
DISBURSEMENTS.		
State University,		1,000
Balance,		1,810 59
	<hr/>	<hr/>
	2,810 59	2,810 59

THIRD QUARTER.

RECEIPTS,	363 58||	
Balance last quarter,	1,810 59||	
Balance,		2,173 17
	<hr/>	
	2,173 17||	2,173 17

FOURTH QUARTER.

RECEIPTS,	580 47||	
Balance last quarter,	2,173 17||	
DISBURSEMENTS,		1,628 45
Balance,		1,125 19
	<hr/>	
	2,753 64||	2,753

The capital of the University Fund drawing interest as above shown, is as follows:

University Fund Dues,	135,916 28
do do Loans,	25,230 33
Total,	<hr/>
	161,146 61

The interest upon this sum at 7 per cent. for	
one year, is	11,280 26
Add balance on hand,	1,125 19
Total,	<hr/>
	12,405 45

This sum will doubtless be increased by further sales, so that the amount subject to be drawn for the support of the University next year, will reach the sum of \$13,000 00.

8. THE IMPROVEMENT FUND.

The payment required to be made to the State Treasurer by virtue of the act to provide for the completion of the Fox and Wisconsin Rivers, passed April 14, 1852, constitutes the Improvement Fund.

The transactions in this fund, during the current fiscal year, have been as follows:

Balance on hand,	129 38||	
Paid F P Tallmadge,		129
Balance in the Treasury,		38
	<hr/>	
	129 38||	129 38

RECAPITULATION.

	Receipts.	Disbursements	Total Receipts	Total Disbursements.
GENERAL FUND.				
1st quarter,	165,487 54	165,277 53		
2d do	10,805 02	8,618 05		
3d do	5,177 68	32,571 66		
4th do	9,829 22	15,686 88		
			191,299 46	222,154 12
SCHOOL FUND.				
1st quarter,	49,166 38	70,194		
2d do	5,670 55	3,307 73		
3d do	13,945 77	4,373 62		
4th do	16,800 57	7,120 71		
			85,583 27	84,996 06
S. F. INCOME.				
1st quarter,	94,159 40	88,496 50		
2d do	1,853 97	4,765 95		
3d do	5,932 07	890 29		
4th do	4,289 59	3,036 14		
			106,235 03	97,188 88
UNIVERSITY FUND.				
1st quarter,	4,186 88	9,163 60		
2d do	2,450 47	1,946		
3d do	2,667 94	7,953		
4th do	640 30	2,836 33		
			9,945 59	21,898 93
U. F. INCOME.				
1st quarter,	7,077 21	8,011 90		
2d do	754 81	1,000		
3d do	362 55			
4th do	580 47	1,628 45		
			8,775 07	10,640 44
IMPROVEMENT FUND.				
1st quarter,		129		129
Total,	401,838 42	437,007 43	401,838 42	437,007 43
BALANCES.				
January 1, 1854.		8,110 70		
General Fund,	34,094 92			
School Fund,	17,465 10			
School Fund Income,	10,867 22			
University Fund,	2,990 56			
U F Income,	129 38			
Improvement Fund,			57,436 48	

RECAPITULATION.—Continued.

BALANCES.			
December 30, 1854,			
General Fund,	38,965 36		
School do		34,682 13	
S F Income,		26,511 25	
University Fund,	1,086 12		
U F Income,		1,125 19	
Improvement Fund,		38	22,267 47
	507,437 08	507,437 08	459,274 90
			459,274 90

ACCOUNTS AUDITED.

The following list embraces the accounts audited in this office, by virtue of various provisions of law, and exhibits the funds from which the same are respectively payable. The sum claimed, in all cases has been the same as allowed, unless otherwise noticed.

GENERAL FUND.

		Claim.	Allowed.
January 4,	James H Wells, Publishing,		15 60
do 7,	James S Baker, painting, &c.,		12
do 11,	Geo Burnside & Co, publishing,		4 40
do 12,	C Latham Sholes, do		4 40
	H D Barron, do		4 40
do 13,	Alf Marschner, do		10
do 14,	Jas M Reese, do		6 40
	Chas H Wells, do 1851		15 60
do 21,	F J Mills, do		4 40
do 30,	Ryan & Co, do		10
	Hurd & Johnson, do		4 40
	Reed & Nevitt, do		4 40
	Briggs & Foster, do		4 40
	Schoeffier & Wendt, translating,		10
Feb'y 8,	John C Bunner & Co, Newspapers, 1853,		62 50
do 11,	J A Hadley, publishing,		4 40
do 13,	"See Bote," do	20	16 40
do 16,	H F Eastman, do		4 40
do 18,	Fratney & Herzberg do		6 40
do 21,	H D Barron, do		26 86
do 26,	B Brown, Report of Impeachment Trial,		2,655
	Stevens & Rogers, publishing,		4 40
March 2,	Chas Foote, Carriage Impeachment Reports	65	53 25
do 9,	Wm E Cramer, publishing,		24 35
	E C Hull, do		5 05
do 11,	F J Mills do		5 05

GENERAL FUND.

		Claim.	Allowed.
March 11,	H M Crombie, carriage, impeachment trial,		5 50
	Beriah Brown, publishing,		5 05
	Baker & Doty, do		5 05
	Briggs & Foster, do		5 05
	Blumfield & Kopp, do		5 05
	H D Barron, do		5 05
do 13,	Miner & Skinner, do		5 05
	Carr Huntington, do		5 05
	Gould & McLaughlin, do		5 05
	J L Marsh, do		5 05
	Beeson & Thomas, do		5 05
do 14,	J Walworth, do		5 05
	E R & F A Utter, do		5 05
	A Marschner, do		11 30
do 16,	Alden & Holt, do		5 05
	Robinson & Bro, do		5 05
	C W Fitch, do		5 05
	Seaton & Paul, do		7 05
do 17,	Schoeffler & Wendt, do		5 05
	R A Bird, do		5 05
	John A Brown, do		12 10
	J Quintus, do		5 05
	Fratney & Herzberg, do		5 05
do 20,	Ryan & Co, do		5 05
	J Crowley, do		6 90
	D C Brown, do		5 05
do 21,	R B Wentworth, do		7 05
do 22,	"Emigranten," do		5 05
do 23,	Hurd & Johnson, do		
	W W & L Noyes, newspapers in 1858,		41 55
	and publishing,		5 05
do 25,	Bugh & Nimmock, publishing,		5 05
do 28,	O J Wright, do		5 30
	Jacob Quintus, do		5 05
do 20,	Geo H Paul, do		5 05
	S M Booth, do		5 05
	Carey & Harrison, do		5 05
	Mapes & Root, do		5 05
	Schoff & Butts, do		9 43
	Rufus King & Co, do		19 54
	A G Ellis, do		5 05
	Casey & Fallon, do		9 45
	C Clement, do		159
	do Newspapers,		5- 05
do 31,	Sholes & Densmore, publishing,		170
	do do Newspapers,		

GENERAL FUND.

		Claim.	Allowed
March 31,	Butts & West, publishing,		4 40
	Briggs & Foster, newspapers,		185
	W H Gleason, appraisal of capital lands,	407 00	287
	B F Wilson, do do	272	152
	John F Wilson, do do		102
	Fratney & Herzberg, newspapers,		231
	S M Booth, do		454
	Rufus King & Co, do		210 22
	Gould & McLaughlin, do		69 68
	W E Cramer, do		375
April 1,	Shoeffler & Wendt, do		347 57
do 3,	Beriah Bown, do		1,310 17
	J D Reymert, do		926 76
	Carey & Harrison, do		60
	Daniel Shaw, do		197 50
	E C Hull, do		100 50
	Blumfield & Kopp, do		88 40
do 4,	Bugh & Nimmock, do		34 50
	Royal Buck, publishing,		5 05
do 10,	Cover & Goldsmith, newspapers,		
	John N Jones, postage, legislature,		2,314 77
	do do do State Officers,		433 46
do 11,	R J Fleischer, newspapers,		144 69
	H D Barron, do		149 52
	Bliss & Chaney, do		17
	J H Wells, do		35 50
	do do publishing,		5 05
	W B Shaver, do		5 05
	Gust Grahl, do		4 65
	Robinson & Bro, do		1 45
do 17,	Ryan & Co. newspapers,		88 70
	David Atwood, do		934 10
	Geo H Paul, do		59 25
	Robinson & Bro, do		51 36
	Baker & Doty, do		13 25
	Alden & Holt, do		41 50
	Jerry Crowley, do		136 40
	D C Brown, do		68 50
	Beeson & Thomas, do		20
	F J Mills, do		57 50
	A J Ellis, publishing,		5 05
do 19,	Stevens & Rogers, do		5 05
do 22,	John A Brown, do		9 36
do 23,	Burnside & Co, do		5 05
do 24,	A Marschner, newspapers,		50
	Butts & Schuff, do		66 25

GENERAL FUND.

			Claim.	Allowed.
April 25,	Reed & Nevitt, publishing,			5 05
do 28,	G Grahl, newspapers,			22 50
do 31,	Bliss C Chaney, publishing,			9 30
	Cover & Goldsmith, do			5 05
	J A Smith, do			9 45
May 1,	J B Redfield, newspapers,			5 55
	John Walworth, do in 1853,			3
	do do do			7
do 4,	Royal Buck, do			30 03
	Miner & Skinner, do	54 08		47 46
	Charles Roesser, do			6 46
do 5,	C W Fitch, do			13
	O J Wright, do			24
do 15,	R B Wentworth, do			69 15
June 27,	Hurd & Johnson, do			1 75
	Dan C Brown, do			11 45
July 14,	Joachim & Co, publishing,			5 05
	V Kohlman, newspapers,			43 04
do 15,	R A Bird, do			6 50
	R W Lansing, paging and indexing : enrolled laws, &c			264
	John N Jones, postage,			242 63
	Hurd & Johnson, publishing,			8 65
August 4,	Shoemaker & Wendt, do for legislature,	772 54		644 78
	do do do	1,267 62		1,012 10
	do do do			15
	F Fratney, do for legislature,	1,267 62		1,012 10
	do do	767 36		639 60
	do do			15
	Vojta Napestek, newspapers,			15 64
do 12,	B Brown, printing for Bank Comptroller,			61 40
Oct'r 10,	Weed & Eberhard, books for do do			972
do 7,	John N Jones, postage,			408 60
do 25,	Reed & Nevitt, newspapers,			64 50
Nov'r 29,	O J Wright, publishing,			4 25
Sept'r 21,	Robinson & Bro, do			8 65
Dec. 26,	J M Davidson, safe for Bank Comptroller,			1,135
do 20,	A F Pratt, publishing,			36 25

SCHOOL FUND.

January 4	James H Wells, publishing,	13 20
	do do do	8 50
do 5	R R Rawson, appraising,	111
	D R Shailer, do	111
	W O Buck, do	111

SCHOOL FUND.

			Claim,	Allowed
Jan'y 10	G H Paul,	publishing,		7
	Jerry Crowley,	do		5
do 11	Joachim & Co,	do		5
do 12	H D Barron,	do	24 90	16 25
do 13	E C Hull,	do		8 10
do 16	D C Brown,	do		8
do 21	F J Mills,	do		13 70
do 25	Seaton & Paul,	do	40	17 80
do 28	C W Fitch,	do		6 50
do 30	Ryan & Co,	do		9 68
	Reed & Nevitt,	do		14 80
Feb'y 5	Stevens & Rogers,	do		10 80
do 7	Geo Gale,	appraising,		15
	D M West,	do		20
	Milton Barlow,	do		15
do 8	Schoeffler & Wendt,	publishing,		3 50
do 10	Charles Roesser,	do		7 00
	J A Hadley,	do		9 20
	Winnebago County, balance due the county			
	on old appraisal,			168 25
do 12	John A Brown,	publishing,		8
do 14	P D Marshall,	appraising,		50
	H Calkins,	do		92 50
	J Barnard,	do		75
	A S Weston,	do		12 50
	A Weston,	do		7 50
	Indian George,	do		9
Feb'y 14	H P Holmes,	appraising,		25 50
	W White,	do		43 50
	Asa Lawrence,	do		78
do 16	Geo W Taggart,	do		216
do 17	Calemet Co. balance	do		581 12
do 18	Fratney & Herzberg,	publishing,		25 90
do 22	Stevens & Rogers,	do		6
March 1	Weed & Eberhard,	binding,		44
do 2	B Brown,	printing,		892 40
do 3	H D Barron,	publishing,		8 65
	W B Shaver,	do		4
do 8	Wm E Cramer,	do		97 85
	E Beeson,	do		9 60
	A Stellis,	do		7 20
do 10	Robinson & Bra,	do	8	3 60
do 24	A Whittemore & Co, binding,			25
	D M Seaver, platting and recording appraisal			163 39
do 30	Weed & Eberhard,	binding,		77
May 4	Royal Buck,	publishing,		12 50

SCHOOL FUND.

			Claim.	Allowed.
June	29	Beriah Brown, printing blanks,		645
do	30	Brown county, balance appraising,		136 50
Sept'r	21	W W Willard, selecting land,		132
		Jas Murdock, do do		141
do	25	Beriah Brown, printing,		320
do	30	Wm E McMichael, do		18 75
		Jerry Crowley, do		42 75
		R F Wilson, do		315
		E C Hull, do		7 25
		Cover & Harrison, do		4 25
		Ryan & Co, do		4 25
		S W Smith & Co, do		55 26
		Wm C Rogers & Co, do		48 75
		Jacob Quintus, do		8 25
		Weed & Eberhard, do		1,564 50
		S Fields, do		162 50
		Henry O Neall, do		10
		Peter Little, do		30
		Benj Allen, do		262 50
		Cyrus A Allen, do		157 50
		James Porter, do		142 50
		B F Hicks, do		15
		Hiram Calkins, do		85
		Joseph Barnard, do		55
		P D Marshall, do		35
		Hiram Calkins, do		81
		Wm C McMichael, do		18 75
Sept'r	30	A C Holt, printing,		7 25
		D C Brown, do		31 25
		J Dartt, do		31
		John A Brown, do		19 90
		Hurd & Johnson, do		18 80
		Edward Lees, do		480
Dec.	9	Robinson & Bro, publishing,		19
do	7	Sam'l Ryan, do		4 25
do	15	Thomas & Reed, do	10 25	8 75
		A C Holt, do		5 20
Nov.	30	O J Wright, do		14 75
		Gray & Nimmoicks, do		17 25
		Wm C Rogers, do		7 45
		Stout & Tenney, do		3 25
		R L Gore, do		7 25
		Beriah Brown, do		107 50

SCHOOL FUND INCOME.

March	11	D M Seaver, platting & recording appraisal,	566 96
do	24	Chas G Mayers, do do do	241 50

UNIVERSITY FUND.

April 22	Lorenzo Preston, appraising,	15
	C T Overton, do	20
Nov. 6	Weed & Eberhard, binding, &c.,	28

EXPENSES.

The expenses of the State on account of the General Fund by virtue of permanent provisions of law for appropriations of the Legislature, and accounts audited during the fiscal year ending this day, are as follows.

The first column shows the amount of such liabilities for 1854. The second for other years, and the third the total amount thereof.

<i>Blind Institute,</i>			
Appropriation,.....	9,500	6,000	15,500
<i>Capitol Lands.</i>			
Accounts Audited,.....		341	341
<i>Contingent Expenses.</i>			
Permanent Appropriations...	1,200		
Appropriations,	15,134 70	9,814 68	
Accounts Audited,.....	1,236	12	27,397 38
<i>Deaf and Dumb.</i>			
Appropriation,.....	6,500	2,500	9,000
<i>Documentary Historg.</i>			
Appropriation.....	800	400	1,200
<i>Emigrant Agency,</i>			
Permanent Appropriation,...	3,800		3,800
<i>Geological Survey.</i>			
Permanent Appropriations,...	2,500		2,500
<i>Impeachment Trial.</i>			
Appropriations,.....		9,371 11	
Accounts Audited,.....		85 30	9,456 41
<i>Legislative Expenses.</i>			
Permanent Appropriations,...	38,356 30	59 60	
Appropriations,.....	26,275 30	537 83	
Accounts Audited,.....	12,673 19	73 50	77,974 72
<i>Lunatic Asylum.</i>			
Appropriation,.....	15,000		15,000
<i>Printing.</i>			
Appropriations,		5,947 64	
Accounts Audited,.....	16 40		6,009 04
<i>Publishing.</i>			
Appropriations,.....		31	
Accounts Audited,.....	871 65		902 65
<i>Salaries.</i>			
Permanent Appropriations,...	28,004 17		28,004 17
<i>Saline Lands.</i>			
Appropriations,.....		445	445

<i>State Agricultural Society.</i>			
Appropriations,.....	3,600	1,875	4,875
<i>State Historical Society.</i>			
Permanent Appropriation,...	500		500
<i>State Loan,</i>			
Interest,.....		7,500	7,500
<i>State Prison.</i>			
Appropriations,.....	35,000	7,603 08	42,603 08
<i>State Prisoner.</i>			
Appropriations,.....		3,058 06	3,053 06
<i>State Roads.</i>			
Appropriations,.....		317	317
<i>Stationery.</i>			
Appropriations,.....		4,111 91	4,111 91
<i>Traveling Emigrant Agency.</i>			
Appropriation,.....		1,350	1,350
<i>Wisconsin Territory,</i>			
Appropriations,.....		2,263 32	2,263 32
<i>Supreme Court Reporter.</i>			
Permanent Appropriation,...	583 33		583 33
	<u>\$200,996 04</u>	<u>\$63,696 03</u>	<u>\$264,692 07</u>

The expenses of the State Government for each year from its organization to the present time are shown in the Statement herewith marked "B."

EXPENDITURES.

The expenditures from the State Treasury during the fiscal year, on account of all of the funds have already been shown in the statements of the different funds.

Herewith, marked "D," will be found detailed estimates of expenses to be defrayed from the treasury during the ensuing year, amounting in the aggregate to the sum of \$253,059 52, which may be embraced under the following heads, to wit:

Salaries,	-	-	-	-	32,650
Permanent Appropriations,	-	-	-	-	8,200
Legislative Expenses,	-	-	-	-	27,025
Miscellaneous;	-	-	-	-	162,138

REVENUES.

The revenues of the State applicable to the payment of liabilities and expenses during the ensuing year are as follows:

Arrearages due from Banks,	-	-	8,706 25
" " " Counties as per statement			
herewith marked "E"	-	-	15,073 16
Ditto due from Clerks of Courts as per			
statement herewith marked "A"	-	-	1,347 50

Iowa County Orders,	-	-	300 00
Tax on Suits, estimated	-	-	1,400 00
State Tax of 1854, as per statement herewith marked "F"	-	-	225,000 00
Bank Tax, estimated	-	-	30,000 00
Hawkers and Pedlars, "	-	-	2,000 00
Rail Road Tax, "	-	-	8,000 00
Plank Road, "	-	-	1,000 00
Canal Land Mortgages "	-	-	1,000 00
			<hr/>
			\$288,826 91

By reference to the estimated expense of the State for the year 1855 as before shown, it will be seen that the above estimate of Revenue exceeds that of Expenses, by the sum of \$35,767 39.

EQUALIZATION OF STATE TAX.

In pursuance of the Act of the Legislature approved April 1, 1854; the State Board of Equalization assembled at the Capitol on the third Monday of September:

Present, the Governor, Lient. Governor, Secretary of State, State Treasurer, Attorney General, and State Superintendent.

On the 21st an equalization was established, a statement of which will be found in tabular form in the document annexed marked "F".

The board were somewhat embarrassed in their efforts to arrive at an equitable apportionment of the tax to the several counties, from a failure on the part of about one half of them to make the returns required by the Act. Taking the imperfect returns of previous years, and such as were made for the present year, (the latter not all made in conformity with law,) as the basis of their action, they were obliged to draw more largely than they desired upon the discretion allowed them; and from these and "the best sources of information within their reach," an apportionment was determined which if not strictly just to all the counties, they hope is as nearly so as circumstances would permit.

No provision is made by the Act for enforcing returns from Town, Village, and City Assessors, and it is respectfully suggested that it be amended in that particular.

Heretofore, propositions have been under consideration in the Legislature, having in view the adoption of a system of assessment, by which valuations more nearly approaching the full cash value of property assessed might be obtained; but no definite action in this respect has as yet been had. Could the Board of Equalization have the advantage of complete returns from the Counties, exhibiting fair valuations of property, the apportionment of the State tax would require little or no exercise of discretionary power, and the purposes of the Act referred to would be as fully attained as possible.

PUBLIC PRINTING.

Advertisements "for sealed proposals for doing at the seat of Government all printing authorized and required by the Legislature for their use, or for the State in all the several departments thereof," having been duly made according to law, on the 2d day of July last, the bids received, were opened in the presence of the Governor and the Attorney General. After consideration, on the 6th day of July, James Densmore, of Kenosha, was decided by the Secretary to be the lowest and best bidder, and the contract was accordingly awarded to said Densmore, who was immediately notified to that effect. From this decision, another of the bidders, Beriah Brown, took an appeal under section 24, of the Act of 1852, relating to printing, to the Governor, State Treasurer and Attorney General, who after review and examination of the bids, decided the appeal in his favor. The grounds upon which their decision is based, will be found stated at length in a communication to this office, a copy of which will be found in the Appendix to this report, marked "G."

The contract having been awarded to Mr. Brown, he executed the bond required by law, "for the faithful performance of the duties assigned him," which bond, having been approved by the Governor, is now on file in this office.

An abstract of the several bids is hereto annexed, marked "H."

SECTION 3, of the Act of 1852, before referred to, provides for the form of the advertisement for proposals, stating in detail the specifications to be required. This section was amended by chapter 48 of the laws of last session, but the language of the amendment is ambiguous, and has occasioned difficulty to bidders.

The specifications required to be made, should be more distinctly stated, in order that forms of bids may be framed without the aid of any arbitrary construction.

An Act of the last legislature for the publication of the general laws, approved on the 1st day of April, required their publication, if at all, within two months from the adjournment of the legislature. The price for such publication being fixed in the Act at the sum of thirty dollars—a compensation absurdly inadequate for the printing of between five and six hundred folios of matter—a circular was addressed, immediately after the adjournment of the legislature to the several newspaper publishers of the State, stating the amount of matter to be published, and the compensation, to ascertain if any would undertake the work on the terms prescribed. Answers were received at this office from about one-third of the number of publishers in the State, of which proportion a majority rejected the proposition. Had the Act referred to been passed at an early period of the session, the copy of laws could be furnished in time to complete the publication within two months from the adjournment. After waiting a sufficient time for replies from publishers, there remained less than six weeks for the performance of the work by such as accepted. Under the circumstances the copy could not be prepared and forwarded, and the publication completed within the time prescribed in the Act, at least not without incurring much extra expense at this office, to supply even the limited number that accepted the proposition of the legislature; and as only a very partial publication would be effected, it was thought proper not to furnish the copy to any.

ELECTIONS.

During the year elections for Judge have been held in the Third, Seventh, Eighth and Ninth Judicial Circuits, and in the several Congressional Districts, for Representatives in Congress. The question of amending the constitution, according to the Act of 1853, was duly submitted to the people at the November election.

In the third Judicial Circuit, Charles H. Larrabee was elected Judge.

In the seventh, George W. Cate.

In the eighth, S. S. N. Fuller.

In the ninth, Alexander L. Collins.

In the first Congressional District, Daniel Wells, Jr., was elected Representative.

In the second, Cadwallader C. Washburn.

In the third, Charles Billingham.

The vote upon the subject of amending the constitution, will be found in a tabular statement hereto annexed, and marked "I."

The propriety of providing for the publication of the election laws in pamphlet form, and for the preparation of Blank forms for the guidance of inspectors and clerks of election, is respectfully submitted.

Many irregularities and informalities occur at every election, which might be avoided were such provision made, and the expense would be inconsiderable in view of the order, regularity, and certainty in conducting and making returns of election which would thus in a great degree be insured.

The preparation for such a publication could be easily made in this office, and the pamphlets containing the matter suggested, distributed to the several towns and wards of the State.

NEWSPAPERS.

The attention of the Legislature is requested, to the matter of expenditure for newspapers. The entire amount expended, as exhibited in accounts audited, for newspapers furnished the last Legislature is \$6,071 22. The consequent expense of postage is

estimated at \$4,124 78, making in all an amount of \$10,196 00 expended, chargeable to the newspaper account. The expenditures of the last Legislature in this particular, are not cited as more remarkable than those of its predecessors, but because of their being more readily ascertained. A practice which commenced under our Territorial Government has been continued from year to year, and with the increase in the number of members of the Assembly and Senate has become the source of a very considerable item in our State expense.

INSURANCE COMPANIES.

"An Act to provide for the incorporation of Insurance Companies," approved February 9, 1850, requires in section 7, that any company incorporated by other States, before taking risks or transacting any business of insurance in this State, shall file a statement with the Secretary of State, under oath of the President and Secretary of the company, showing the amount of its capital, the manner, in detail, of its investment, and whether such capital is unpaid or not, and if unpaid, how much, and if there is satisfactory evidence of the solvency of the company, then a certificate of authority is to be issued from this office, to the agent filing the statement, to take risks. A like statement is to be filed annually, and a like certificate of license to be procured, in the month of January in each year.

These provisions have been almost entirely disregarded, and Insurance Companies organized under the laws of other states are daily issuing policies in this State, without authority of law.

The subject is one which seems to demand the attention of the Legislature, and the passage of an act amendatory of the act of 1850, providing more stringent regulations and also suitable penalties for the government of the business of insurance, so far as it relates to foreign companies. There may be also further provision required for the regulation of Insurance Companies organized in our own State, and the whole subject is suggested as proper for your consideration.

REGISTRATION OF MARRIAGES.

The act upon the above subject, approved in 1852, is a dead letter; and it might be well for the Legislature to consider whether it should not be repealed. The Registration provided for by might be just as well kept in the county offices, and there does not seem to be any necessity for encumbering the files of this office with the great number of documents which would annually accumulate, were there a strict conformity to the act.

All of which is respectfully submitted.

ALEXANDER T. GRAY,
Secretary of State.

APPENDIX.

"A."

An Abstract showing the Accounts of the several Clerks of the Circuit Court of the State of Wisconsin, December, 30, 1854.

LATE CLERKS.

		Dr.	Cr.
J. Arnold	Columbia	\$9 00	
H. Baldwin	Crawford	47 00	
S. G. Bugh	La Fayette	44 00	
Joseph Bowron	St Croix	61 00	
W. H. Besly	Jefferson	15 00	
E. B. Clark	Portage		12 00
R. P. Clement	Sauk	2 00	
W. M. Dennis	Dodge	19 00	
F. D. Hawes	Marquette	12 00	
Chas. R. Hollenbeck	Rock	20 00	
W. Johnson	Marquette	8 00	
D. Johnson	Jackson	19 00	
C. R. Knight	St. Croix	20 00	
David F. Kimball	Rock	5 00	
John Last	Brown	25 00	
Henry Merrill	Columbia	3 00	
G. W. Mitchell	Portage	3 00	
H. F. Pelton	Jefferson	128 00	
I. G. Parker	Racine	98 00	
Chas. A. Renter	Manitowoc	7 00	
J. C. Jquires	Grant	4 00	
P. P. Smith	Manitowoc	10 00	
O. B. Thomas	Crawford	9 00	
H. K. White	Milwaukee	102 00	
Lemuel White	Waukesha	1 00	

PRESENT CLERKS.

E. R. Baldwin	Winnebago	181 00	
A. W. Delaney	Columbia	61 00	
J. J. Driggs	Fond du Lac		64 00
D. Devaney	Marquette	21 00	
H. Dodge	St. Croix	8 00	
H. S. Eggleston	Outagamie		11 00

PRESENT CLERKS.

		Dr.	Cr.
A. H. Edwards	Sheboygan	18 50	
Isaac Freeland	Polk	4 00	
Chas. Gruning	Calumet	22 00	
J. Hutchinson	Iowa	80 00	
N. W. Kendall	Grant	61 00	
D. W. Kyle	La Fayette	102 00	
M. Keenan	Milwaukee	13 00	
S. G. Knight	Racine	45 00	
C. Lum	Dane	7 00	
P. Looney	La Cross	33 00	
W. C. McMichael	Bad Ax	12 00	
George Mertins	Sauk	11 00	
John Nichols	Rock		201 00
N. Phelps	Green	102 00	
Wm. H. Pettit	Walworth	114 00	
John Stumpf	Portage	40 00	
A. B. Slaughter	Richland	5 00	
L. F. Towsley	Ozaukee	24 00	
P. Toland	Washington		5 00
F. Ulbrich	Manitowoc		2 00
Total		\$1632 50	
Balance due			\$1337 50
		\$1632 50	\$1632 50

"B."

An abstract of the expenses of the State Government from its organization up to the year 1854.

	1848-9.	1850.	1851.	1852.	1853.
Blind.....		1,823 47	5,000	4,500	2,500
Contingent Expenses....	5,874 29	26,130 26	23,063 49	14,502 09	18,965 15
Deaf and Dumb.....				3,508	1,500
Documentary History....				1,000	1,200
Emigrant Agency.....				3,800	5,300
Geological Surv. y.....					2,500
Impeachment Trial.....					2,704 10
Legislative Expenses....	53,329 54	14,372	35,988 27	45,406 88	67,353 49
Printing and Publishing..	7,716 85	8,793 44	10,145 33	10,907 10	19,310 03
Salaries	18,116 53	13,592 33	15,068 56	15,772 21	23,491
State Agricultural Society				500	1,000
State Prison			5,000	16,389 60	13,250
State Prisoners.....	1,790 61	2,319 27	4,042 71	4,340 01	1,783 05
State and Saline Lands..	1,914 75	1,113 38	834	14	
Wisconsin Territory	3 339 55	2,212 39	11,023 15	1,987 55	
Stationery.....	1,999 19	1,218 84	2,333 29	854 62	3,043 76
	94,071 31	71,675 38	112,420 80	123,474 06	163,910 58

"C."

Estimate of the expenses of the State for the year 1854 for which no provision has been made.

J. F. Birchard for furniture	-	-	-	1,300
Documentary History	-	-	-	13,000
J. M. B. Davidson safe for Governor	-	-	-	1,135
State Printer, Laws and Journals	-	-	-	3,000
Sundry Accounts for Stationery	-	-	-	1,500
Sundry accounts	-	-	-	1,000
Clerk hire	-	-	-	2,000
Welstead, Hays, Hanks & Whiting, engraving			110	80
				<hr/> 23,045 80

"D."

Estimate of Expenses to be defrayed from the Treasury for the year 1855.

1. SALARIES.

Governor	1,250
Private Secretary	1,000
Secretary of State	1,200
Assistant do	1,000
State Treasurer	800
Assistant do	1,000
Attorney General	800
State Superintendent	1,000
Assistant do	800
Comptroller	2,000
Deputy do	1,000
Librarian	1,000
9 Judges Circuit Court at \$1,500	13,500
3 Justices Supreme Court at \$2,000	6,000
Adjutant General	300
<hr/> 32,650 00	

2. PERMANENT APPROPRIATIONS.

Contingent Expenses of Governor's Office	600
Traveling expenses of State Superintendent,	600
Geological Survey	2,500
State Historical Society	500
Supreme Court Reporter	1,000
State Agricultural Society	3,000
<hr/> 8,200	

3. LEGISLATIVE EXPENSES.

Chief Clerks of each House \$1,600	3,200
Mileage by Estimate	1,900
Per diem of 107 members 50 days	13,325
President of the Senate	225
Speaker, Speaker pro tem of the Assembly and President pro tem of the Senate	375
	<hr/>
	19,025

The payment of the foregoing is provided for by permanent appropriations.

Postage	Estimated at	1,000
Incidental Printing	do	5,000
Stationery for next Legislature	do	2,000
		<hr/>
		8,000

4. MISCELLANEOUS.

Stationery for Offices	2,000
Contingent expenses and repairs	10,000
Institute for the Blind 1854	6,000
Do estimated for support for 1855	4,000
Do for the Deaf & Dumb appr'n 1854	2,500
Do estimate for 1855	4,000
Interest on State Loan	7,500
Lunatic Asylum	20,000
Postage	1,000
State Prison	
Indebtedness for Prisoners	17,138 72
d South Wing	78,000
Support for 1855	10,000
	<hr/>
	162,138 72

RECAPITULATION.

Salaries	32,650 00
Permanent Appropriations,	8,200 00
Legislative Expenses,	19,025 00
Miscellaneous,	162,138 72
<hr/>	
Total,	230,013 72
Estimate marked "C"	23,045 80
<hr/>	
	253,059 52

"E."

Abstract of arrearages due from Counties, December 30, 1854.

Brown County	1,116 14
Iowa	521 33
Kewaunee	322 12
La Crosse	289 73
La Fayette	1,718 36
La Pointe	25 48
Marathon	1,066 88
Milwaukee	4,418 63
Oconto	779 74
Outagamie	1,445 87
Ozaukee	253 03
Pierce	165 70
Portage	1,485 53
St. Croix	672 99
Sauk	352 13
Waupacca	202 84
Waushara	196 66
Winnebago	40
<hr/>	
Total	\$15,073 16

"F."

STATEMENT showing the aggregate number of acres of land, the average valuation per acre of such land, the aggregate value thereof, the aggregate value of village and city lots, the aggregate value of personal property, and the aggregate valuation of all the property in the State of Wisconsin, as assessed in the year 1854, and as equalized by the State board of equalization. Together with the amount of State tax assessed to each county in said State for the year 1854.

COUNTIES.	Number of Acres.	Valuation per Acre.		Valuation of Lands.		Valuation of City and Village Lots.		Valuation of Personal Property.		Aggregate Valuation.		State Tax.
		Ass'd	Equalized.	Assessed.	Equalized.	Assessed.	Eq'lized.	Assessed.	Eq'lized.	Assessed.	Equalized.	
Adams†.....	60,000	.....	3 00	.....	180,000	.....	.....	.....	10,000	.....	190,000	665 00
Bad Ax.....	84,470	2 35	3 00	198,402	253,410	14,686	14,300	41,710	30,000	254,798	297,710	1,041 99
Brown†.....	25,000	.....	4 00	.....	500,000	.....	100,000	.....	150,000	.....	750,000	2,625 00
Buffalo†.....	10,000	.....	3 00	.....	30,000	.....	.....	.....	5,000	.....	35,000	122 50
Calumet.....	144,375	2 35	4 00	322,376	557,500	.....	5,490	13,364	26,000	335,740	608,990	2,131 46
Chippewa†.....	60,000	.....	3 00	.....	180,000	.....	.....	.....	15,000	.....	195,000	682 50
Clark.....	44,312	2 19	3 00	97,015	132,936	.....	.....	3,800	5,000	100,815	137,936	482 78
Columbia.....	423,787	2 12	5 50	898,304	2,330,828	.....	100,000	125,525	150,000	1,023,829	2,580,828	9,032 89
Crawford.....	38,768	3 10	3 50	120,133	135,688	96,049	50,000	40,195	50,000	256,377	235,688	824 91
Dane.....	643,007	2 28	6 50	1,467,785	4,179,545	308,511	308,511	131,686	275,000	1,907,982	4,763,056	16,670 69
Dodge†.....	529,920	.....	6 50	.....	3,444,480	.....	150,000	.....	275,000	.....	3,869,480	13,543 18
Door†.....	10,000	.....	2 00	.....	20,000	.....	.....	.....	5,000	.....	25,000	87 50
Douglas†.....	.....	.....	.....	.....	.....	.....	.....	.....	5,000	.....	5,000	17 50
Dunn†.....	15,000	.....	3 00	.....	45,000	.....	.....	.....	5,000	.....	50,000	175 00
Fond du Lac†.....	400,000	.....	6 50	.....	2,600,000	.....	200,000	.....	250,000	.....	3,050,000	10,675 00
Grant.....	438,521	2 63	5 00	1,252,617	2,192,605	182,285	100,000	314,211	314,000	1,749,113	2,606,605	9,123 12
Green.....	327,716	2 27	6 00	727,025	1,966,296	.....	25,000	98,579	100,000	825,604	2,091,296	7,319 53
Iowa.....	287,077	2 32	5 00	666,629	1,435,385	207,816	75,000	136,033	175,000	1,010,478	1,685,385	5,898 84
Jackson.....	21,736	3 63	3 00	78,678	65,208	1,215	.....	43,800	25,000	123,693	30,208	315 73

Jefferson.....	321,974	2 90	6 50	993.175	2,092,631	....	210.085	168,638	250,000	1,161,813	2,552,716	8,934 50
Kewaunee t..	3,000	....	3 50	....	105,000	....	....	....	5,000	....	110,000	385 00
Kenosha.....	171,829	6 41	10 00	1,101.796	1,718,290	....	250,000	171,494	225,000	1,273,296	2,193,290	7,676 52
La Crosse t..	175,000	....	3 00	....	525,000	....	50,000	....	60,000	....	635,000	2,222 50
La Fayette....	300,000	....	5 00	....	1,500,000	....	60,000	....	150,000	....	1,710,000	5,985 00
La Pointe t..	....	....	....	....	....	....	....	....	5,000	....	5,000	17 50
Manitowoc....	255,640	1 64	4 00	420.278	1,022,560	137,442	135,000	33,695	75,000	591,415	1,232,560	4,313 96
Marathon.....	19,298	....	3 00	86.647	57,894	11,225	5,000	129,380	75,000	227,252	137,894	482 63
Marquette....	286,338	2 91	5 00	286.338	1,431,690	109,977	109,000	125,880	150,000	522,195	1,690,690	5,917 42
Milwaukee....	146,532	5 60	20 00	3,225.568	2,930,620	....	2,700,000	392,084	1,000,000	3,617,652	6,630,620	23,207 17
Monroe t.....	20,000	....	3 00	....	60,000	....	....	....	5,000	....	65,000	227 50
Oconto.....	30,128	3 36	3 00	101.448	90,444	....	....	43,173	25,000	144,621	115,444	404 05
Outagamie t..	150,000	....	4 00	....	600,000	....	50,000	....	50,000	....	700,000	2,450 00
Ozaukee t....	135,000	....	7 00	....	945,000	....	50,000	....	100,000	....	1,095,000	3,832 50
Pierce t.....	75,000	....	3 00	....	225,000	....	15,000	....	10,000	....	250,000	875 00
Polk t.....	25,000	....	3 09	....	75,000	....	....	....	30,000	....	105,000	367 50
Portage t....	100,000	....	3 50	....	350,000	....	30,000	....	100,000	....	480,000	1,680 00
Racine t.....	200,000	....	10 00	....	2,000,000	....	400,000	....	375,000	....	2,800,000	9,800 00
Richland t....	120,000	....	3 00	....	360,000	....	5,000	....	25,000	....	390,000	1,365 00
Rock.....	448,138	3 08	8 00	1,380.817	3,585,100	443,838	443,840	222,636	425,000	2,047,291	4,453,940	15,588 79
St Croix.....	80,567	1 54	3 00	124.272	241,700	25,608	25,600	4,000	25,000	153,880	292,300	1,023 06
Sauk.....	326,759	1 52	4 00	633.501	1,307,032	....	50,000	74,487	100,000	707,988	1,457,032	5,099 62
Shawana t....	25,000	....	3 00	....	75,000	....	....	....	5,000	....	80,000	280 00
Sheboygan t..	250,000	....	6 00	....	1,500,000	....	150,000	....	150,000	....	1,800,000	6,300 00
Trempealeau t	10,000	....	3 00	....	30,000	....	....	....	5,000	....	35,000	122 50
Walworth.....	343,912	4 03	8 00	1,386.850	2,751,296	113,766	150,000	197,783	250,000	1,698,399	3,151,296	11,029 54
Washington t	250,000	....	6 50	....	1,625,000	....	60,000	....	100,000	....	1,785,000	6,247 50
Waukesha....	343,872	4 44	00	1,528.402	2,750,976	143,944	143,944	193,916	250,000	1,866,262	3,144,920	11,007 22
Waupaca t....	50,000	....	3 00	....	150,000	....	5,000	....	8,000	....	163,000	570 50
Waushara.....	68,491	1 79	3 50	123.025	239,718	8,412	8,412	10,232	20,000	141,669	268,130	938 45
Winnebago....	216,309	2 77	5 50	598.525	1,189,700	197,589	150,000	80,440	150,000	876,554	1,489,700	5,213 95
Total....	8,613,496	3 18	6 01	17,819.606	51,803,532	2,002,363	6,384,182	27,967 41	6,098,000	22,618,710	64,285,714	225,000 00

NOTE.—No Returns have been received from Counties marked thus †.

"G."

PUBLIC PRINTING.

Award of Governor, State Treasurer, and Attorney General.

MADISON, October 9, 1854.

ALEXANDER T. GRAY, Secretary of State.

SIR:—We have reversed your decision awarding the contract for State Printing to James Densmore, and have awarded it to Beriah Brown, believing his to be the lowest and best bid, and herewith we hand the reasons at length for our decision.

It is believed that Mr. Densmore's bid for the printing is not in compliance with law; Sec. 1, of an act to amend Sec. 3 of chapter 504, of session laws of 1852, approved March 25th, 1854, provides that "The advertisement (of the Sec'y of State) shall require specifications in said bid" as follows:—"For all classe except blanks the price of composition for 1000 ems; the price per token for press work; the price per quire for all paper used, specifying the size and quality thereof, and the price of folding, stiching and binding the same in paste board covers, with sheepskin corners and backs, and for blanks the price per quire, the contractor furnishing paper and material for the same." This section requires the bid to be made "for the price of folding, stitching, and binding in paste board covers, with sheepskin corners and backs."

This of course only applies to such books and pamphlets as are to be covered or bound. But Mr. Densmore has not followed or complied with the law in this respect. The words of his bid upon this subject are, "for folding, stitching, binding, covering, &c., according to the requirements of law, for each volume, document, or piece, two cents."

Mr. Densmore bids to do certain things, "according to the requirements of law," and the language of his bid assumes that the law requires certain things to be done in a certain way. If this were true, and there was a positive statute requiring books or pamphlets to be covered or bound in any particular way, or to be

covered or bound at all, then it is possible that his bid might be considered under the law; but, it is a bare assumption, for there is no such provision of law. It is true that laws and pamphlets have always been covered, and we shall soon see how and why, and we shall also see that if Mr. Densmore's bid was accepted, this uniform practice of covering books and pamphlets might be changed, and the whole matter be left to his discretion, so that he might cover or bind or not, as might suit his taste or convenience.

The section copied above is the only amendment to the law on printing, approved 19, 1852.

SEC. 3 of this act which was superseded by the section first above copied, required the bids to specify the price of "covering and binding the same in paper covers or in boards, should the legislature specially authorize the same;" thus leaving it for the legislature to say whether the laws &c., should be covered or bound. In all other respects the law remains as it was, and must govern the decision in this case.

SEC. 7 of the law of 1852, provides that "after due examination and the determining of the same, said Secretary shall immediately notify the successful bidder of his appointment to execute the work, who thereupon, within four weeks after receiving said notice, shall execute a bond to the Governor in the sum of twenty thousand dollars conditioned for the faithful performance of the duties assigned him," &c. Now the duties to be assigned him under the law, are that he shall do the printing according to his bid, and the law requires him to enter into a bond to do the printing according to his bid. Thus the bid becomes the basis of the bond, and whatever he has bid to do, he binds himself to do. He cannot be compelled to do more, nor can he excuse himself by doing less. Therefore the bid should be specific and certain, and in compliance with the law; so that in case of failure to perform the duties, the bond may be resorted to as contemplated by law, to indemnify the State—and when the suit is brought on the bond which is conditioned to do the printing according to the bid, then

the bid is resorted to, to know what are the conditions of the bond—for the bid is the basis of the bond.

If then Mr. Densmore should refuse to bind, fold, or stitch any document, law or pamphlet, would the State have any remedy on his bond? We think not. He might reply, "I bid and bound myself to fold, stitch, bind, and cover, &c., according to the requirements of law for each volume, document, or piece 2 cents, but at the time of making the bid, there was no law requiring laws or pamphlets to be folded, stitched or covered." This we believe would be a good defence to the bond. Thus it is clear that whether to bind or cover, or even to stitch or fold any volume, document or piece would be left entirely to his discretion, under his bid, and we cannot think that such was the intention of the law, or that we would be doing right to leave so imperfect a matter to the discretion of a public printer.

The law has provided in what terms the bid should be made, and that the successful bidder should give a bond to do the work according to his bid. If the bid is not in compliance with the law, it is in contemplation of law no bid, and a bond executed upon such bid would not secure to the State a faithful performance of the public printing.

Mr. Brown's bid is specific and certain. The bond he is to give will bind him to execute the work according to his bid, and if he should fail to do so, the State will have a complete remedy on his bond.

We come now to consider the two bids of Mr. Brown and Mr. Densmore, as if there was no objection to the form of either, and to discover which of the two is the lower. To this end we insert a copy of each.

BROWN'S BID.

Composition, 15 cents per thousand ems. Press work, 15 cents per token. Paper, 18 by 24 inches in size, of the quality of the samples in the Secretary's office, 15 cents per quire. All other paper used in incidental printing, 15 cents per quire. Folding

and stitching, 50 cents per 100. Binding in pasteboard covers, with sheep corners and backs, 15 cents per volume. Blanks, 50 cents per quire.

DENSMORE'S BID.

Composition a thousand, fifteen cents. Press work a token, eighteen cents. Folding, stitching, binding, covering, &c., according to the requirements of law, for each volume, document or piece, two cents. Paper, (quality corresponding to the specifications on file) eighteen by twenty-four inches in size, a quire, fifteen cents. Blanks a quire, twenty cents.

For the purpose of the examination, we will adopt the estimate of printing made by the Secretary of State, when the case was before him, adding only such items as he has omitted, and such others as the law has added.

Estimate and figures made by the Secretary on Mr. Brown's bid:

Composition	13,102 Ems,	15 cts.	1,965 30
Press Work	6,130 Tokens	15 do	919 50
Paper	29,542 Quires	15 do	4,431 30
Covering	100,000 Copies	50 do per 100	500 00
Binding	14,500 Volumes	15 do	2,175 00
Blanks	750 Quires		375 00

\$10,356 10

Estimate and figures on Mr. Densmore's bid.

Composition	13,102 Ems	15 cts	\$1,965 30
Press Work	6,130 Tokens	18 do	1,103 40
Paper	29,542 Quires	15 do	4,431 30
Covering	100,000	2 do	2,000 00
Binding	14,500	2 do	290 00
Blanks	750 Quires	2 do	150 00

\$9,940 00

It will be seen that the Secretary by this estimate makes Mr. Densmore's bill \$416 10 less than Mr. Brown's. The bids are the same as to composition and paper. Mr. Brown's is \$183 90 less on Press Work, and fifteen hundred dollars less on the item of "covering." On the item of "binding," Mr. Densmore's bid is \$290, and Mr. Brown's \$2,175, and if the laws and journals should be

covered with paper as heretofore, Mr. Brown's bid would be nearly two thousand dollars lower.

The estimate of work and the calculation made by the Secretary of State are based on the amount of work done during the last year, and he has omitted entirely the item of bills furnished for the two houses of the Legislature, most of which are to be folded, and many folded and stitched, for which Mr. Densmore's bid would give him two cents a piece, while Mr. Brown's would give 50 cts. per 100 or one half cent a piece.

Last winter there were one hundred and seventy-four printed bills introduced into both branches of the Legislature, and 250 copies of each bill ordered. This would make 43,500 pieces for the folding and stitching of which Mr. Densmore would receive two cents a piece, and this item alone would add to his bill \$870, and only \$217 50 to Mr. Brown's, leaving a difference in his favor on this item not included in the estimate of the Secretary of \$553,00, and making Mr. Brown's bid \$137 less than Mr. Densmore's.

The number of printed bills last winter was unusually small, not more than half as many as the year before. It will doubtless be greater during the coming two years, and as the number of pieces to be either folded or stitched increases, so much greater is the difference in favor of Mr. Brown's bid.

There will be more reports this year than last, and on all such work Mr. Brown's bid is very much the lowest.

We are unanimously of the opinion, therefore, that even if Mr. Densmore's bid were in compliance with the law, the bid of Mr. Brown is the lowest and best bid. And we have for the reasons above stated awarded to him the printing of the State for the years 1855 and 1856.

WM. A. BARSTOW, Governor.

EDWARD H. JANSSEN, State Treasurer.

GEORGE B. SMITH, Att'y General.

“H.”

Abstract of proposals received by the Secretary of State for doing the State printing for the years 1855 and 1856.

1. J. T. MARSTON & Co.

“Composition 14 cents per 1000 ems. Press work 20 cents per token. Paper medium size and for all less sizes and in any class of work and of quality required 15 cents per quire. Folding, stitching and binding in manner and quality required 6 1-4 cents per volume or copy. Blanks per quire, including paper 28 cents per quire.”

2. JAMES DENSMORE.

“Composition per 1000 ems 15 cents. Press work per token 18 cents. Folding per quire 2 cents. Stitching per quire 2 cents, covering, according to the requirements of law, per copy of each volume or document 8 cents. Paper quality corresponding with the specimen on file 18x24 inches in size, per quire 15 cents.— Blanks per quire 20 cents.”

3. JAMES DENSMORE.

“Composition a thousand 15 cents, Press work a token 18 cents Folding, stitching, binding, covering, &c., according to the requirements of law for each volume, document or piece 2 cents.— Paper, quality corresponding to the specification on file 18x24 inches in size, a quire 25 cents. Blanks a quire 20 cents.

4. C. C. SHOLES.

“Composition per 1000 ems, 9 cents. Press work per token 18 cents. Folding, stitching and binding according to the requirements of law, for each volume or document folded, stitched or bound, 4 cents. Paper, (quality corresponding with requirements of law and specimens on file) size 12 by 18, per quire, 12 cents. Blanks per quire, 18 cents.”

5. C. LATHAM SHOLES.

"Composition per thousand ems 18 cts. Press work per token 20 cts. Paper, (according to specimens on file) size 18 by 24 inches, per quire 18 cts. Folding, stitching and binding the same in accordance with the requirement of the law, for each volume, pamphlet or document folded, stitched, or bound 4 cts. Blanks per quire 30 cts."

6. CHARLES CLEMENT.

"Composition, per 1000 ems, 17 cts. Press work, per token, 21 cts. Paper, per quire, (of the quality offered for inspection) size 12 by 18, 15 cts. Folding, stitching and binding, as wanted for the legislature, per copy and number, 4 cts. Blanks, per quire, 38 cts.

7. ATWOOD & RUBLEE.

"Composition, on first two classes, 18 cts. per 1000 ems. Press work, on first two classes, 20 cts. per token. Paper, medium size, and all smaller sizes required, and of qualities required, sixteen cts. per quire. Folding, stitching and covering all documents in the usual pamphlet style, three cts. per volume or document. Folding and binding journals and documents in boards, with leather backs and corners, twenty-five cents per volume or document. Blanks, paper included, 40 cents per quire."

8. S. F. M'HUGH.

"Composition, 8 cents per 1000 ems. Press work, 8 cents per token. Paper, 18 by 24, and all other kinds specified, according to the quality of the samples furnished, 15 cents per quire. Folding, 5 cents a hundred. Binding, 12 1-2 cents apiece. Blanks, 50 cents a quire.

9. E. A. CALKINS.

"Composition, 10 cents per 1000 ems. Press work, 10 cents per token. Folding, 5 cents per 100 sheets. Paper, 18 by 24 inches,

first quality book, 15 cents per quire. All other paper used 15 cents per quire. Binding, in board with sheep skin backs and covers, 15 cents a piece. Blanks, 50 cents per quire."

10 BERIAH BROWN.

"Composition, 15 cents per 1000 ems. Press work, 15 cents per token. Paper, 18 by 24 inches in size, of the quality of the samples in the Secretary's office, 15 cents per quire. Folding and stitching, 50 cents per 100. Binding in paste board covers, with sheep skin corners and backs, 15 cents per volume. Blanks, 50 cents per quire.

11. F. B. WARD.

"I do hereby propose to execute the public printing for the State of Wisconsin for the next coming two years, in bang-up style, and be the same more or less as the case may be, in any style, shape, manner and quantity, for the sum of \$100,000 per annum.

12. RUFUS KING & CO.

"Composition, 14 cents per 1000 ems. Press work, 20 cents per token. Paper, 18 by 24, 15 cents per quire. Folding, 3 cents per volume. Binding, 12 1-2 cents. Blanks, 30 cents per quire.

13. RUFUS KING & CO.

"Composition, 14 cents per 1000 ems. Press work, 18 cents per token. Paper, medium size, 15 cents per quire, and same for flat cap or other lesser size. Quality as required. Folding, stitching and binding each copy of every volume or document, five cents per volume or copy. Blanks, paper included, 30 cents per quire.

"I."

TABULAR STATEMENT showing the number of votes polled at a General Election held in the State of Wisconsin, on the Tuesday next succeeding the first Monday, being the 7th day of November, A. D. 1854, upon the question to amend Article 4 of the Constitution.

COUNTIES.	For Amendment to			Against Amendment to		
	Sec. 4.	Sec. 5.	Sec. 11.	Sec. 4.	Sec. 5.	Sec. 11.
Adams.....	32	30	32	44	41	44
Bad Ax.....	30	33	36	84	85	89
Brown.....	5	5	5	12	12	12
Buffalo.....	..	..	..	..	..	..
Calumet.....	224	224	224	160	160	160
Chippewa.....	..	..	..	..	..	..
Clark.....	9	9	1	1	1	1
Columbia.....	94	94	4	379	379	379
Crawford.....	51	51	51	14	14	14
Dane.....	356	348	356	1442	1450	1 41
Dodge.....	175	89	171	734	723	723
Doort.....	..	..	..	..	..	..
Douglas.....	..	..	..	..	..	..
Dunn.....	..	..	..	..	..	..
Fond du Lac.....	260	260	260	817	817	817
Grant.....	1611	1673	1587	67	240	159
Green.....	452	507	356	79	170	76
Iowa.....	367	344	345	94	99	94
Jackson.....	1	1	1	58	58	58
Jefferson.....	264	256	257	302	302	301
Kewaunee.....	..	..	..	..	..	..
Kenosha.....	19	19	19	162	162	162
La Crosse.....	..	..	..	..	..	..
La Fayette.....	1017	1009	1036	258	261	246
La Pointe.....	..	..	..	..	..	..
Manitowoc.....	14	14	14	134	134	134
Marathon.....	2	2	2	35	35	35
Marquette.....	34	32	35	291	293	229
Milwaukee.....	31	31	31	2148	2148	2148
Monroe.....	3	2	2	23	24	23
Oconto.....	..	..	..	25	25	25
Outagamie.....	5	5	6	161	161	161
Ozaukee.....	..	..	..	..	..	..
Pierce.....	..	..	..	..	..	..
Polk.....	..	..	..	..	..	..
Portage.....	6	6	..	15	15	15
Racine.....	107	107	107	805	805	805
Richland.....	..	..	..	..	..	..
Rock.....	405	365	423	553	591	554
St Croix.....	..	..	..	..	..	..
Sauk.....	1	..	..	141	142	140
Shawano.....	..	..	..	..	..	..
Sheboygan.....	..	..	..	..	..	..
Trempealeau.....	..	..	..	..	..	..
Walworth.....	544	544	544	496	496	496
Washington.....	264	261	262	588	585	585
Waukesha.....	67	67	7	1045	1044	1044
Waupaca.....	9	7	3	41	41	46
Washburn.....	..	8	8	152	152	152
Winnebago.....	55	55	55	113	113	113
Total.....	6549	6348	6752	11580	11885	11589
† No returns.						

ANNUAL REPORT

OF THE

STATE TREASURER,

OF THE

STATE OF WISCONSIN,

FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, PRINTER.

1855.

ARMED AND DANGEROUS

NO. 10

STATE OF NEW YORK

NO. 10

FILED ON FEBRUARY 10

NEW YORK

NEW YORK

NEW YORK

NEW YORK

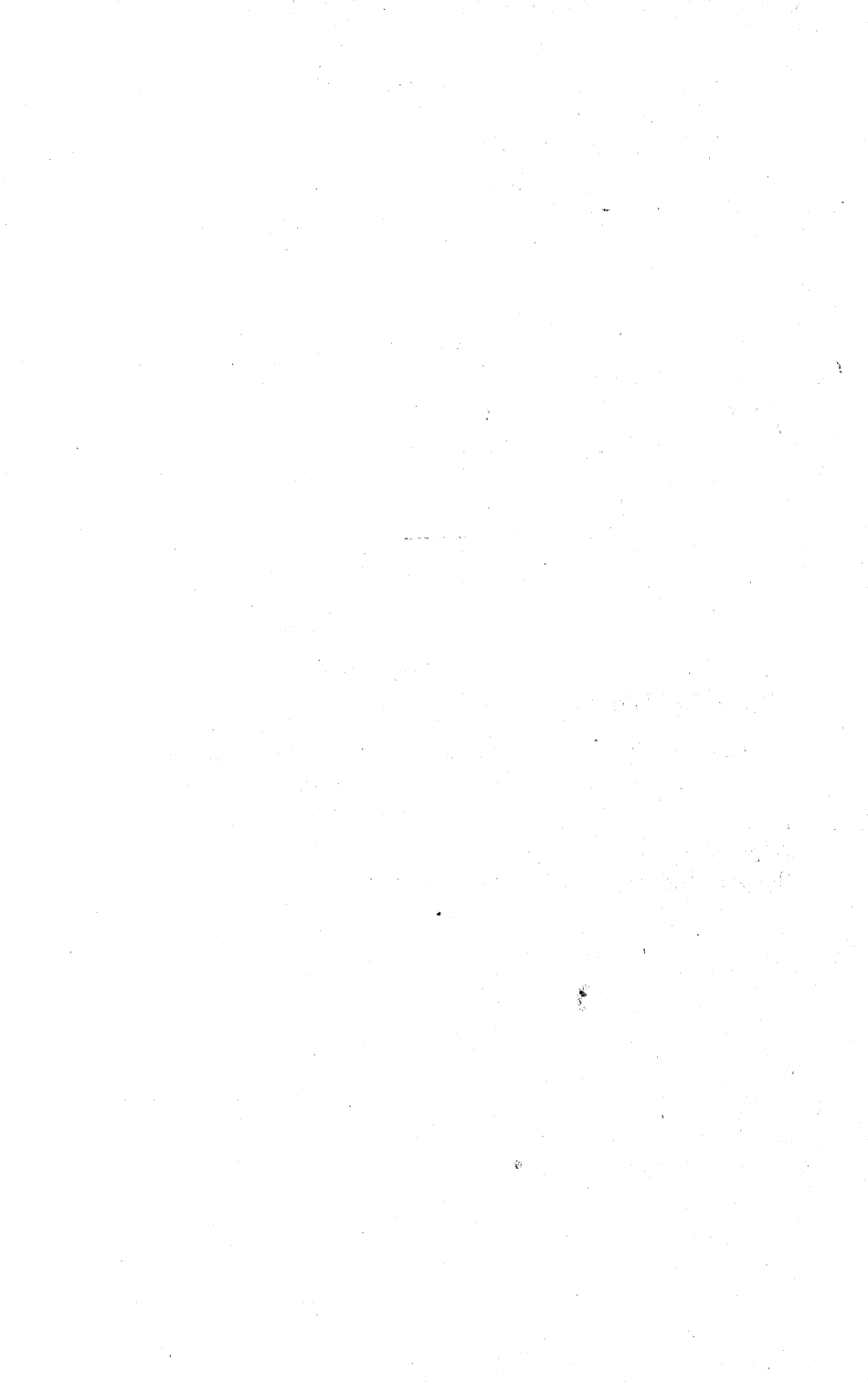
REPORT OF THE STATE TREASURER.

STATE TREASURER'S OFFICE,
MADISON, Wis., Dec. 30, 1854.

To the Legislature:

In conformity with the provisions of law contained in chapter 9, of the "revised statutes," I have the honor to submit the annual report from this office, showing a complete statement of the receipts and disbursements of the several funds of the state during the year eighteen hundred and fifty-four.

EDWARD H. JANSSEN,
State Treasurer.



REPORT.

GENERAL FUND.

FIRST QUARTER.

RECEIPTS.

Adams County State Tax,	-	-	\$	810	38
Bad Ax,	do	-		738	01
Brown,	do	-		2,329	31
Calumet,	do	-		1,818	29
Crawford,	do	-		1,177	68
Columbia,	do	-		6,628	60
Dane,	do	-		10,237	46
Dodge,	do	-		5,554	40
Fond du Lac,	do	-		9,800	67
Grant,	do	-		10,662	23
Greene,	do	-		4,341	36
Iowa,	do	-		5,000	
Jefferson,	do	-		5,724	04
Kenosha,	do	-		6,207	46
La Crosse,	do	-		1,620	52
La Fayette,	do	-		3,400	

RECEIPTS.

Marathon,	do	-	-	400
Manitowoc,	do	-	-	2,000
Marquette,	do	-	-	5,097 91
Milwaukee,	do	-	-	14,937 52
Outagamie,	do	-	-	533 40
Ozaukee	do	-	-	2,121 06
Racine,	do	-	-	7,702 84
Rock,	do	-	-	10,487 53
Richland,	do	-	-	1,143 71
Sauk,	do	-	-	3,008 80
Sheboygan,	do	-	-	5,978 41
Walworth,	do	-	-	8,835 34
Washington,	do	-	-	3,046 38
Waukesha,	do	-	-	9,486 68
Waupacca,	do	-	-	727 52
Waushara,	do	-	-	859 12
Winnebago,	do	-	-	5,092 34
Governor's contingent account,		-	-	776 54
J. Lehmert, license, hawker and pedlar,		-	-	10
M. Schlastenski,	do	-	-	10
Miles Joyce,	do	-	-	10
John Rvessel,	do	-	-	10
J. Levigne,	do	-	-	10
H. D. Hyman,	do	-	-	16 08
Samuel Block,	do	-	-	30
Nash & Co.,	do	-	-	30
City Bank, Kenosha, State Tax,		-	-	375
Jefferson Co. Bank,	do	-	-	187 50
Farmers & Miller's Bank,	do	-	-	375
Rock River Bank,	do	-	-	375
State Bank of Wisconsin,	do	-	-	1,125
Wisconsin Bank,	do	-	-	375
Wis. M. & F. Ins. Co. Bk.	do	-	-	750
Erie & Mich. Teleg. Co.	do	-	-	22 50
S. Park Coon, Canal Land Mortgages,		-	-	677 52
E. B. Fisher,	do	-	-	80
A. L. Castleman,	do	-	-	209 16
H. Stansbury,	do	-	-	199 62
Jonas Foltz,	do	-	-	109
Richard Hardell,	do	-	-	120
Seth Rice,	do	-	-	108
Harrison Reed,	do	-	-	165
W. Denney,	do	-	-	40
John D. McDonald,	do	-	-	288
H. J. Hildreth,	do	-	-	80
Orson Reed,	do	-	-	144
Wm. C. Gates,	do	-	-	25

RECEIPTS.

John A. Messenger,	do	-	138	42
D. Little,	do	-	170	32
R. Masters,	do	-	73	07
A. Alden,	do	-	246	34
Sweet & Edgerton,	do	-	320	
E. Pearman,	do	-	288	
M. H. Fairservice,	do	-	64	50
W. H. Gleason, error last year,	-	-	5	
C. D. Gage,	do	-	25	
J. Robinson,	do	-	30	
P. Kelly,	* do	-	50	
Wm. H. Lander, tax on suits,	-	-	25	
Total,	-	-	165,487	54

DISBURSEMENTS.

Jas. T. Lewis, Pres't of the Senate,	-	\$415
Ben. Allen, do do pro tem.	-	382 50
F. W. Horn, Speaker of the Assembly,	-	415
Wm. Hull, do do pro tem.	-	
L. F. Harvey, Member of the Senate,	-	
Jesse Hooker, do Assembly,	-	
Per diem of 102 members of the Legislature,	-	
each \$207 50,	-	23,115
Mileage of Members of Legislature,	-	1,974 40
Ben. Allen per diem 1853,	-	120
Atwood & Brown, Appropri'n 1853 & '54,	-	8,847 24
David Atwood, do do	-	124 24
Alden & Holt, audited,	-	11 30
John Q. Adams per diem 1853,	-	45
Michael Ames, do, 1853 & 1854,	-	197 50
Ole Aslacksen, appropriation,	-	60 25
Beriah Brown, approp'ns & audited 1853 & '54	-	5,895 22
Bradford & Bro. appropriation,	-	280 01
Coles Bashford per diem 1853,	-	165
Bliss & Chaney, audited,	-	9 30
Dan C. Brown, do	-	6 90
Baker & Doty, do	-	5 05
F. J. Blair, appropriation,	-	59 06
Briggs & Foster, audited,	-	11 30
Jas. S. Baker, do	-	12
John Ballard, appropriation 1853,	-	70
John Bell, per diem, 1853,	-	45
John Burke, appropriation,	-	132 50
John Burt, do	-	207 50
J. Allen Barber, per diem, 1853,	-	44 50

DISBURSEMENTS.

Jno. A. Brown, audited,	-	-	5 05
Jno. C. Bunner, do	-	-	02 50
J. F. Birchard, appropriation,	-	-	1,228 24
J. R. Briggs, per diem 1853,	-	-	45
Harry Barnes, do do	-	-	45
H. D. Barron, audited,	-	-	36 31
Bloomfield & Kopp, do	-	-	93 45
M. H. Bovee, per diem 1854,	-	-	45
Bugh & Nimmoeks, audited,	-	-	5 05
O. F. Bartlett, per diem 1853,	-	-	45
Philo Belden, do do	-	-	45
R. A. Bird, audited,	-	-	5 05
Reiner Bergatz, appropriation,	-	-	105 13
S. G. Bugh, Chief Clerk Senate,	-	-	2,250
S. M. Booth, audited and appropriation,	-	-	502 85
Beeson & Thomas, audited,	-	-	16 45
Tim. Burns, per diem 1853,	-	-	90
Thos. S. Bowen, do	-	-	45
W. A. Barstow, salary, &c.,	-	-	925
W. A. Bugh, audited,	-	-	7 05
W. D. Bacon, per diem 1853,	-	-	45
W. P. Barnes, appropriation & per diem 1853,	-	-	57
W. H. Besly, witness fees,	-	-	32 05
W. W. Brown, witness fees and appropriation,	-	-	265
Alex. Cook, do	-	-	55 60
A. F. Cady, appropriations 1853 and 1854,	-	-	175 05
A. L. Collins, witness fees,	-	-	56
Campbell, Brush & Co., appropriation,	-	-	388 99
C. B. Coleman, per diem 1853,	-	-	45
C. Clement, audited,	-	-	168 45
Chas. E. Chamberlain, per diem 1853,	-	-	70
Darwin Clark, appropriation,	-	-	345 72
D. Casey, witness fee,	-	-	73 60
D. H. Chandler, do	-	-	48
Enoch, Chase, per diem 1853,	-	-	45
E. A. Calkins, appropriation,	-	-	129
Casey & Fallen, audited,	-	-	5 05
Geo. Cogswell, witness fee,	-	-	77 60
Geo. W. Jate, per diem 1853,	-	-	50
Cover & Goldsmith, audited,	-	-	5 05
Cary & Harrison, appropriation,	-	-	200
H. M. Crombie, audited,	-	-	5 50
John Crawford, witness fee,	-	-	18 63
Jerry Crowley, audited,	-	-	5 05
J. W. Cary, per diem 1853,	-	-	45
M. M. Cothren, salary,	-	-	470
P. Cosgrove, appropriation,	-	-	182 50

DISBURSEMENTS.

O. D. Coleman, per diem, 1853,	-	45
Richard Carlisle, do do	-	45
R. P. Clement, appropriation 1853,	-	108
N. V. Chandler, audited,	-	19 54
Sam'l Crawford, salary,	-	500
S. Park Coon, appropriation,	-	759 86
S. S. Conovor, do	-	822 97
W. Clark, witness fee,	-	16
Wm. E. Cramer, audited,	-	462 65
W. P. Clark, appropriation,	-	106
Chas. Dunn, per diem 1853,	-	45
D. S. Duarie, appropriation,	-	24 86
Edward Daniels, salary,	-	1,124 75
Geo. P. Delaplaine, do	-	250
H. N. Davis, witness fee,	-	42 80
J. R. Doolittle, salary and appropriation,	-	815
Jason Downer, witness fee,	-	41 20
J. E. Dodge, per diem 1853,	-	45
John W. Davis, do	-	45
N. M. Donaldson, appropriation & per diem '53	-	55
Donaldson & Tredway, appropriation,	-	555 88
P. Duffie, do	-	33
W. M. Dennis, per diem 1853 & salary,	-	1,045
"Emigranten," audited,	-	7 05
Emigrant Agency, expenses,	-	500
A. E. Ellmore, witness fee,	-	70 64
Chas. A. Eldridge, appropriation,	-	25
C. B. Ellis, do	-	146 50
H. F. Eastman, audited,	-	4 40
W. S. Evertts, witness fee,	-	18 20
A. Finch, jr., do	-	84
Charles Foote, appropriation & audited,	-	131 03
Charles W. Fitch, do	-	19 45
D. Fitch, audited 1853,	-	38 87
E. N. Foster, per diem 1853,	-	45
G. J. Fowler, witness fee,	-	33 20
Fratney & Herzberg, appropriation & audited,	-	642 45
H. L. Foster, per diem 1853,	-	70
J. C. Fairchild, appropriation,	-	15 37
John Fitzgerald, do	-	600
P. Hines, do	-	16
P. J. Fleischer, do	-	110
S. W. Field, per diem 1853,	-	70
Thos. Fenton, do	-	45
I. H. Fellows, do	-	45
Alex. T. Gray, salary,	-	600
Governor Contingent Account, Appropriation,	-	10,000

DISBURSEMENTS.

H. W. Grunnison, appropriation,	-	80
James P. Greeves, witness fee,	-	60 40
Gould & McLaughlin, audited,	-	74 73
O. B. Graves, appropriation,	-	124 50
W. Graham, witness fee,	-	33
W. H. Gleason, appropriation and audited,	-	1,294
B. F. Hopkins, appropriation 1853,	-	234 59
Carr Huntington, audited,	-	5 05
Hulet & Cary, do	-	4 40
David Holt, appropriation,	-	84 55
Du Ray Hunt, do	-	217 50
E. Hillyer, per diem 1853,	-	45
E. Hurlbut, witness fee,	-	72 60
E. C. Hull, audited 1853 and 1854,	-	27 70
Edward M. Hunter, per diem 1853,	-	120
E. F. Hemstein, appropriation,	-	132 50
H. Haertell, salary,	-	500
H. Holmes, per diem 1853,	-	45
Jas. Halpin, appropriations	-	4,504 24
John Hart, witness fee,	-	34 40
J. A. Hadley, audited,	-	4 40
John E. Holmes, per diem 1853,	-	15
John W. Hunt, appropriation and salary,	-	700
Hurd & Johnson, audited,	-	9 45
Levi Hubbell, salary,	-	470
Mary A. Howe, witness fee,	-	25
Hall & Pierce, appropriation and audited 1853,	-	336
S. W. Hill, per diem 1853,	-	45
Titus Hayes, do	-	45
Thomas Hood, appropriation 1853,	-	305 80
Tim O. Howe, salary,	-	570
Wm. Hull, appropriation,	-	200
Wm. A. Hawkins, per diem 1853,	-	70
Wm. H. Howard, appropriation,	-	100
J. K. Inman, witness fee,	-	8 75
Chas. E. Jenkins, do	-	92 40
D. N. Johnson, appropriation,	-	15
Edward H. Janssen, appr'n & salary '53 & '54.	-	1,250
John B. Jacobs, appropriation,	-	49
R. Jenkinson, do	-	21 75
August Kruer, salary,	-	400
Chas. M. Kingsbury, appropriation,	-	8
C. R. Knight, do	-	182
E. B. Kelsey, do	-	39
J. G. Knapp, witness fee,	-	18
L. F. Kellogg, appropriation and witness fee,	-	373 37
M. Keenan, do	-	306 20

DISBURSEMENTS.

Rufus King & Co. audited, - -	219 67
S. G. Knight, witness fee, - -	23 45
Hiram Knowlton, salary, - -	870
A. D. Ladue, per diem, - -	22
B. B. Ludlum, appropriation, - -	36
Charles Lum, witness fee, - -	42 50
Charles H. Larabee, salary, - -	287
Livsey & Carroll, appropriations, - -	314 94
F. S. Lovell, witness fee, - -	45 20
J. Lauderdale, per diem 1853, - -	45
J. Lemon, appropriation, - -	207 50
J. J. Loomis, appropriation, - -	22 73
Edward Lees, do and per diem 1853, - -	70
James T. Lewis, do - -	165
Rob't M. Long, salary, - -	300
Rob't W. Lansing, appropriation and audited, - -	200
A. Marschner, do - -	15 05
A. McArthur, witness fee, - -	62 40
A. Menges, salary, - -	500
C. H. McLaughlin, appropriation, - -	174
Chas. N. Mumford, do - -	57
D. M. Miller, do - -	38
E. Mariner, witness fee, - -	68 40
Ed. McGarry, per diem 1853, - -	45
Ezra Miller, do - -	120
F. J. Mills, audited, - -	9 45
George R. McLane, per diem, - -	120
H. Madden, do - -	45
Jas. Morrison, appropriation, - -	362 46
J. Myers, per diem 1853, - -	45
J. L. Marsh, audited, - -	5 05
L. Miller, per diem, - -	45
Matthias Martini, appropriation, - -	451 73
Mapes & Root, audited, - -	5 05
P. L. Mossin, appropriation, - -	24
R. N. Messenger, per diem 1853, - -	45
T. D. Morris, appropriation, - -	122 16
Miner & Skinner, do - -	5 05
Thos. McGlynn, do - -	207 50
Thos. McHugh, Chief Clerk Assembly, - -	2,250
Wm. S. Murray, per diem 1853, - -	45
Memhard & Williams, - -	47
H. S. Nickerson, appropriation, - -	148
W. W. Noyes, audited, - -	51 45
J. H. Oshlander, - -	70
Bostwick O'Conner, appropriation, - -	174
N. Olmstead, per diem 1853, - -	45

DISBURSEMENTS.

Thos. J. Otis, appropriation, -	312 38
Postage, appropriation & audited, -	4,582 38
A. F. Phillips, do -	182 50
B. Pinckney, per diem 1853, -	45
Charles Piquette, appropriation, -	15 50
D. J. Powers, per diem 1853, -	45
Elisha Pearle, do -	70
George C. Pratt, witness fee, -	27 40
George H. Paul, appr'n and audited 1853, -	174 45
Haven Powers, do -	120
H. L. Page, do 1853, -	370
Judson Prentice, per diem do -	45
J. D. Plunkett, audited do -	22 50
J. H. Payne, witness fee, -	19 20
J. W. Porter, per diem 1853, -	45
N. Prater, appropriation, -	132 50
Sam'l Pierce, do -	132 50
S. D. Powers, do 1853, -	100
Wm. H. Pettit, witness fee, -	90 72
Wm. R. Perry, appropriation 1852, -	5
Jacob Quintus, do and audited, -	117 40
Henry Quarles, appropriation, -	207 50
Amos Reed, audited, -	9 40
A. W. Randall, witness fee, -	16 80
Robinson & Bro., audited, -	5 05
C. M. Roesser, do -	6 40
D. C. Reed, per diem 1853, -	115
E. Robinson, do -	45
Edward G. Ryan, appropriation, -	3,132 36
Francis Randall, witness fee, -	48 40
H. J. Ross, do -	18
James D. Reymert, audited, -	507 45
James Robinson, error 1853, -	20
Reed & Nevitt, audited, -	9 40
Orson Reed, per diem 1853, -	45
Patrick Rogan, do -	45
Peter Rogan, witness fee, -	51 60
R. B. Rice, appropriation, -	17 20
Rob't L. Ream, do 1851, -	37 50
S. Richie, do -	132 50
S. Ryan, audited, -	15 05
V. W. Roth, appropriation, -	31
W. H. Roe, per diem, -	45
"See Bote," audited, -	16 40
Albert Smith, witness fee, -	42 40
Alva Stewart, per diem 1853, -	165
A. D. Seaman, appropriation, -	54

DISBURSEMENTS.

A. D. Smith, salary,	-	-	500
A. H. Smith, witness fee,	-	-	29 10
Schoff & Butts, audited,	-	-	9 45
C. L. Sholes, audited & per diem 1853,	-	-	49 40
Strong, Crapo & Russel, appropriation,	-	-	192 67
C. Stevens, per diem 1852,	-	-	70
David Scott, appropriation,	-	-	116 15
Daniel Shaw, audited,	-	-	197 50
D. G. Snover, appropaiaion,	-	-	132 50
Sholes & Densmore, audited	-	-	175 05
D. M. Seaver, salary,	-	-	500
Geo. B. Smith, witness fee,	-	-	40 24
H. Stebbins, per diem 1853,	-	-	45
State Historical Society, appropriation,	-	-	500
John Shaw, do	-	-	1,200
J. A. Smith, audited,	-	-	9 45
J. D. Smith, appropriation,	-	-	132 50
John J. Slightam, do	-	-	205
James K. Smith, witness fee,	-	-	54 70
Jesse M. Sherwood, appropriation,	-	-	932
John L. Sweeny, do 1853,	-	-	282
J. W. Seaton, per diem, do	-	-	45
Levi Sterling, do do	-	-	45
State Library, appropriation,	-	-	3,000
State Loan, interest on bonds,	-	-	7,500
State Prison, appropriations 1853 and 1854.	-	-	17,106 31
South Wing of State Prison, appropriation,	-	-	7,758 43
P. B. Simpson, per diem 1853,	-	-	45
Seaton & Paul, audited,	-	-	5 05
Stevens & Rogers, do	-	-	4 40
T. L. Smith, appropriation 1853,	-	-	70
W. Sayles, per diem, do	-	-	45
W. Spooner, salary, do	-	-	497
W. Sanderson, witness fee,	-	-	50 40
Wm. Slightam, appropriation,	-	-	45
Winfield Smith, witness fee,	-	-	71 60
Wm. N. Seymour, do	-	-	8 12
Wm. R. Smith, appropriations 1853 & '54,	-	-	1,250
Schoeffler & Wendt, do and audited	-	-	749 22
D. Taylor, per diem 1853,	-	-	70
D. L. Thayer, appropriations 1853 & '54,	-	-	202 50
Tibbits & Gordon, do	-	-	1,645 69
George P. Thompson, witness fee,	-	-	47 84
H. A. Tenney, do	-	-	4
I. S. Tallmadge, per diem 1853,	-	-	45
Jonathan Taylor, witness fee,	-	-	79 60
L. Towslee, appropriation.	-	-	29 30

DISBURSEMENTS.

M. J. Thomas, appropriation,	-		25
Pat Toland, do	-		290
Thos. J. Townsend, salary and appropriation,			2,850
Wilson Torrey, do			174
Wm. H. Thomas, witness fee,	-		31 64
Wm. L. Utley, salary 1853, -	-		75
E. R. & F. A. Utter, audited,	-		5 05
D. S. Vittum, per diem 1853,	-		165
A. Whittemore & Co., appropriation '53 & '54,			2,076 27
A. S. Wood, do			195
Wisconsin Blind Institute, do '50 '53 & '54,			3,280 84
Charles Wheeler, do do			232 50
Cal. C. White, witness fee, -	-		110 22
Chas. K. Watkins, do -	-		29 20
Wis. Deaf & Dumb Inst., appropriation 1853,			1,750
E. Wakely, per diem 1853, -	-		45
Ezra Wheeler, do -	-		45
Weed & Eberhard, appropriations '53 & '54,			1,558 44
E. V. Whiton, salary and witness fee,			522 80
H. A. Wright, do per diem 1853,			845
H. C. West do			45
H. K. White, witness fee, -	-		46
Isaac Woodle, -	-		45 80
John Walworth, audited, -	-		5 05
John K. Williams, appropriations '53 & '54,			550
John Wright, do -	-		67 23
Joseph Wilson, do -	-		132 50
J. H. Wells, witness fee, -	-		41 20
J. H. Wells, (Marquette,) audited, -	-		31 20
John T. Wilson, do -	-		102
L. Wyman, witness fee, -	-		19 20
O. J. Wright, audited, -	-		5 05
Robert Weir, witness fees, -	-		30
Russel Wheeler, do -	-		45 20
R. B. Wentworth, appropriation and audited,			60 95
R. F. Wilson, do do			162
Rob't W. Wright witness fee, -	-		42 80
Thos. West, per diem 1853 and appr'n,			70
T. T. Whittlesey, do -	-		45
Wm. K. Wilson, witness fee, -	-		89 40
H. D. York, per diem 1853, -	-		45
Total -	-		165,277 53
Amt. overpaid last quarter, -	-		8,110 70
Receipts brought from page 8, -		165,487 54	
Balance overpaid, -	-	7,900 69	
		<hr/>	<hr/>
		\$173,388 23	\$173,388 23

SECOND QUARTER.

RECEIPTS.

Brown County,	State Tax,	136 50
Jefferson do	do	320
La Fayette do	do	3,378 96
Portage do	do	1,024 19
St. Croix do	do	424 96
Outagamie do	do	702
Badger State Bank,	do	187 50
Bank of Commerce,	do	320 50
Columbia County Bank,	do	50 42
Exchange Bank,	do	375
Farmers & Millers' Bank,	do	375
Bank of Fond du Lac,	do	187 50
Fox River Bank,	do	17 49
Jefferson County Bank,	do	375
City Bank of Racine,	do	375
Bank of Racine,	do	375
State Bank,	do	375
State Bank of Wisconsin,	do	1,125
Wisconsin Bank,	do	375
W. Fry, License, Pedlar,	-	30
M. Boynslackiy do	-	30
Wm. R. Berry, do	-	40
S. Mock, do	-	40
Tiltan & Mallery, do	-	60
H. E. Hood, do	-	40
C. R. Knight, refunded error,	-	49 50
H. S. Nickerson, do	-	15 50
Total,	-	10,805 02

DISBURSEMENTS.

Jonathan E. Arnold, appropriation,	-	1,000
D. C. Bush, do	-	182
John Butler, do	-	106 08
Bugh & Nimmock, audited,	-	34 50
Cover & Goldsmith, do	-	20
M. M. Cothren, salary,	-	375
Sam'l Crawford, do	-	666 67
Charles Foote, appropriation	-	112 90
R. W. Griswold, witness fee,	-	17 20
A. C. Ingham, do	-	50 12
Edward M. Hunter, salary	-	250
C. H. Larrabee, do	-	375
R. M. Long, do	-	100
T. Lund, appropriation,	-	200
M. Martin do	-	257 50

DISBURSEMENTS.

Simeon Mills, appropriation, -	-	160 25
A. D. Smith, salary, -	-	666 67
State Agricultural Society, appropriation,	-	190
South Wing State Prison, do	-	2,146 95
E. V. Whiton, salary, -	-	166 66
Wis. Blind Institute, appropriation, -	-	1,500
J. H. Wells, audited, -	-	40 55
Total -	-	8,618 05
Amount overpaid last quarter, -	-	7,900 69
Balance overpaid, -	5,713 72	
	<hr/>	<hr/>
	16,518 74	16,518 74

THIRD QUARTER.

RECEIPTS.

Bank of the West, State Tax, -	-	435 55
Kenosha City Bank, do -	-	375
Racine County do do -	-	750
Rock River do do -	-	375
Oshkosh City do do -	-	375
Wis. M. & F. I. Co. Bk. do -	-	750
Jefferson County do do -	-	1095 82
Milwaukee County do -	-	887 31
Glines & Co., License, Hawkers & Pedlars,	-	40
M. Loeb & Co., do do -	-	40
Charles Richmond, do do -	-	10
John W. Davis, refunded, -	-	5
E. Ricker, do -	-	39
Total, -	-	5,177 68

DISBURSEMENTS.

David Atwood, audited, -	-	934 10
Atwood & Brown, appropriation, -	-	6,013 66
Beriah Brown, do &c. -	-	4,061 40
H. D. Barron, audited, -	-	149 52
S. G. Bugh, -	-	262 50
Wm. A. Barstow, salary, -	-	462 50
Wm. W. Brown, appropriation, -	-	425
Crawford County, overpayment, -	-	03
George W. Cate, salary, -	-	499 17
M. M. Cothren, do -	-	435
S. Park Coon, appropriation, -	-	86
F. F. Davis, -	-	74
J. R. Doolittle, salary, -	-	375
Wm. M. Dennis, salary, -	-	500

DISBURSEMENTS.

Charles B Ellis, appropriation,	-	-	12
A V Fryer, do	-	-	150
F Fratney, audited,	-	-	800
H B Gardner, appropriation,	-	-	83
W Graham, do	-	-	20
E M Hunter, salary,	-	-	250
F W Horn, Emigrant Agent,	-	-	1,075
J W Hunt, salary,	-	-	250
Levi Hubbell, do	-	-	148
I W Hill, per diem,	-	-	25
Edward H Janssen, salary,	-	-	200
John N Jones, postage,	-	-	2,342 63
E B Kelsey, per diem 1853,	-	-	70
Jas Kneeland, appropriation,	-	-	40
Wiram Knowlton, salary,	-	-	375
Rob't M Long, do	-	-	200
Chas H Larrabee, do	-	-	375
R W Lansing audited,	-	-	114
Q Loehr, appropriation,	-	-	45
Geo R M Lane, lunatic do	-	-	300
John McManman, salary,	-	-	150
A Menges, do	-	-	250
Alex Mitchell, appropriation	-	-	58
J G Percival, salary,	-	-	410
Curtis Reed, per diem 1853	-	-	70
J D Reymert, audited,	-	-	187 50
V W Roth, appropriation,	-	-	50
Schuff & Rutts, audited,	-	-	66 25
D M Seaver, salary,	-	-	250
J R Sharpstein, per diem 1853,	-	-	75
Swamp Lands, appropriation,	-	-	225
State Prison, do	-	-	500
South Wing, do	-	-	6,543 90
Schoeffler & Wendt, audited,	-	-	1,672 60
D S Vittum, lunatic appropriation,	-	-	162 50
John Welch, do	-	-	262 16
John White, do 1851,	-	-	57
John K Williams, do 1853,	-	-	116
H Wright, salary, &c.,	-	-	400
R Wilcox, per diem 1853,	-	-	45
Wisconsin Blind Institute, appropriation,	-	-	125
Wm. A Wheeler & Co., do	-	-	39 25
Total,	-	-	32,571 66
Amount overpaid last quarter,	-	-	5,713 72
Receipts as above,	-	-	5,177 68
Balance,	-	-	33,107 70
			38,285 38
			38,285 38

FOURTH QUARTER.

RECEIPTS.

O F Dana, tax on suits,	-	-	83
Manitowoc County, revenue,	-	-	1,844 98
Portage do do	-	-	544
Waushara do do	-	-	196 66
Bank of Commerce, Tax,	-	-	750
Columbia County Bank do	-	-	187 50
Dane do do do	-	-	185 42
City Bank Kenosha do	-	-	375
City Bank Racine do	-	-	375
Farmers & Millers' Bank do	-	-	375
Northern do do	-	-	512 50
Racine County do do	-	-	750
Rock River do do	-	-	375
State do do	-	-	375
State Bank of Wisconsin do	-	-	1,875
Wis M & F Ins Co do	-	-	750
Simeon Steinhart, Pedlar's License,	-	-	30
Silverman & Co do	-	-	30
James Cameron do	-	-	10
M Schwars do	-	-	10
Chandler & Killey do	-	-	30
S Hirschberg do	-	-	30
Rabbas & Wolf do	-	-	30
A Guddlefinger do	-	-	10
Alex Guddlefinger, do	-	-	40
John Blackenhurst do	-	-	40
S Klauber do	-	-	10
A L Castleman, Canal Land Mortgage,	-	-	5 16
Total,	-	-	\$9,829 22

DISBURSEMENTS.

Jas S Alban. appropriation,	-	-	120
J R Briggs, do	-	-	120
S G Bugh, on account,	-	-	100
W A Barstow, salary &c.,	-	-	462 50
W W Brown, appropriation	-	-	350
J Crowley audited,	-	-	136 40
M M Cothron, salary,	-	-	375
N V Chandler, audited,	-	-	5 05
O S Comfort, appropriation,	-	-	83
Sam'l Crawford, salary,	-	-	500
J R Doolittle, do	-	-	375
Wm M Dennis, do	-	-	500
A T Gray, do	-	-	600

DISBURSEMENTS.

Gustavus Grahl, audited, -	-	27 15
Fratney & Herzberg, do -	-	870 05
K J Fleisher, do -	-	144 69
E W Hunter, salary, -	-	250
F F Hobbs, appropriation, -	-	20 80
F W Horn, Emigrant Agent, -	-	2,550
John W Hunt, salary, -	-	250
J N Jones, audited, -	-	723 47
E H Janssen, salary, -	-	200
Levi Hubbell, do -	-	375
James & Marriner, appropriation, -	-	14
August ruer, salary, -	-	600
Wiram Knowlton, do -	-	375
C H Larrabee, do -	-	375
M D Miller, appropriation, -	-	83
A Marschnes, audited, -	-	50
Chas Roesser do -	-	6 46
Geo Paul, do -	-	95 25
J G Percival, Geological Survey, -	-	50
H P Powers, appropriation, -	-	83
Robinson & Bro, audited, -	-	52 81
Reed & Nevett, do -	-	64 50
Abm D Smith, salary, -	-	500
A S Sanborn, on account services, -	-	388 50
D M Seaver, salary, -	-	250
Geo R Smith, do -	-	800
Levi Sterling, appropriation, -	-	120
Swamp Lands, do -	-	700
State Prison, do -	-	500
S G Stacey, salary, -	-	200
Schoeffler & Wendt, audited, -	-	215
Wm R Smith, appropriation, -	-	100
D S Vittum, on account services, -	-	488
H A Wright, salary, -	-	400
O J Wright, audited, -	-	28 25
Sam'l F Wright, lunatic appropriation, -	-	10
Total, -	-	15,686 88
Receipts as above, -	9,829 22	33,107 70
Amount overpaid last quarter, -	38,965 36	
Amount overpaid, -	48,794 58	48,794 58

SCHOOL FUND.

FIRST QUARTER.

RECEIPTS.

Certificates,	28,396 44
Fines,	1,785 05
Loans,	2,125
Penalty ,5per cent.	869 24
Sales,	
Total,	49,166 38

DISBURSEMENTS.

Beriah Brown, printing and publishing,	892 40
Dan C Brown do	8
H D Barron, do	33 55
Joseph Barnard, appraising,	5
John A Brown, publishing,	8
Milton Barlow, appraising,	15
Beeson & Thomas, publishing,	15 80
Wm O Buck, appraising,	111
Calumet Co., do	581 12
H Calkins, do	92 50
J Crowley, publishing.	5
N V Chandler, do	7 20
Wm E Cramer, do	97 85
C W Fitch, do	6 50
Fratney & Herzberg, do	25 90
George Gale, appraising,	15
Indian George, do	9
Edward O Hull, publishing,	8 10
J A Hadley, do	9 20
H P Holmes, appraising	25 50
Joachim & Co., publishing	5
Kohlman & Co., do	3
Asa Lawrence, appraising	78
A Morehouse, do	63
F J Mills, publishing	13 70
Manitowoc Co., appraising,	200
Marquette Co., do	105 50
Geo H Paul, publishing	7
L M Parsons, appraising	10
P D Marschner, do	50
W W Noyes, publishing	6
Chas S Roeser do	7

DISBURSEMENTS.

Richland Co., appraising		500 46
Rock Co., do		147 20
Reed & Nevett, publishing,		14 80
R P Rawson, appraising,		111
Robinson & Bro., publishing,		3 60
Sam Ryan, jr., do		9 68
D B Shailer, appraising,		111
School Fund, refunded for error,		30 39
School Fund Loans,		65,921
Seaton & Paul, publishing,		17 80
Stevens & Rogers, do		16 80
Schoeffler & Wendt, do		3 50
W B Shaver, do		4
Geo W Taggart, appraising,		216
Algernon Weston, do		7 50
A Whitmore & Co., plat book,		25
A S Weston, appraising,		12 50
Winnebago Co, do		168 25
D M West, do		20
Weed & Eberhard, binding,		198 50
J H Wells, publishing,		21 25
Wm White, appraising,		43 50
Total,		70,194 00
Amount on hand last quarter,	34,094 92	
Amount of receipts,	49,166 38	
Balance,		13,067 30
	<u>\$83,261 30</u>	<u>\$83,261 30</u>

SECOND QUARTER.

RECEIPTS.

Certificates,	3,412 29
Loans,	1,066
Penalty, 5 per cent,	179 52
Sales,	1,012 74
Total,	<u>5,670 55</u>
Balance last quarter,	13,067 30

DISBURSEMENTS.

Brown county, appraising,	136 50
Beriah Brown, printing and publishing,	645
Royal Buck, do	12 50
School Fund Loans,	2,436 73
Weed & Eberhard, binding.	77
Total,	3,307 73
Balance,	15,430 12
	<hr/>
	\$18,737 85
	<hr/>
	\$18,737 85

THIRD QUARTER.

RECEIPTS.

Sales,	10,306 93
Fines,	3 25
Penalty,	9 15
Certificates,	2,136 44
Total,	13,945 77
Balance last quarter,	15,430 12

DISBURSEMENTS.

Loans,	2,800
Weed & Eberhard, book binding, &c.,	550
W H Willard, appraising,	132
Edward Lees, do	25
Jas Murdock, do	141
O A Stafford, printing,	300
Beriah Brown, do	320
R F Wilson, appraising,	100
D A Glidden, refunded, cft. 77 Pierce Co,	5 62
Total,	4,373 62
Balance,	25,002 27
	<hr/>
	\$29,375 89
	<hr/>
	\$29,375 89

FOURTH QUARTER.

RECEIPTS.

Certificates,	8,079 73
Fines,	463 91
Loans,	1,425
Penalty,	222 16
Sales,	6,509 77
Total,	16,800 57

DISBURSEMENTS.

Benj Allen, appraising,	262 50
Cyrus N Allen, do	157 50
B Brown, publishing,	107 50
D C Brown, do	31 25
J Barnard, appraising,	55
John A Brown, publishing,	19 90
Sam'l G Bugh, do	18 25
Jerry Crowley, do	42 75
Cover & Goldsmith, do	4 25
H Calkins, appraising,	166
R L Gove, publishing,	7 25
Gray & Nimmock, do	17 25
Joseph Dartt, surveying,	31
E C Hull, publishing,	7 25
A C Holt, do	12 45
B F Hicks, appraising,	15
Hurd & Johnson, publishing,	18 80
Edward Lees, appraising,	480
Peter Little, do	30
Jas Murdock, do	50
P D Marschall, appraising,	35
Wm C McMichael, do	18 75
Joseph Patch, do	142 50
Robinson & Bro, publishing,	19
Wm C Rogers, do	56 20
Ryan & Co, do	8 50
J Quintus, do	8 25
Stout & Tenney, do	3 25
S W Smith, do	55 25
School Fund,	931 11
School Fund Loans,	2,506
Thomas & Reed, publishing,	98 75
R F Wilson, appraising,	215

DISBURSEMENTS.

O J Wright, publishing,		14 75
Weed & Eberhard, binding,		1,564 50
Total,		7,120 71
Receipts as above,	16,800 57	
Balance as above,	25,002 27	
Balance,		34,682 13
Total,	41,802 27	41,802 84

SCHOOL FUND INCOME.

FIRST QUARTER.

RECEIPTS, | 94,159 40||

DISBURSEMENTS.

Refunded for error in former payments,		82 56
Bad Ax County, Apportionment,		452 88
Calumet, do do		642 96
Columbia do do		3,191 04
Crawford do do		485 28
Dane do do		6,567 12
Dodge do do		6,212 16
Fond du Lac do do		4,395 04
Grant do do		4,888 08
Green do do		3,211 92
Iowa do do		2,542 27
Jefferson do do		5,022 72
Kenosha do do		3,019 68
Marquette do do		2,593 44
Milwaukee do do		5,497 95
Ozaukee do do		2,675 21
Sauk do do		2,048 40
Sheboygan do do		3,605 56
Racine do do		4,855 18
Richland do do		514 08
Rock do do		6,320 88
Walworth do do		4,975 92
Washington do do		4,039 20
Waukesha do do		5,848 56
Waupacca do do		497 52
Waushara do do		359 90
Winnebago, do do		2,765 62

DISBURSEMENTS.

D M Seaver, platting, in 1853,		730 16
Chas G Mayers, do do		254 50
Total,		<hr/> 88,496 50
Balance last quarter,	17,465 10	
Receipts as above,	94,159 40	
Balance,	<hr/> 23,128	
	<hr/> 111,624 50	<hr/> 111,624 50

SECOND QUARTER.

RECEIPTS, | 1,853 97||

DISBURSEMENTS.

Adams County, Apportionment,		285 84
La Fayette do do		3,378 90
Outagamie do do		702
Portage do do		224 19
St Croix do do		174 96
Total,		<hr/> 4,665 05
Balance last quarter,	23,128	
Balance,	<hr/> 20,216 02	
	<hr/> \$24,981 97	<hr/> \$24,981 97

THIRD QUARTER.

RECEIPTS, | 5,932 07||
Balance last quarter, | 20,516 02||

DISBURSEMENTS.

Milwaukee County, Apportionment,		887 31
D A Gliddon, refunded cft 77 Pierce Co,		2 98
Total,		<hr/> 890 29
Balance,	<hr/> 25,257 80	
	<hr/> \$26,148 09	<hr/> \$26,148 09

FOURTH QUARTER.

RECEIPTS, | 4,289 59||
Balance last quarter, | 25,257 80||

DISBURSEMENTS.

Refunded on certificates recalled,			5
Polk County, Apportionment,			51 12
Milwaukee do do			1,550
Waushara do do			196 66
Manitowoc do do			1,233 36
Total,			3,036 14
Balance,			26,511 25
		29,547 39	29,547 39

UNIVERSITY FUND.

FIRST QUARTER.

RECEIPTS.

Certificates,	2,155 47
Penalty, 5 per cent.	21
Sales,	2,010 41
Total,	4,186 88
Balance last quarter.	10,867 22

DISBURSEMENTS.

Loans,	9,125
Lorenzo Preston	15
C T Overton,	20
Refunded for error,	3 60
Balance,	5,890 50
	15,054 10

SECOND QUARTER.

RECEIPTS.

Loans,	250
Penalty,	96 15
Sales,	2,104 32
Balance,	5,890 50

DISBURSEMENTS.

Loans,			1,946
Balance,			6,394 97
		<u>8,340 97</u>	<u>8,340 97</u>

THIRD QUARTER.

RECEIPTS.

Sales,		2,337 94
Certificates,		330
Balance last quarter,		<u>6,394 97</u>

DISBURSEMENTS.

Loans,			7,953
Balance,			1,109 91
		<u>9,062 91</u>	<u>9,062 91</u>

FOURTH QUARTER.

RECEIPTS.

Certificates,		112
Penalty,		21 25
Sales,		507 05
Balance last quarter,		<u>1,019 91</u>

DISBURSEMENTS.

Loaned to University,			2,836 33
Amount overpaid,		1,086 12	
		<u>2,836 33</u>	<u>2,836 33</u>

UNIVERSITY FUND INCOME.

FIRST QUARTER.

RECEIPTS,		7,077 21
Balance last quarter,		<u>2,990 56</u>

DISBURSEMENTS.

Interest on School Fund Loan,		3,500
State University,		500
Refunded for error,		11 99
		<hr/>
Total,		8,011 99
Balance,		2,055 78
		<hr/>
	10,067 77	10,067 77

SECOND QUARTER.

RECEIPTS,	754 81
Balance last quarter,	2,055 78

DISBURSEMENTS.

State University,		1,000
Balance,		1,810 59
		<hr/>
	2,810 59	2,810 59

THIRD QUARTER.

RECEIPTS,	363 58	
Balance last quarter,	1,810 59	
Balance,		2,173 17
		<hr/>
	2,173 17	2,173 17

FOURTH QUARTER.

RECEIPTS,	580 47	
Balance last quarter,	2,173 17	
DISBURSEMENTS,		1,628 45
Balance,		1,125 19
		<hr/>
	2,753 64	2,753 64

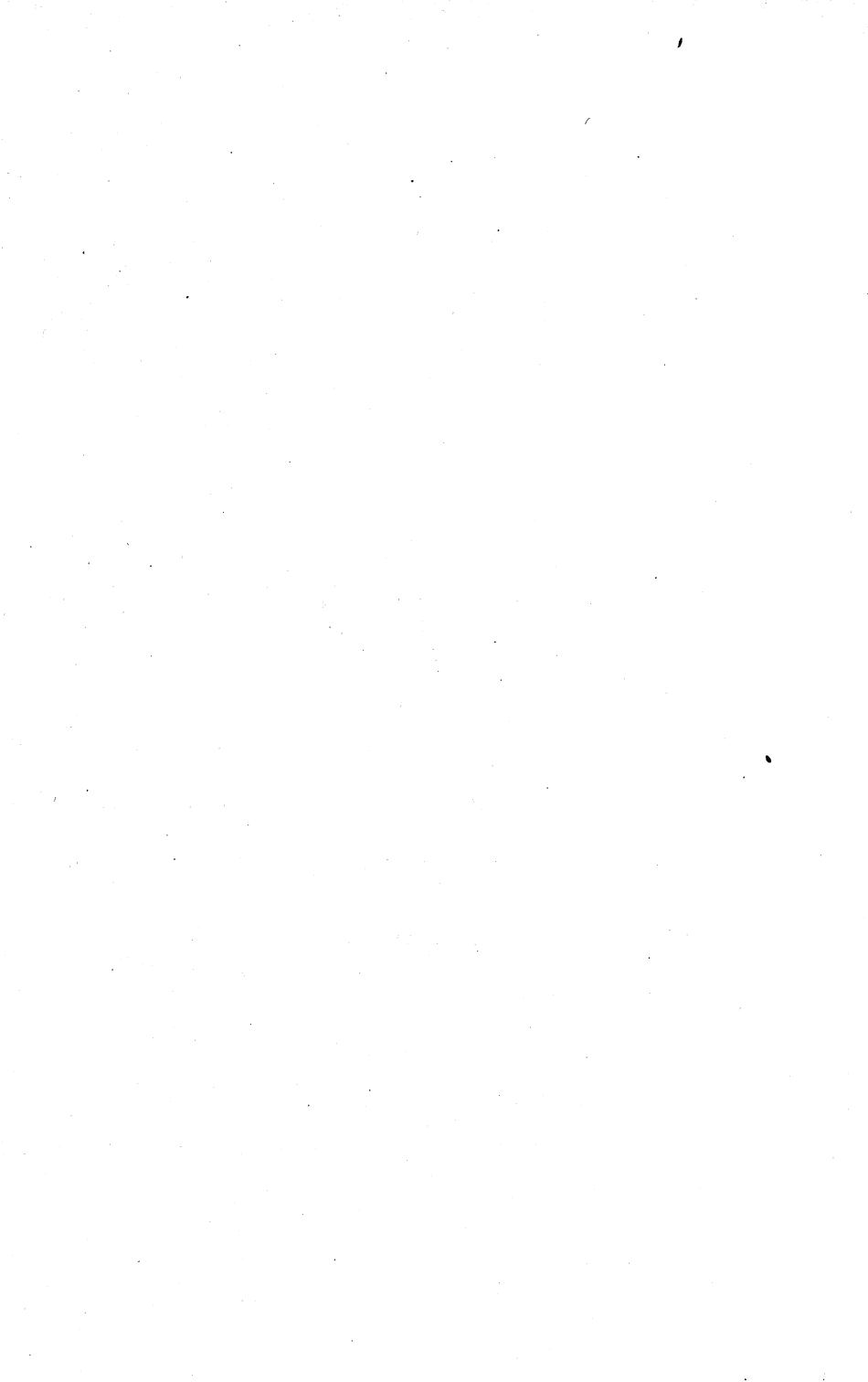
IMPROVEMENT FUND.

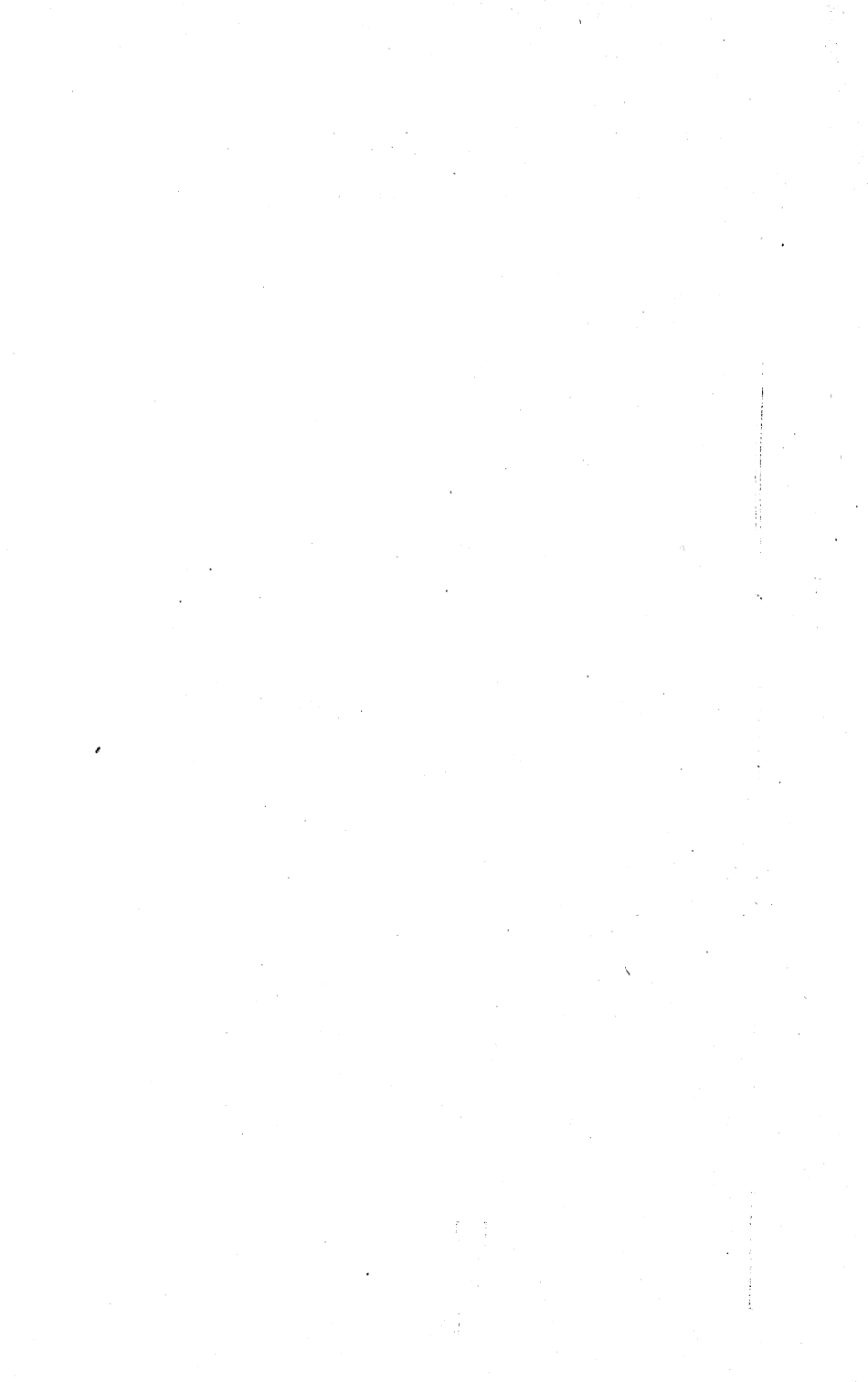
Balance on hand,	129 38	
Paid F P Tallmadge,		129
Balance in the Treasury,		38
		<hr/>
	129 38	129 38

RECAPITULATION.

	Receipts.	Disbursements
GENERAL FUND.		
1st quarter,	165,487 54	165,277 53
2d do	10,805 02	8,618 05
3d do	5,177 68	32,571 66
4th do	9,829 22	15,686 88
SCHOOL FUND.		
1st quarter,	49,166 38	70,194
2d do	5,670 55	3,307 73
3d do	13,945 77	4,373 62
4th do	16,800 57	7,120 71
S. F. INCOME.		
1st quarter,	94,159 40	88,496 50
2d do	1,853 97	4,765 95
3d do	5,932 07	890 29
4th do	4,289 59	3,036 14
UNIVERSITY FUND.		
1st quarter,	4,186 88	9,163 60
2d do	2,450 47	1,946
3d do	2,667 94	7,953
4th do	640 30	2,836 33
U. F. INCOME.		
1st quarter,	7,077 21	8,011 90
2d do	754 81	1,000
3d do	362 58	
4th do	580 47	1,628 45
IMPROVEMENT FUND.		
1st quarter,		129
Total,	401,838 42	437,007 43
BALANCES.		
January 1, 1854.		
General Fund,		8,110 70
School Fund,	34,094 92	
School Fund Income,	17,465 10	
University Fund,	10,867 22	
U F Income,	2,990 56	
Improvement Fund,	129 38	
December 30, 1854,		
General Fund,	38,965 36	34,682 13
School do		26,511 25
S F Income,		
University Fund,	1,086 12	1,125 19
U F Income,		38
Improvement Fund,		
	507,437 08	507,437 08







REPORT

OF THE

ATTORNEY GENERAL,

OF THE

STATE OF WISCONSIN,

FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, PRINTER.

1855.

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REPORT.

ATTORNEY GENERAL'S OFFICE,

MADISON, January 1, 1855.

TO HIS EXCELLENCY, WM. A. BARSTOW,

Governor of the State of Wisconsin:

The law does not require the Attorney General to make an annual report, either to the Executive or to the Legislature, but the last clause of section 39, page 87 of the Revised Statutes provides that he shall "report to the Legislature, or either branch thereof, whenever requested upon any business pertaining to the duties of his office."

No such request has ever been made by the Legislature, and no report has been made by either of my predecessors in office. I have, however, thought it my duty, at this time, to submit to you a brief account of the law transactions of the State, during the past year that you might lay the same before the Legislature, or in some way call the matters herein stated to the attention of that body, should you deem it advisable to do so.

On the 18th day of December, 1852, David T. Dixon, the contractor for the State printing in year 1848, filed his petition in the supreme court, following the provisions of "an act to direct in what manner and in what courts suits may be brought against the State, approved February 9, 1850, in which he claimed damages against the State in the sum of five thousand dollars, in consequence of

the refusal of the Legislature to allow him to print the Revised Statutes of 1849, the same which was printed by C. L. Sholes, and of their refusal to give him the German and other printing in foreign languages, ordered by them; and for the refusal of the Secretary of State to furnish him with all the printing of the State Departments, including school land blanks.

This claim had previously been presented to the Legislature, and disallowed.

On the 2nd day of January last, when I entered upon the discharge of the duties of this office, the case above mentioned was on the docket of the Supreme Court, undisposed of, and even the pleadings necessary to bring it to an issue were not perfected, and my first connection with the case was to resist a motion for judgment against the State, for the want of proper pleadings. This motion was denied by the court, accompanied, however, with an order that all of the pleadings should be stricken from the files; and that the Attorney General should file an answer to the petition on a day named in the order. The answer was filed accordingly. It was a demurrer to that part relating to the Revised Statutes, and printing in foreign languages, and a general denial of the other matters set up in the petition. The answer is now on file in Supreme Court, to which I refer for a better and more complete understanding of the merits of the case.

My predecessor had filed and argued a general demurrer to the petition, which was overruled: but in overruling this demurrer, the court decided that Mr. Dixon, was not entitled to print the revised statutes under his contract. This decision being made, the counsel for the petitioner discontinued his suit against the state, and the costs of the proceeding have been taxed to him and will be paid or reimbursed to the state, having already been paid by the state to the clerk of that court.

Thus this matter which so long occupied public attention, and the attention of the legislature and the court was disposed of, and the conduct of the legislature and public officers most fully vindicated.

Under the law above referred to, John A. Brown, filed his petition in the supreme court, on the eighth day of July 1854, alleging that the state was indebted to him in the sum of four hundred and fifty dollars, for services rendered by order of the Legislature during the impeachment trial of Levi Hubbell.

To this petition, I have filed the plea of the general issue, and the case is ready for a hearing at the present term of the supreme court.

The fact that Mr. Brown, rendered services in that case for the state, cannot be controverted, and I would suggest, in view of this fact, that the legislature shall reconsider his account, and allow what is justly due, and thus avoid the trial of a suit, which will be likely to result in his favor, and finally, in some legislative action to pay the judgment which he may obtain.

Two other suits have been commenced against the state, at the present term of the supreme court, one by Hugh McFarlane, and one by Richard F. Veeder, both for an alleged claim against the state for work done on the Fox and Wisconsin river improvement, in building bridges across the canal at Portage, while that work was under the supervision of the state. The whole amount claimed by both is \$1,480,30.

Each alleges in his petition that he has demanded pay from the improvement company, and that they have refused to pay.

I have notice of several other suits, of the like character, which may be commenced against the state,

Section 5 of the act incorporating the Fox and Wisconsin river improvement company provides, that "in all proceedings against the state for damages or other claims on account of said improvement, the award or decree of which, by the terms of this act, would have to be paid by the Fox and Wisconsin river improvement company hereby incorporated; the said company shall be made a party to said suit and shall have all the rights and privileges of a defendant therein.

This section is imperfect in this, that it provides no way for

making that company a party. The law authorizing suits to be commenced against the State has provided specifically that the "complainant within ten days after having filed said petition or bill, and said bond, shall serve a true copy of said petition, or bill, upon the Attorney General of the State," &c. But, there is no way provided for notifying this company of the commencement of such suits or for bringing them into Court.

The law should be amended in this particular, and the company should have the entire management of the defense of all such suits inasmuch as they are to pay "all outstanding evidences of indebtedness on the part of the States &c.," issued on account of the said improvement," &c., "and to save the State harmless from any and all liabilities in any wise arising on or growing out of said improvement, &c.

This amendment should at least be made, and I would suggest to the Legislature the propriety of enacting a law, by which persons, having claims against the State on account of that improvement should be authorized and required to bring suits directly against the company.

The company can better attend to the defense of such suits; and, under the circumstances, it would seem that the State ought not to be troubled with such litigation.

The whole number of criminal cases now on the calendar of the Supreme Court is thirty three, and the most of these cases will, doubtless, be disposed of at this term. Twenty new cases have occurred during the present year. Of the thirty-three cases named, the State is directly interested in only twenty five, the balance being cases in which the name of the State is used, but which are matters of private interest.

In nearly all of the criminal causes, whether decided for or against the State, the costs are paid by the State. During the last year there was appropriated by the Legislature on this account about two hundred and fifty dollars, (\$250 00) and about the same amount in the year 1853, and judging from the amount of business

now on the calendar, and the probable increase of business, I would estimate the amount to be paid on this account during the year 1855, at about five hundred dollars.

There are one or two other cases pending in which the State is interested, which, when they are disposed of, will be reported to you or to the Legislature.

Very respectfully,

Your Ob't Serv't,

GEO. B. SMITH,

Attorney General.

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Very respectfully,

Yours truly,

W. B. E. B.

W. B. E. B.

ANNUAL REPORT

OF THE

COMMISSIONERS

OF

School and University Lands,

OF THE

STATE OF WISCONSIN,

FOR THE YEAR 1854.

MADISON :
BERIAH BROWN, PRINTER.

1855.



OFFICE OF COMMISSIONERS SCHOOL AND UNIVERSITY LANDS,
MADISON, JANUARY 1, 1855.

HIS EXCELLENCY, WILLIAM A. BARSTOW,

Governor :

Sir: Herewith we have the honor to transmit, for communication to the Legislature, the Annual Report of the Board of Commissioners of School and University Lands.

Very Respectfully,

Your ob't servants,

ALEXANDER T. GRAY,
Secretary of State,

EDWARD H. JANSSEN,
State Treasurer.

GEO. B. SMITH,
Att'y General.

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REPORT.

OFFICE OF COMMISSIONERS SCHOOL AND UNIVERSITY LANDS.

MADISON, Jan. 1, 1855.

To the Legislature:

The Board of Commissioners "for the sale of School and University Lands, and for the investment of the funds arising therefrom," respectfully submit the following

REPORT.

The following tabular statement exhibits the number of acres of School and University Lands, sold in the several counties in the year one thousand eight hundred and fifty-four, the amount sold for, the amount of principal paid, amount of interest paid, and the amount of principal unpaid; and also exhibits the number of acres unsold, of such lands as have been offered at public sale and are now subject to private entry:

Sales of School Lands in 1854.—16th Section.

COUNTIES.	No. of Acres sold.	No of Acres unsold.	Amount sold for.	Principal Paid.	Interest Paid.	Balance Due.
Kenosha.....	383	----	2,494 00	252 00	57 68	2,242 00
Racine.....	40	----	282 50	28 50	13 68	254 00
Walworth.....	388	60	2,371 95	235 95	115 36	2,133 00
Milwaukee.....	50	----	4,541 10	454 10	265 56	4,057 00
Rock.....	1320	30	7,172 06	1,115 06	260 21	6,047 00
Washington.....	1240	760	4,892 80	565 80	200 93	4,327 00
Dodge.....	279	40	569 68	58 68	26 44	511 00
Jefferson.....	161	----	232 02	23 02	12 25	219 00
Sheboygan.....	720	600	1,952 03	197 03	91 47	1,755 00
Fond du Lac.....	1000	160	1,905 00	188 00	83 04	1,716 00
Columbia.....	260	118.64	8,677 93	895 93	275 12	7,782 00
Dane.....	3080	----	8,150 08	880 08	333 61	7,270 00
Green.....	879	----	1,464 38	161 38	60 26	1,303 00
La Fayette.....	1230	----	3,488 44	364 44	166 62	3,124 00
Iowa.....	8193	1520	22,792 64	2,587 64	894 67	20,205 00
Grant.....	8750	840	11,731 40	1,291 40	463 57	10,440 00
Brown.....	3760	2560	6,186 56	2,142 92	99 74	4,043 64
Calumet.....	1740	840	4,574 90	476 90	174 08	4,098 00
Manitowoc.....	4755	240	6,450 36	649 36	3 6 12	5,801 00
Sauk.....	7400	2520	10,689 68	1,328 68	358 93	9,361 00
Marquette.....	5915	1520	9,756 32	1,027 32	410 15	8,729 00
Washara.....	5360	2240	7,332 44	776 44	280 06	6,556 00
Winnebago.....	1980	174	2,173 54	231 54	90 86	1,942 00
Outagamie.....	1880	4404	2,293 04	227 04	59 38	2,066 00
Waupacca.....	5280	5800	5,636 18	585 18	260 46	5,0 0 00
Portage.....	3880	19560	5,704 78	972 78	121 52	4,732 00
Richland.....	8720	280	18,561 35	2,220 35	792 63	16,341 00
Crawford.....	1240	4920	1,847 72	209 72	65 16	1,638 00
La Crosse.....	5121	3640	6,633 53	668 53	222 39	5 965 00
St. Croix.....	8440	640	10,900 20	1,179 20	632 54	9,721 00
Pierce.....	8060	480	10,014 28	1,090 28	567 58	8,924 00
Polk.....	6600	5800	8,492 55	922 55	361 85	7,570 00
Bad Ax.....	12400	1640	14,364 50	1,653 50	542 27	12,711 00
Adams.....	10320	14000	14,115 85	1,866 85	71 10	12,249 00
Door.....	2720	4360	3,764 44	420 44	162 16	3,344 00
Kewaunee.....	2160	3689	4,465 85	479 85	171 07	3,986 00
Total.....	77041	69304.64	106,794 27	12,497 27	4041 12	94,298 64

Sales of School Lands, 500,000 Acre Tract, 1854.

COUNTIES.	No. of Acres sold.	No. of Acres unsold.	Amount sold for.	Principal Paid.	Interest Paid.	Balance Due.
Outagamie.....	29,775	360	37,531 95	.....	171 12	37,431 95
Oconto.....	5 130	---	6,338 40	.....	33 48	6,438 00
Shawanaw.....	60,947	---	76,820 90	.....	304 60	76,810 90
Sauk.....	3,621	---	4,663 77	.....	257 59	4,663 77
Richland.....	3,600	---	5,849 66	.....	252 24	5,849 66
Iowa.....	3,152	---	7,971 82	.....	448 81	7,971 82
La Crosse.....	2 992	---	3,625 78	.....	177 52	3,625 78
St. Croix.....	30,168	---	37,926 00	.....	2565 46	37,926 00
Bad Ax.....	18,410.52	120	23 218 74	.....	1054 85	23,248 74
Crawford.....	2,986	---	3,954 48	.....	177 03	3,954 48
Columbia.....	80	---	101 60	.....	6 27	101 60
Fond du Lac.....	120	---	438 75	.....	20 47	438 75
Calumet.....	19,600	3,080	27,935 13	.....	1344 60	27,935 13
Manitowoc.....	8,320	---	11,343 40	252 80	671 85	11,090 60
Brown.....	8,040	1,000	10,748 04	.....	618 17	10,745 04
Dane.....	360	---	920 53	.....	54 09	920 53
Jefferson.....	1,497.59	1,856.36	2,014 06	210 05	94 24	1,804 00
Waukesha.....	480	112	520 40	68 40	24 25	551 40
Grant.....	4,444.86	---	5,034 46	.....	414 97	6,034 46
Total.....	85,705.97	16,530.36	268,088 27	531 26	8791 72	267,557 01

Sales of University Lands, 1854.

COUNTIES.	No. of Acres sold.	No. of Acres unsold.	Amount sold for.	Principal Paid.	Interest Paid.	Balance Due.
Walworth.....	400	.....	1,380 36	139 36	61 73	1,241 00
Rock.....	40	.....	310 28	33 28	10 56	278 00
Columbia.....	758	119	3,667 14	445 14	143 57	3,222 00
Dane.....	620	.....	2,582 00	262 00	110 52	2,320 00
Green.....	1223	.....	3,905 22	411 22	120 30	3,493 00
La Fayette.....	4502	.....	13,763 19	1,450 19	431 27	12,313 00
Iowa.....	2134	.....	6,203 74	644 74	279 21	5,559 00
Jefferson.....	119.88	54	554 69	55 69	28 55	499 09
Dodge.....	816	.....	3,003 14	305 14	120 17	2,698 00
Fond du Lac.....	720	360	3,275 46	329 46	109 91	2,946 00
Winnebago.....	277	1481	1,816 72	282 72	61 95	1,634 00
Calumet.....	520	1240	3,270 62	524 62	87 30	2,746 00
Manitowoc.....	800	640	2,291 90	597 90	63 40	1,694 00
Richland.....	1280	47	5,966 73	607 73	251 03	5,359 00
Grant.....	1280	.....	4,508 00	1,301 00	57 84	3,207 00
Total.....	15489.88	3941	56,499 19	7,290 19	1,987 31	49,209 00

SALE OF LANDS.

From the foregoing statement it will be seen that since the first day of January last 237,119 87-00 acres of land have been sold, and that of the lands which have been offered at public sale, and are now subject to private entry, there remain unsold of 16th sections, 83,526 64-100 acres; of the five hundred thousand acre grant, 6,530 36-100 acres; and of university lands, 3,941 acres.

Under the five hundred thousand acre grant, there remain about twenty-three thousand acres to be selected, and there are about 10,580 acres of selections in Waupacca county, which have not yet been offered at public sale. These are farming lands of first rate quality well watered and timbered, and will, it is believed, produce considerably more than the appraised value.

The selections made under this grant by agents appointed sometimes by the legislature, and sometimes by the governor under the direction of the legislature, should all have been from the choicest lands in the state and in the best localities; but in some instances this duty has been shamefully neglected, and the lands selected have been of the most indifferent character, as appears by the reports of appraisers. Such is the character of most, if not all, of the lands so selected, and remaining unsold, exclusive of those mentioned as lying in the county of Waupacca.

In the latter part of the month of September, two university sections, in Grant county, which had been omitted from former public sales, were offered at Platteville, and all taken, some of the subdivisions bringing an advance upon the appraisal.

On the first day of December, selections forming part of the grant of five hundred thousand acres, were offered in Shawanaw county; on the 4th day of December, in Oconto county; and on the 7th day of December, in Outagamie county. On the ninth of the same month, six 16th sections in Brown county, which had not before been offered at public sale, were so offered at Green Bay, and two of them were taken at the sale.

The amount received on sales of school land effected since the

commencement of such sales, in each year, appears from former reports to be as follows :

In 1849	• \$74,476 72
" 1850	444,264 15
" 1851	229,790 80
" 1852	61,026 20
" 1853	363,259 86
" 1854	504,753 35
Total,	<hr/> \$1,677,571 08

In the two last years the books in this office show a large amount of sales, and in each year large tracts sold to individual purchasers, the fund being thus greatly increased. The lands once offered at public auction are by law subject to private entry, and the amount to be sold at private sale to any one person is not limited. The Governor and the commissioners have the power to withdraw such portion of them from sale as in their discretion "it may not be advantageous to sell or dispose of, and for as long a time as in their opinion will be most beneficial to the university and school fund." The extent of this discretion, thus defined by the law, gives no option on the part of the Governor and commissioners to refuse the sale of lands on account of the quantity applied for by any one person being more than he can occupy for his own use, since the more rapidly sales can be effected, so much sooner will these funds realize the benefit of the endowment of lands bestowed upon the State by the general government. And if in the end only the appraised value is to be obtained, the sooner the lands are sold the better.

It is for the legislature, however, to consider whether there are reasons relating to the promotion of other interests than those of the school fund, and the system of common schools relying upon it for support, sufficient to induce the adoption of a policy limiting and restricting the sales of these lands.

LOANS.

The following statement shows the amounts loaned to individu-

als, and the whole amount loaned in each county, of school and university funds, and also the amount of interest paid in advance upon such loans. •

BROWN COUNTY.

	<i>School.</i>	Loan.	Interest.
Dec 31, 1853	M J Mead	500 00	35 10
Jan 26, 1854	John W Colton	440 00	28 57
		<hr/>	<hr/>
		940 00	63 67

CALUMET COUNTY.

	<i>University.</i>		
Jan 9, 1854	James Robinson	125 00	8 52
March 16, 1854	William Fowler	400 00	22 07
do 26, do	Orsamus D Fowler,	300 90	16 56
		<hr/>	<hr/>
		825 00	47 15

COLUMBIA COUNTY.

	<i>School.</i>		
Jan 7, 1854	John A Grand	150	
do 17, do	E K Vaughan	300	20 06
do 20, do	Alfred A West and Thomas West	400	26 50
do 20, do	Horatio T Thomas	200	13 25
do 20, do	John Brickwell	200	13 25
do 20, do	Gorge M W Carey	200	13 25
do 27, do	James Devine	200	12 95
do 28, do	Catherine Hermong	200	12 36
Feb 7, do	William M Drake	500	31 38
do 8, do	Edmund F Lewis	200	12 51
do 8, do	John Irving Jr	150	9 33
do 10, do	Solomon Clark	100	6 21
do 10, do	John Sines	200	11 27
do 10, do	Joel Clark	100	6 21
do 10, do	A C Ketchum	500	30 90
do 11, do	C G McCulloch	500	30 99
do 13, do	William McDonald	250	15 30
do 14, do	L W Barden	300	18 32
do 14, do	M R Keegan	500	30 70
do 14, do	H McFarlane	500	30 70
do 14, do	William Armstrong	500	30 70
do 16, do	Casper F Martin	100	6 12
do 16, do	H B Anderson	500	30 61

			Loan.	Interest.
do 17,	do	Frederick C Curtiss	400	24 33
do 17,	do	N H Wood	500	30 22
do 17,	do	Robert Thompson	150	9 18
do 20,	do	M T Draper	200	10 21
do 21,	do	Merwin Moses	300	18 08
do 21,	do	Edwin N Storms	200	12 05
do 21,	do	James Holloway	200	12 00
do 24,	do	Martin N Peck	200	11 82
do 28,	do	Joseph Hartman	150	8 75
Apr 1,	do	A Thompson	250	13 18
Dec 8,	do	Hugh M Thompson	150	. 63
			<hr/>	<hr/>
			9450	564 37

University.

Feb 3, 1854	Thomas Christopher	400	25 09
do 3, do	C H Moore	400	25 09
Mar 15, do	H M Beecroft	200	11 08
		<hr/>	<hr/>
		1000	63 26

DANE COUNTY.

School.

Dec 30, 1854	John M Dudley	500	35 19
Jan 26, do	John Kershaw	200	12 98
do 7, do	Clara Weed	250	17 16
do 9, do	P & W Butler	500	34 09
do 10, do	Francis Gault	450	20 61
do 11, do	John Collins	200	13 60
do 20, do	Abraham Bradley	200	12 25
do do do	Sylvester B Williams	120	7 95
do do do	Augustus W Dickenson	275	18 18
do 24, do	Frank H Firman	250	16 34
do 25, do	Alexander L Collins	500	32 69
Feb 14, do	W D Bird	200	12 21
do 16, do	Daniel Davidson	240	14 64
do 8, do	Demming Fitch	350	21 76
do 10, do	Benjamin F Denson	420	26 25
do 23, do	Warren K Hawes	450	26 85
do 28, do	George M Oakley	500	30 16
do 13, do	John Parkinson	150	9 12
do 9, do	Andrew Smith	500	31 18
do 6, do	William A Pierce	500	31 28
do 4, do	Daniel McDonald	200	12 79
do 2, do	Algernon S Wood	200	12 79
do 1, do	M L Boyce	225	14 44

		Loan,	Interest.
Mch 4, 1854	William Freeman	200	11 42
do 4, do	Charles S Peasley	300	7 25
do 7, do	Joseph Gray	500	28 46
do 13, do	Jonn Robinson	100	5 64
do 13, do	A C Preus	300	16 81
do 16, do	Alvis Fix	100	5 52
May 15, do	H W Nickerson	200	8 75
Jan 22, do	Adalbert Inaman	400	14 61
Nov 16, do	R F Wilson	200	1 71
Sept 20, do	E Richardson	300	5 83
Total		\$9,705 00	\$573 30

University.

Feb 1, do	Thomas Heeran	350	22 46
do 2, do	Leonard W French	200	12 74
do 3, do	John W Hunt	300	19 05
do 8, do	J R Brigham	500	31 28
Mch 15, do	Harom Jordan	200	11 08
do 16, do	Elisha W Keyes	500	27 59

DODGE COUNTY

School.

Feb 23, 1854	Michael Ames	300	19 42
do 23, do	Lawrence Connor	300	17 90
do 23, do	A Bryant	500	29 36
do 27, do	H E Connit	500	29 36
do 7, do	A B Jones	200	12 55
March 2, 1854	Patrick O'Hara	100	5 75
do 7, do	William Cabkirk	500	28 46
do 8, do	William C Rice	500	28 36
do 8, do	L H Chase	500	38 36
do 21, do	Catharine Hart	200	10 85
do 21, do	Michael Keelly	200	10 85
		3,700	215 77

University.

March 23, 1854	R Cowles	500	32 37
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FOND DU LAC COUNTY.

School.

Jan'y 24, 1854	Rudolph Ebert	500	32 66
Feb 4, do	John Lyons	100	6 33

		Loan.	Interest.
March 4, 1854	Fletcher Fairbank	150	
do 7, do	J H Haight	500	8 63
do 8, do	Cornelius Maugan	280	28 46
do 11, do	E Munger	425	15 88
			23 96
		1,955	115 92

University.

March 16, do	W H Walker	300	16 56
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GREEN COUNTY,

School.

Jan'y 12, 1854	Ezra Westcott	500	33 93
Feb 15, do	Thomas Fenton	300	20 06
Feb 24, do	M Briggs	200	11 90
		1000	65 89

University.

March 6, 1854	James M Seales	400	22 84
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GRANT COUNTY

School.

do 6, do	Henry Correll	500	28 55
do 13, do	Henry Clark	500	28 07
April 1, do	George H Cox	500	26 25
do 1, do	William F Dewey	500	26 25
		2000	109 12

IOWA COUNTY.

School.

Feb 17, do	Ephraim Norton	400	24 33
do 21, do	John B Skinner	500	24 46
do 25, do	John B Skinner, Jr	500	30 13
March 7, do	R D Talford,	500	28 46
do 7, do	M M Cothren	250	14 28
Jan'y 24, do	Charles Wilson	182	4 77
Jan'y 26, do	N B Boyden	500	14 96
		2,782	146 39

	<i>University.</i>	<i>Loan.</i>	<i>Interest.</i>
March 15, 1854	Joseph Miller	500	17 69
do 16, do	Charles S Millard	300	14 96
		<hr/>	<hr/>
		800	44 25

JEFFERSON COUNTY.

School.

Jan'y 21, 1854	Stephen Faville	500	32 94
Feb 15, do	Walter H Besley	300	18 48
do 15, do	D Howell	500	30 13
do 28, do	John E Holmes	300	17 50
March 1, do	Justice Carpenter	440	25 67
do 4, do	James Fraser	250	14 38
do 11, do	A H Waldo	500	28 72
April 15, do	John J Perkins	354 73	17 58
Nov 25, do	E H Benson	500	3 50
		<hr/>	<hr/>
		3,644 73	188 35

LA FAYETTE COUNTY.

School.

Jan 20, 1854	E W Hart	150	9 91
do 27, do	Thomas Baty	200	12 95
Feb 1, do	Preserved Ireland	400	25 67
Mar 7, do	J H Earnest	500	28 46
do 8, do	James B Gray	500	28 36
do 20, do	Michael Feirney	300	16 32
do 27, do	J R Rose	300	15 92
Apr 1, do	Peter Parkinson Jr	200	10 50
Mar 3, do	Samuel G Bugh	500	28 07
		<hr/>	<hr/>
		3050	176 15

LA CROSSE COUNTY.

School.

Jan 1, 1854	William M Young	350	24 50
do 1, do	David McConnell	150	10 50
do 28, do	William McConnell	200	12 95
Feb 9, do	Robert Looney	500	31 09
do 22, do	Cyrus K Lord	500	29 94
Mar 7, do	D M West	500	28 46
do 8, do	A J Ellis	500	28 36
do 13, do	David Wright	500	27 88
		<hr/>	<hr/>
		3,200	193 68

MILWAUKEE COUNTY.

	<i>School.</i>	<i>Loan.</i>	<i>Interest.</i>
Feb 17, 1854	Haven Powers	500	30 22
Mar 21, do	John Carmody	500	35 00
do 21, do	Edward O'Neil	400	21 70
		<hr/>	<hr/>
		1,400	86 92

MANITOWOC COUNTY.

	<i>School.</i>		
Mar 2, 1854	D B Knapp	300	17 44
do 9, do	Fredrick Solomon	150	14 00
Oct 12, do	Henry Bom	181	2 73
		<hr/>	<hr/>
		631	34 17

MARQUETTE COUNTY.

	<i>School.</i>		
Jan 13, do	William L McKenzie	500	33 81
do 13, do	W H Gleason	500	33 81
do 30, do	A D Wright	450	28 97
Feb 16, do	E B Craig	500	33 42
do 21, do	A W Stow	500	30 03
do 23, do	M W Seely	400	23 87
do 28, do	W P Bowman	300	17 56
do 28, do	George H Chamberlain	250	14 63
Mch 4, do	Sylvester Wade	200	11 50
do 4, do	Royal T Wells	200	11 50
Apl 13, do	A C Beuham	158	7 79
		<hr/>	<hr/>
	Total	3,958 00	246 89

OUTAGAMIE COUNTY.

	<i>School.</i>		
Dec 31, do	David P Mead	500	35 10

PIERCE COUNTY.

	<i>School.</i>		
Jne 17, do	James M Bailey	500	18 75

RICHLAND COUNTY.

	<i>University.</i>		
Mch 18, do	Albert C Daily	250	13 71
do 18, do	David B Young	500	27 42
		<hr/>	<hr/>
	Total	750	41 13

RACINE COUNTY.

	<i>School.</i>	<i>Loan.</i>	<i>Interest.</i>
Feb 16, 1854	W Spaford	500	30 50
do 24, do	Thomas Moyle	250	14 78
		<hr/>	<hr/>
		750	45 28

ROCK COUNTY.

	<i>School.</i>		
Jan'y 20, 1854	A G Felt	200	13 25
Feb 6, do	John L Thomas	500	31 28
do 14, do	John Ferrine	500	30 70
do 24, do	Isaac F Smith	500	29 75
do 25, do	Chancey I King	500	29 46
March 2, do	Cyrus Curtice	200	11 63
do 10, do	Thomas R Wooliscroft	500	28 17
Nov 16, do	F Whittaker	200	1 71
Dec 20, do	H O Wilson	500	96
July 6, do	S C Willett	500	16 88
do 6, do	W Wigginton & Co	500	16 88
do 22, do	Isaac Woodell	500	15 85
		<hr/>	<hr/>
		5,100	226 02

University.

Feb 2, do	Levi Alden	500	31 85
March 6, do	George B Ely	500	28 55
do 24, do	G W Bunce	500	27 21
		<hr/>	<hr/>
		1,500	87 61

SAUK COUNTY

	<i>School.</i>		
Feb 18, do	E H McLaughlin	100	6 06
March 5,	E G Wheeler	150	8 66
Oct 9,	Charles E Jenkins	500	7 84
		<hr/>	<hr/>
		750	22 56

ST. CROIX COUNTY.

	<i>School.</i>		
Feb 27, do	Dexter B Bailey	200	11 79
do 27, do	O D Gray	218	12 85
		<hr/>	<hr/>
		418	24 64

CSHEBOYGAN COUNTY.

	<i>School.</i>	<i>Loan.</i>	<i>Interest.</i>
Jan'y 16, 1854	H C Hobert	300	20 11
Feb 9, do	Frederick Stacks	500	31 18
March 7, do	James Baldwin	200	11 40
do 13, do	L W Wright	100	5 58
do 13, do	Elijah Dawley	250	13 95
		<hr/>	<hr/>
		1,350	82 22

WALWORTH COUNTY.

	<i>School.</i>		
Dec 27, do	Eleazer Wakely	300	21 17
Jan'y 3, do	E Estabrook	500	34 81
Feb 4, do	John M Evans	200	12 79
Feb 14, do	Albon H Perry	500	30 79
Feb 13, do	W P Allen	500	30 80
March 4, do	Thomas Gage	500	28 74
Nov 9, do	Augustine W Dickinson	275	2 65
		<hr/>	<hr/>
		2,775	161 75

WAUKESHA COUNTY.

	<i>School.</i>		
Jan 17, 1854	Anson H Taylor	300	20 00
do 20, do	Robert Weir	500	33 04
do 24, do	Henry O Wright	500	32 66
do 24, do	Jacob Hern	400	26 21
Feb 10, do	Benedict A Bovee	500	31 09
do 10, do	Ransom Kesler	350	21 76
do 10, do	Thomas W Pitman	500	31 09
do 13, do	Stephen Platy	150	9 24
do 15, do	J U Hilliard	500	30 61
do 21, do	Robert Rogers	500	30 03
do 21, do	John A Rice	500	30 03
do 22, do	Isaac Kate	500	29 94
do 23, do	Robert H. McCarter	500	29 84
do 25, do	John Williams	400	23 71
do 27, do	O N Cole	350	20 55
Mch 6, do	Homer Hurd	500	28 75
do 6, do	Israel McCanwell	500	28 75
do 15, do	A L Castleman	500	27 69
do 15, do	L B Seymour	500	27 69
do 15, do	W H Thomas	500	26 25
Apr 11, do	James O'Riely	200	10 06
May 26 do	F McNaughton	500	5 48
		<hr/>	<hr/>
		9,650	554 47

WAUKESHA COUNTY.

	<i>University.</i>	Loan.	Interest.
Mch 9, 1854	Andrew E Elmore	300	16 96
do 21, do	Nelson P Hawks	500	26 58
		<hr/>	<hr/>
		800	43 54

WAUPACCA COUNTY.

	<i>School.</i>		
Feb 27, do	P G Chase	500	29 36
do 27, do	B F Phillips	500	29 36
Mch 13, do	John M Vaughan	500	28 07
		<hr/>	<hr/>
		1,500	86 79

WINNEBAGO COUNTY.

	<i>School.</i>		
Feb 9, do	A A Austin	190	11 85
do 11, do	Charles Brady	500	30 80
do 23, do	J Murdock	500	30 52
do 23, do	Richard P Eighme	340	20 29
April 3, do	W L Williams	500	25 92
May 15, do	A F Larrabee	150	6 56
do 15, do	H W Nickison	200	7 58
Sept 21, do	A Lippen	500	11 24
		<hr/>	<hr/>
		2,880	144 76

University.

March 31, do	S L Brooks	200	10 50
	Total Loans from School Fund	73,663 73	
" "	University	9,125 00	

By virtue of an act approved April 1, 1854, entitled "An act to authorize a loan to the University of Wisconsin," the Commissioners have also loaned to that institution the sum of twelve thousand, seven hundred, and thirty-five dollars and thirty-three cents, (\$12,735 33) out of the principal of the University Fund.

With the exception of the loan last mentioned, to the State University, it will be seen that these moneys have been loaned to individuals in sums varying from five hundred dollars, the largest amount allowed to be loaned to any one person, to the least sum,

which is one hundred dollars. For these loans we have taken mortgage security in conformity with law, and the mortgages have all been recorded. These, together with the evidences of title in each case and of its freedom from incumbrance, are on file in the office of the Secretary of State, subject to the inspection and examination of the Legislature.

The law upon this subject requires, that all persons applying for a loan shall produce to the Commissioners, for their inspection, the title papers, showing a clear and valid title in fee simple, without incumbrance, to the property offered in pledge, and not derived through any executor or administrator's sale, or sale on execution. Sec. 65, Chap. 24, Revised Statutes. It is also provided in this section that the Commissioners shall duly inform themselves of the value of real estate offered in pledge as aforesaid, and shall judge of the validity of the title thereof.

Sections 74 and 71 provide that no greater sum than five hundred dollars, nor less than one hundred, shall be loaned to any one person, and that no loan shall be made for a longer period than five years.

Section 76 provides that the sum loaned shall not exceed one half of the appraised value clear of all perishable improvements, and the commissioners may reduce the amount to be loaned, &c.

Section 79 requires the person applying for a loan to produce a and file with the commissioners a complete chain of title to the land offered to be mortgaged, and the certificate of the clerk of the circuit court, and register of deeds of the county in which the land lies, showing that there is no conveyance of, nor incumbrance on, said land, in either of their offices.

By section 80, the applicant, before he receives the money to be loaned, must make oath to the truth of an abstract of title to his land, and that there is no incumbrance, or better claim in law or equity that he knows or believes, upon, or to said land.

These are the guards that the law has thrown around the loaning of the School and University Fund, and it is the duty of the commissioners to see that every provision of law above cited is

complied with, before they part with the money. Notwithstanding all these precautions the law is deficient, and if public officers had not been more mindful of the interests of this fund, than the legislature has been, it might have suffered in consequence of such defect. Several defects of the law were pointed out by the commissioners in their annual reports, in the years 1851 and 1852, but no amendment has yet been made. The commissioners, however, did their duty, and supplied what was wanting by rules requiring applicants to produce a certificate of the clerk of the board of supervisors of the county, that the land offered as security is clear from taxes or out standing tax titles, and, in some cases, the certificate of the clerk of the district court of the United States, that there are no judgments of that court affecting the title. These, together with other rules calculated to ensure greater certainty of the sufficiency of securities offered, we have adopted; and, except the certificate of the clerk of the United States district court, which we only require when we deem it proper to do so, evidences of security in accordance therewith will be found with the papers relating to every loan made by us. With such precautions strictly observed. and with due investigation of title, we have great confidence that the fund will not be likely to incur even inconsiderable losses. The loans being small in amount are generally applied for by persons who need a little money, at a reasonable rate of interest, to improve their farms, or to retain possession of them. and with the rise in the value of real estate, the security being every year enhanced, the failures to make payment of interest or of principal, now but few, will be proportionally lessened.

The law, providing in Sec. 74. Chap. 21, Revised Statutes, that no loan shall be made for a longer period than five years, provides also, "That any person obtaining a loan may have the privilege of extending the time of payment of the principal from year to year, on payment annually in advance of the interest on the sum due, at the rate of interest specified in the original mortgage, and the legislature may hereafter change the law so as to require payment of such loaned money at any time after one year from the time when the original credit shall have expired," By this provision while

the borrower has the privilege of extending the time of paying the principal of the loan made to him, upon performance of the condition named, he is left to the uncertainty of the action of the legislature, which may, in its discretion, at any time after one year from the date of the loan call in the whole amount. Instead of this we are of the opinion, and we respectfully suggest, the amendment of the law to that effect, that the interest being paid annually, the period for which loans are made should be extended to ten years, or even a longer time. To require the payment of the principal in any shorter period, is only to incur the trouble of making a new investment, which would be useless when the security for one already made stands good. While the interests of the fund would in no wise suffer from such a provision, the accommodation to the class of persons, who are in general the borrowers, would be very greatly increased.

TOTAL OF LOANS.

Whole amount due from individuals in the several counties on account of loans from the school and University funds, on the thirty first day of December, 1853,	\$154,886 51
Amount of loans made to individuals in 1854	82,788 73
do do do university, 1854	12,735 33
Deduct	\$250,410 57
do paid on loans in 1854	4,866, 00
Total due on loans	\$245,544 57

SCHOOL FUND.

Amount received on account of School Fund during the year 1854.

On sales previously made	\$42,024 90
On sales of land during the year 1854	42,920 07
On loans paid	4,866 00
On fines and forfeitures	2,872 20
5 per cent. penalty on forfeited lands	2,150 07
Total Receipts	\$94,833 27

Amount paid out on same account.

On loans

For other purposes

\$73,663 73

11,332 33

\$84,996 06

Total Disbursements

SCHOOL FUND INCOME.

Receipts

Disbursements, moneys apportioned to counties

\$106,235 03

97,188 88

UNIVERSITY FUND.

Amount received on account of university fund.

On sales previously made

On sales of lands during the year 1854

On loans paid

5 per cent. penalty on forfeited lands

\$2,597 47

6,959 72

250 00

138 40

\$9,945 59

Amount paid out on same account.

On loans

For other purposes

\$21,860 33

38 60

\$21,898 93

UNIVERSITY FUND INCOME.

Receipts

Disbursements to university

\$8,775 08

10,640 00

For a complete and detailed statement of the receipts and disbursements of these funds, we refer to the report of the Secretary of State, for the year ending December 31st, 1854, and for information in relation to the amount of school and university funds now in the treasury, subject to loan, we refer to the report of the State Treasurer.

The capital of the school fund amounts, at this time, to the sum of \$1,670,258 77, being an increase since December 31st, 1853, of \$528,454 49.

This capital consists of the following items:

Due on sales of land, heretofore made

Due on school fund loans

In the treasury

\$1,415,262 50

220,314 24

34,682 03

\$1,670,258 77

The capital of the university fund to this date, amounts to the sum of \$161,146 61

And consists of the following items:

Due on sales of land	135,916 28
Due on loans	25,230 33
	\$161,146 61

The following statement exhibits the number of acres of school and university lands forfeited in the different counties during the year 1854, the number of acres sold and the number of acres unsold, together with the amount sold for, and the amount of five per cent. penalty realized to the school fund on that account:

Forfeited Lands, Sixteenth Section.

COUNTIES.	No. of Acres Forfeited	No. of Acres sold.	No. of Acres unsold.	Amount Due.	Amount sold for
Bad Ax.....	40	40	--	51 00	57 62
Brown.....	200	200	--	393 00	459 67
Columbia.....	353.80	330.42	23.38	1,009 00	920 44
Calumet.....	79	76	--	121 00	136 52
Crawford.....	120	--	120	162 00	--
Dane.....	320	320	--	1,485 09	1,800 13
Dodge.....	278.4	278.4	--	531 00	649 95
Fond du Lac.....	490	490	--	1,467 00	1,737 11
Grant.....	220	220	--	338 00	411 80
Iowa.....	600	560	40	1,260 00	1,075 48
Jefferson.....	40	40	--	164 00	184 18
Kenosha.....	9.92	9.92	--	100 00	119 50
La Fayette.....	50	50	--	225 00	250 25
La Crosse.....	280	280	--	549 00	618 38
Milwaukee.....	80	80	--	838 00	939 56
Manitowoc.....	512.20	472.20	40	1,410 00	1,540 61
Marquette.....	340.74	182.24	158.50	701 00	252 96
Outagamie.....	120	80	40	161 00	181 82
Portage.....	40	40	--	54 00	60 98
Rock.....	534.25	518.75	15.25	4,451 00	4,933 82
Racine.....	40.18	--	40.18	302 00	--
Richland.....	160	160	--	198 00	224 76
Sheboygan.....	240	160	80	716 00	601 62
Walworth.....	259.74	259.74	--	1,086 00	1,346 35
Waukesha.....	380	380	--	661 56	786 97
Washington.....	249.95	249.95	40	1,600 00	1,254 11
Winnebago.....	160	160	--	364 00	442 44
Waushara.....	200	200	--	344 00	275 78
Total.....	6,437.89	5,840.55	597.56	20,641 56	21,262 79

Forfeited Lands in the 500,000 Acre Tract.

COUNTIES.	No. of Acres Forfeited	No. of Acres Sold.	No. of Acres Unsold.	Amount due before Sale.	Amount of Penalty.	Cost of Interest & cost of Advermt	Amount Sold for.
Bad Ax.....	760	760	40	949 17	47 46	95 77	1092 40
Brown.....	120	120		212 04	10 60	31 19	253 83
Calumet.....	2,516.73	2,516.73		4336 60	216 83	346 73	4900 16
Columbia.....	160	160		203 20	10 16	19 75	233 11
Crawford.....	40	40		50 73	2 54	4 04	57 31
Dane.....	200	200		515 85	25 79	38 57	580 21
Grant.....	280	280		417 56	20 88	32 66	471 10
Iowa.....	40	40		80 42	4 02	6 12	90 56
Jefferson.....	248.50	208.50		320 00	16 00	29 60	311 34
La Crosse.....	3,959.50	3,959.50		5136 01	256 80	702 64	5895 45
La Fayette.....	1,040	1,040		1302 08	65 10	102 90	1470 05
Manitowoc.....	3,080	3,080		4081 68	204 00	359 86	4645 54
Outagamie.....	183.75	183.75		410 38	20 52	31 17	462 07
Richland.....	200	200		254 15	12 71	20 24	287 10
Sauk.....	320	320		480 20	24 01	38 59	542 80
St. Croix.....	4,769.10	4,769.10		6027 09	301 35	487 98	6816 42
Waukesha.....	180	180		186 00	9 30	15 02	210 32
Total.....	18,097.58	18,057.58	40	24963 03	1248 15	2363 83	28319 80

University Lands Forfeited.

COUNTIES.	No. of Acres Forfeited	No. of Acres Sold.	No. of Acres Unsold.	Amount Due.	Amount Sold for.
Green.....	42.22	42.22	40	47 00	53 14
Green.....	39.38	39.38		106 00	119 22
Fond du Lac.....	40	40		163 00	183 06
Fond du Lac.....	40	40		212 00	237 94
Fond du Lac.....	40	40		208 00	233 46
Winnebago.....	40	40		253 00	319 28
Winnebago.....	40	40		253 00	283 86
Winnebago.....	40	40		253 00	283 86
Rock.....	Fract'al.	Fract'al.		27 00	30 74
Rock.....	"	"		18 00	20 66
Rock.....	"	"		18 00	21 92
Rock.....	40	40		235 00	263 70
Manitowoc.....	40	40	40	103 00	120 34
Richland.....	40	40		107 00	
Total.....	401.60	401.60	40	2,008 00	2,171 18

The preceding statement shows that nearly all of the lands so forfeited, amounting to about twenty-five thousand acres, have been re-sold during the present year, at the appraised value with costs

and charges of sale, and five per cent. penalty added. By section 3 of an "act in relation to school land," approved March 19, 1853, it is made the "duty of the commissioners, whenever any of the school or university lands shall have been forfeited for the space of six months by reason of the nonpayment of principal or interest, to advertise in some newspaper published in the county in which such lands lie, &c., that such forfeited lands are subject to private entry by any person applying therefor, and the minimum price for such tracts or parcels of land so forfeited, shall be the amount due thereon at the time of such re-sale, together with the costs of sale."

Under this section the lands are subject to private entry as soon as they advertised on the terms stated in the section.

We are of the opinion, that this law disregards both the interest of the original purchaser and of the school fund.

The law upon this subject, before it was repealed by the foregoing section, was much the best; it provided that all forfeited lands should be offered at public sale, before they could be subjected to private entry. Sec. 27, chap. 24, revised statutes. By this provision the purchaser has abundant time and opportunity to redeem his land, and in case it should not be redeemed, the fund could realize the increased value thereof. Besides, the failure to pay interest is often the result of mistake, and in many cases while the purchaser supposed his interest was paid, and while he was in the quiet possession and enjoyment of his property, it has been sold.

This law should, at least, be so amended as not to allow such lands to be sold until the delinquent list has been advertised for the period of three months at least. By this means an opportunity would be afforded to correct errors and mistakes, and to pay the interest, in most cases, where parties interested desire to do so.

Under the power given to us by section 101, of chapter 24, revised statute, we have, in several instances, when we were satisfied that the failure to pay interest was in consequence of some mistake or misunderstanding, re-called the certificate issued on the resale of forfeited lands, and allowed the original purchaser to retain his land by paying the costs of advertising and the five per cent-penalty.

By an Act approved April 1, 1854, the governor and commissioners of the school and university lands were authorized and empowered to reorganize the manner of conducting the sale of these lands, and of keeping the accounts of the funds arising therefrom. Accordingly about the first of July, a chief clerk, Walter H. Besley, and a sufficient number of subordinate clerks were appointed for the transaction of the business. The re-organization contemplated by the act, which was commenced as soon as practicable after providing the books required for the purpose and additional office room, had become absolutely necessary for the proper management of the multiplied and continually increasing transactions growing out of the sales of land and the investment of funds, and there was a large arrearage of work to be brought up from the transactions of former years—an arrearage occasioned by the want of sufficient clerical force to do the duty required by law. An examination of the affairs of this office will show the necessity for the provision made by the act referred to, and will further show, we hope, that the intention of the legislature has thus far been faithfully and successfully answered. We earnestly recommend that permanent provision be made for the expense of a competent number of clerks, and that appropriation be made at as early a period of the session as possible, to meet the expenses already incurred.

The number of subordinate clerks may be reduced, after a short time, without inconvenience, a larger number being requisite at present than will be needed when the work for which they have been employed, shall be further advanced, and the press of the business in the first months of the year shall be over. We also suggest that these expenses are properly chargeable to the school and university fund income, and that their payment be directed accordingly.

SEC. 52, of chap. 24 R. S., vests in the commissioners "the general care and supervision of all lands belonging to this state, and of all the lands in which the state has an interest, or which are or may be held in trust by the state unless the superintendence thereof is vested in some other officer or board."

SEC. 49, of chap. 134, makes it "the special duty of the superintendent of schools in each town, who may have knowledge of, or who may receive information of" trespassers upon school or university lands, "to forthwith inform the district attorney of the county in which he shall reside of the trespass committed, of the name of the trespasser or trespassers, and of the name of the witness or witnesses," and then directs the district attorney to prosecute.

Under the power given by the first cited section, the commissioners have the care and superintendence of the swamp lands belonging to the state, and they have received letters at various times within the last three months, informing them that trespasses were daily being committed on such lands, and, particularly as to those lying near the Mississippi, that preparations were on foot for extensive trespasses during the present season, in the cutting and carrying away of timber. We have been urged from different sources to appoint agents to attend to the interests of the state, and prevent, if possible, the commission of such depredations.

The provision made by section 49, chap. 134 R. S., above cited, is evidently altogether inadequate to affect any good result in sparsely settled counties, and in those it is, chiefly, that such trespasses are committed. A more effective mode of prosecution should also be provided than that indicated in section 47 of the same chap. for the prosecution of trespassers upon school and university lands, and should embrace in its operation cases of trespass upon every description of lands belonging to the state.

In conclusion we feel it to be our duty to press upon the attention of the legislature the fact, that during the five years that this vast fund, amounting now to nearly two millions of dollars, has been under the management of commissioners, the representatives of the people have never made it matter of investigation whether the business relating to it has been done prudently, honestly, and according to law. The people are entitled to know whether it has been so managed or not, and a thorough investigation is especially due to the officers who have had charge of it, that their honor and

integrity may be vindicated. Moreover, in a business so extensive and complicated, involving accounts, and dealings with so many individuals, it would be singular, indeed, if errors should not have occurred, and the more speedily such investigation is had, the more readily errors may be corrected. We ask such investigation, to be made as promptly and fully as possible, both for ourselves, and those who have preceded us in the position we hold, and will afford every facility in our power for its due and faithful prosecution.

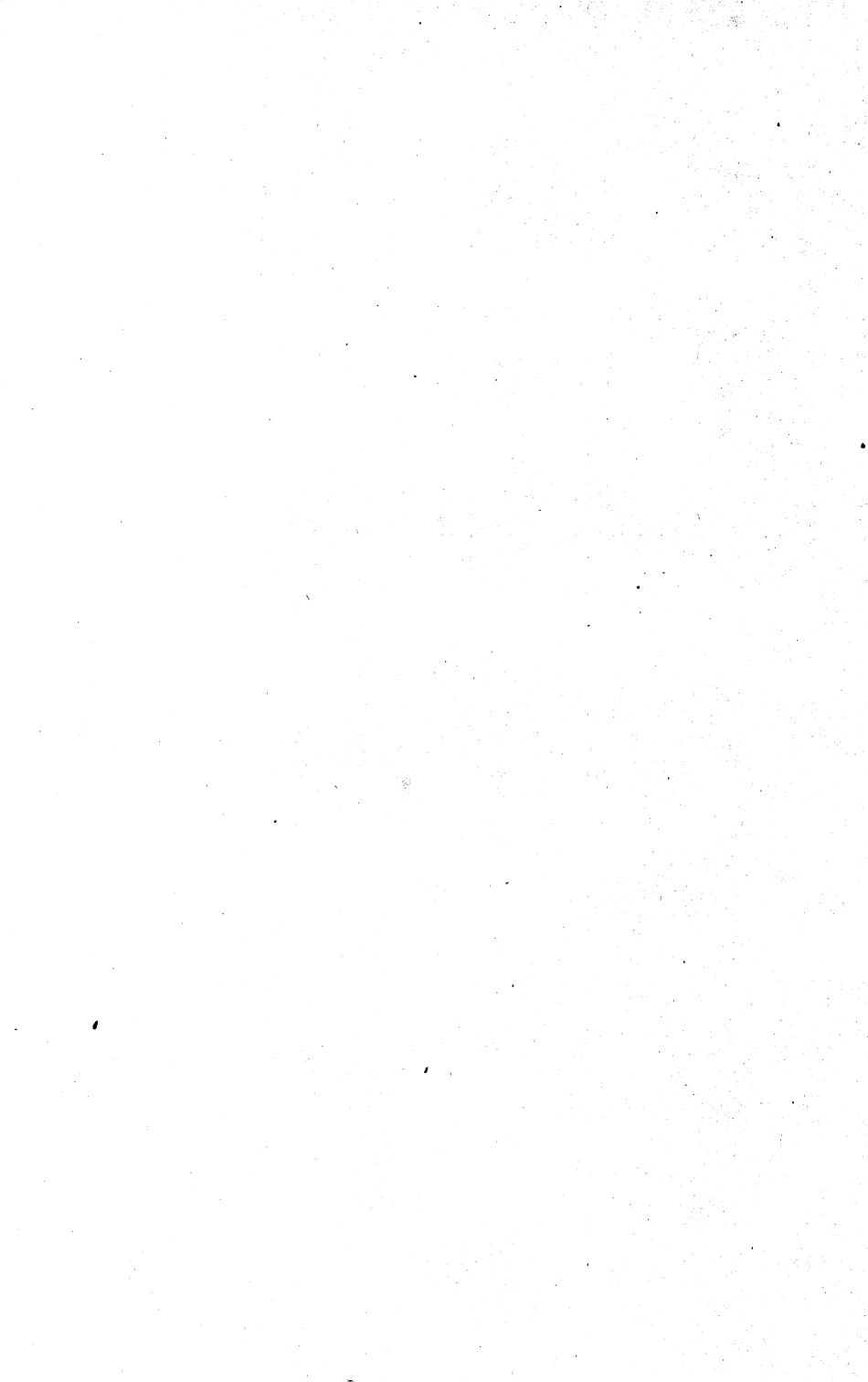
All of which is respectfully submitted.

ALEXANDER T. GRAY.

E. H. JANSSEN.

GEO. B. SMITH.









ANNUAL REPORT

OF THE

STATE SUPERINTENDENT

OF

PUBLIC INSTRUCTION,

OF THE

STATE OF WISCONSIN

FOR THE YEAR 1854.²₄

MADISON:
BERIAH BROWN, PRINTER.
1855.

1904

1905

1906

1907

1908

1909

1910

1911

REPORT.

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION,

Madison, Wis., Dec. 31st, 1854.

To the Legislature:

In compliance with the provisions of section 51 of chapter 9 of the Revised Statutes, I herewith submit to the legislature the sixth annual report from the department of Public Instruction; containing an abstract of all the common school reports received from the several clerks of the county boards of supervisors; a statement of the condition of the common schools of the State; estimates and accounts of expenditures of the school moneys; and other matters relating to our free school system, which it is deemed expedient to communicate. Some subjects are considered and commented upon, which, under the provisions of law, are not required, nor, perhaps, proper to be embodied in a report to the legislature; but I have availed myself of the custom established by my predecessors, and sanctioned in other States having a system of public schools and an officer having a supervisory control over them, to make this report a medium of communication with the school officers and people of the State.

An abstract of all the common school reports received at this office from the several clerks of the county boards of supervisors for the year 1854 will be found in Appendix A. What few returns were made upon the subject of select schools and incorpo-

rate academies, are obviously so erroneous and incomplete that no definite conclusions can be drawn from them, and accordingly they are not included in the abstract.

The law organizing the free school system of this State took effect on the first day of May, 1849, and has, consequently, been in operation less than six years; yet sufficiently long to prove the wisdom of the provision in our constitution relative to common schools, and the truth and justice of the principle therein asserted, that, with the aid of the school fund, the property of the State shall be taxed for the support of schools for the education of all the youth of the State. It is a noble principle to be engrafted in the fundamental law of a State on its admission to sovereignty in the federal union,—having been acknowledged and adopted by a great majority of the electors of the State at the ballot box. This system of free schools is yet in its infancy, but its practical workings, thus far, give every reason to hope that all the benefits to the State, claimed for the system by its originators and supporters, will be more than realized, and that generations which are to succeed us and assume all the duties of moral, social, and political life, will have profited by the action of the present, in their exertions to prepare them for the great struggle of life.

This principle has been affirmed by the General Government by the munificent grants of land it has made to the States, to aid in the support of schools; it has been re-affirmed by our State and people, and there seems, at present, no respectable or considerable opposition to it on the part of our citizens.

But there are objections to some of the more important details, under the present organization of the common schools, and their practical operation; and various amendments have been suggested as necessary to remove these objectionable features; but, as has been truthfully and justly remarked by another, "The ardor of reformation runs into exaggerated representations of the abuses it aims to overthrow, and the errors and omissions in the administration of a system are more easily discovered and promulgated than remedied. It is not difficult to theorize on the subject of educa-

tion; every man feels competent to the task of forming systems that work admirably on paper, but the practical difficulty of a subject that requires the co-operation of the whole community, and depends almost entirely on public sentiment, can be appreciated only by those who have experienced them, or who have attentively considered them."

It is not supposed that the present system of common schools is perfect, or that any system that could be devised, would possess that degree of perfection which would command the approbation and cheerful support of all; for any institution that is created solely for the people, will be viewed in just as many different ways, as there are different individual relations to it. While one person will object to the grant of power to district meetings, to determine the school affairs of the district, as a factious and selfish tribunal, another will as decidedly oppose the remedial plan of investing all these powers unconditionally in any set of school officers, as not democratic and likely to be oppressive; while one would abolish the office of town Superintendent because he may exercise partiality in the discharge of his duties, and would recommend a town board consisting of three commissioners in his place, as uniting more wisdom, prudence and justice in the direction of affairs; another would object to the change as increasing town expenditures and not calculated, as shown by experience, to accomplish the object desired. While one would tax property where it is, another would tax it where the owner is; while one would have a poll tax levied in mining and lumbering counties to secure a tax from those whose mineral and lumber have sought a market before the assessor appears, another will plead the constitution, and uniformity of laws. While one thinks school districts should have power to vote taxes whenever they please, at special meetings, another sees no reason why school districts should levy taxes more than once a year, any more than towns, counties, and the state. In fact many parts of the school law are defective, in the eyes of some, and they are ready to supply the defect. It is impossible to legislate to meet all the cases that will arise in conse-

quence of the caprice or frailties of men, whether in relation to the school law or any other law ; human nature is too fruitful in discovery and invention, to leave any hope that every case that may arise, will find a law upon the Statute book applicable to it.— Were this the case we should have little need of lawyers to advocate the rights of individuals, or judges to decide between parties.

We have not attained to that degree of legislative skill and human excellence, where legislators can foresee and provide by enactment, for all the petty difficulties that may arise in the future upon points of difference between individuals ; and to undertake a task of that character would be alike fruitless and unprofitable.

Complaints are also made that the system is already too complex, and not adapted to the comprehension and wants of many persons whose duty it is to administer it. This complaint generally proceeds from those who have little or no time or inclination to read and understand the law, and consequently have but little light upon which to base a correct opinion. The law seems to be as simple, and to contain as few provisions, and to demand as limited a compliance with forms, as are absolutely necessary to keep up the system and to secure the right of individuals and communities, without vesting in some one officer an amount of power and authority that would be odious to the people.

No mystery whatever surrounds the school law that cannot easily be dispelled by a perusal of it, and there is no object intended to be secured by it that cannot be realized, if the law is administered as it is, with an honest purpose. But if men, prompted by inordinate selfishness, or parsimony, or any evil passion, designedly labor to make the school law the vehicle of their own interest, to the detriment of others, and the cause of education, and exert their ingenuity and energy to thwart the will of the community, they will sometimes succeed in so doing.

Such is the defect of all human laws, and ever will be while man is possessed of passions not subject to the control of judgment and conscience.

Difficulties do arise in school districts in the administration of the school law, as they do in the administration of all other laws; but it cannot be expected that a law which gathers around it so many important considerations, and which effects, pecuniarily, every tax-payer in the State, and in its objects and results appeals to the affection and patriotism as well as the interests of men, as the sole medium of securing to thousands of the youth of the State a common school education, will, on all occasions and in all the different phases it may assume in its applications to the wants of community, meet with no opposition, no dissentient views. On the contrary, it may be considered surprising that so few difficulties, and so little trouble do occur in the business transactions of 2600 corporations, which is about the number of school districts in the State. The officers composing the district boards are frequently filled by unlettered men, whose aim is to administer the law as it, and not pervert it; but it is sometimes the case that men will be found with no higher ambition than to "keep a neighborhood in a broil by picking flaws" in the proceedings of a district.

This is the misfortune of the district, and not a failure of the law. I would not countenance wrong or an injury to the rights of another, though committed through ignorance; the law was designed for no such purpose; but school district difficulties more frequently arise from the different views entertained by different individuals, not upon the meaning and application of the law, but upon the various subjects pertaining to school matters. This cannot be reached by legislation. One person, actuated by no other than the most disinterested feelings, entertains views diametrically opposed to another who is equally conscientious upon some matter relative to schools, and thereupon arises a contest; perhaps the formation or alteration of a school district is involved. It is not supposed that any system, or any laws that do not suppress the right of free speech and vest absolute power in some one, can reach such cases, nor do I think it desirable to do so. A healthy public sentiment alone can quiet dissensions of this character.

Various amendments have been made to the school law since it first took effect, and these amendments have not been furnished to school districts, which has been a fruitful source of illegality in the proceedings of school districts, simply because they had no means of ascertaining what the law was. This difficulty is now obviated by the law of last winter, which reduced the school laws to a compact form, and provided for furnishing a copy to every school district in the State, and also a copy of all amendments that may hereafter be made to it.

It is not deemed good policy to make frequent and important changes in the school law of the State, unless the most urgent necessity demands that such changes should be made. It is quite important that all should possess some familiarity with the school law, as well as the officers whose immediate duty it is to administer it; which is almost impossible if frequent emendations are made. Officers and districts become discouraged in their efforts to familiarize themselves with it, and to comply with its provisions, where it is undergoing repeated alterations. It is not contended that palpable defects should be suffered to exist on account of a desire to maintain the law unaltered, for any reason whatever; but sound policy would indicate that it is at least a question of grave consideration, whether it is not better that slight defects should exist in it, rather than have it made the subject of experimental legislation, which may again be experimented upon another year. If the repeated amendments to our general laws, have given rise to the complaint that lawyers cannot unravel them, how much more reason is there for the complaint that under such circumstances the school law cannot be understood, and how much greater the necessity of a remedy for the evil.

APPORTIONMENT OF INCOME OF SCHOOL FUND, FOR 1854.

In pursuance of the provisions of an act entitled "an act to extend the time for making the apportionment of the income of the school fund," approved March 3, 1852, the sum of ninety-nine

thousand seven hundred and forty-nine dollars and fifty-two cents, was apportioned among the several towns and cities of the State, which were entitled to receive any portion of said income, on the 13th day of March last. Of the four hundred and twenty-one organized towns and cities in the counties from which reports were received, four hundred and five received their due share of said income. Eleven towns, to wit: Kildare, Necedale and Lisbon, in the county of Adams; Woodville in the county of Calumet; Westfield, in the county of Marquette; Grand Rapids, Eagle Point, Amherst and Buena Vista, in the county of Portage; Embarrass, in the county of Waupacca; and Mount Morris, in the county of Wau-shara, were not entitled to a portion of the income, for the reason that no reports were received from them. The town of Grand Marsh, in Adams county; the town of Albion, in Jackson county; the town of Newton, in Marquette county; the town of Rush River, in St. Croix county; and the town of Centreville, in Wau-pacca county, received no apportionment, for the reason that the reports received from them were deficient in several essential requirements of the law. A detailed statement of the apportionment for the year 1854, will be found in appendix "C."

Appendix "D," is a tabular statement showing the amount of the income of the school fund apportioned and paid annually to the several counties of the State, under the present system of schools. The first apportionment was made in 1850, based upon returns submitted to this department in November, 1849. The entire amount distributed in 1850, amounted to but \$588 00, while that for 1854, as above stated, amounted to \$99,749 52; an increase of over \$99,000 in the annual income of the fund in four years.

Appendix "E" exhibits the amount of money raised by tax in the several counties of the State for school purposes, from 1849 to 1854 inclusive. This aggregate of tax raised in the counties, is made up of specific sums raised in each town by direction of the county board of supervisors at their annual session in November in each year; and such sums added to the amount apportioned to

each by the State Superintendent, constitute a sum to be apportioned by the town Superintendent to the several school districts of the town, which are entitled to receive a portion by a compliance with the conditions imposed by law. The amount of school money to be raised in the several towns of the State, must continue to increase as long as additions are made to the capital of the school fund, and there is a consequent increase of the annual income; for as each town is required by law annually to raise a sum of money for school purposes equal, at least, to one-half the amount received by such town at the previous annual apportionment to it, the value the town places upon the public fund will, under all ordinary circumstances, insure the annual levy of the requisite amount.

Many of the towns, at the annual town meeting, vote to raise money for the support of common schools, to be added to the amount directed to be raised by the county board at the ensuing autumn; but as no returns are required to be made to this office of the amount so raised, it is impossible to ascertain the exact amount raised by all the towns of the State for school purposes.

DISTRIBUTION OF SCHOOL LAWS.

In accordance with the authority and direction contained in section ninety-nine of "an act to amend chapter nineteen of the Revised Statutes, and to compile the school laws of Wisconsin," approved April 1st, 1854, I caused seven thousand copies of the act named to be printed in pamphlet form, including therewith such rules, forms, regulations and explanations, as were deemed necessary to carry into effect and accompany its provisions. A portion of the pamphlets were furnished by the State printer, for the use of this department, on the 28th of June last; and between that date and the twelfth of July, a sufficient number of copies were forwarded, by mail, to the town superintendents of the State, to enable such officer to deliver a copy to the clerk of each school district within his jurisdiction and retain a copy for his own use.

A copy was, also, in the same manner, forwarded to the clerk of

the Board of Supervisors of each organized county, and one to the clerk of each city in the State. The number of copies of the law forwarded to each town superintendent, corresponded with the number of school districts in the town as shown by the reports made to this office for the year ending August 31st, 1853; and in cases where such number proved insufficient in consequence of the organization of new districts subsequent to that date, additional copies have been sent to supply such deficiency, as soon as made known. Previous to the publication of this new edition of the school laws, as the former one was entirely exhausted, a large number of the districts of the State were without any guide to direct them in their proceedings but the Revised Statutes, and these were accessible to only a comparatively small number, and considering that numerous and important amendments have been made to the law therein contained, it is not surprising that irregularities should mar their proceedings, and give rise, in some instances, to difficulties and contentions which would have been avoided had the law, as it existed, been known to them.

It is believed that the wise provision in the present school law, providing that a copy of all amendments hereafter made to it, shall be furnished to each school district in the State, will have the most salutary effect, and aid and encourage the efforts of school districts to act legally in all their proceedings, heretofore rendered impossible for the reasons stated.

ANNUAL REPORTS OF SCHOOL OFFICERS.—IMPERFECT RETURNS.

The reports made to this office by the clerks of the Board of Supervisors of the different counties, containing abstracts of the reports of the town superintendents, are in many cases incomplete, and in some cases obviously erroneous, rendering it impossible to present to the legislature such complete and reliable statistical information as is desirable, and which would exhibit the real and comparative condition of schools in each of the counties in the State; showing from year to year, in a convenient and accessible form, the progress and workings of the school system. The fault

lies, not with the county officers, but with the clerks of the school districts, and the town superintendents whose duty it is "to see that the annual reports of the clerks of the several school districts in his town are made correctly and in due time." This duty is evidently, in many instances, neglected by town superintendents, for which there seems no excuse, as they are allowed compensation by law for the performance of any and all official duties. It is not surprising that in twenty-six hundred, or more, school districts, in a new state, and in many parts sparsely populated; that the office of clerk, who is the reporting officer of the district, should in many instances, be filled by men unskilled or negligent in the performance of the duties of their office, and for this very reason is the town superintendent required to extend his supervision over them. More attention to this subject is required of the town superintendents, and if bestowed, will result in better returns being made from every organized school district. But there is evidently another reason, still more remote, why complete and correct returns do not reach this office upon all the subjects concerning which information is asked; and that is the failure on the part of teachers to keep a school register, as is required by law. This register is to be furnished by the district clerk, in blank, to teachers, at the expense of the district, and any teacher "who willfully neglects or refuses to comply with the requirements of the law" in keeping such register, "forfeits his or her wages for teaching in such district." Unless such register has been faithfully kept, it is utterly impossible for the district clerk to report upon five of the most interesting subjects which should be embraced in a school report—among which may be mentioned the total and average attendance of children upon the schools. The necessity of securing a compliance with the law, in this respect, must recommend to district officers the propriety of strictly enforcing its provisions in all cases of delinquency on the part of teachers. As a means of securing correct, complete and prompt reports from all the districts of the State, I would respectfully suggest to the legislature the propriety of authorizing this department to furnish annually to the clerks of

the several school districts of the State, blank forms for reports, accompanied with such explanations and instructions as may be deemed necessary. This suggestion is made in compliance with the request of many friends of education and receives the approval of my own judgment; and it is believed, should it be carried into effect, it will result in the removal of all obstacles to the collection of extensive and reliable statistics upon the educational affairs of the State. This plan is already adopted in several other States.

CONDITION OF THE SCHOOLS OF THE STATE.

There are in the State fifty counties, five of which have organized by the election of county officers for the first time, during the present year, to wit: Chippewa, Clark, Douglas, Monroe and Trempealeau. From none of these counties, except Monroe, have any reports of schools been received. La Pointe has had a partial and inefficient organization for several years, but has yet taken no measures for the establishment of schools. In fact, the settlement in that county is so isolated from the rest of the State, and the population so sparse, that there is but a small and barren field for the exercise of any effort for the establishment of schools. The counties yet unorganized are Buffalo, Dunn, Door, Kewaunee and Shawanaw; from which, of course, no reports have been received. Of the counties organized previous to the present year, and which have heretofore reported upon the school matters, Adams* and Pierce have failed to do so this year up to the writing of this report. Reports, therefore, have been received from thirty-eight counties, containing four hundred and thirty-five towns.

In speaking of towns, the ten cities of the State are included. From the following ten towns within the counties so reporting, no reports have been received, to wit: Woodville, in Calumet county; Eagle Point, in Portage county; Eagle, in Richland county; Depere and Morrison, in Brown county; Borina, in Ou-

* Adams and Pierce received, but too late to be included in the report.

tagamie county ; Royaltou, Scandinavia, Centreville and Caledonia, in Waupacca county. The five towns last named have been formed since the annual reports of 1853.

The number of school districts in the State is two thousand one hundred and sixty-four, and the number of parts of districts is one thousand and sixty-two. It is impossible to ascertain the exact number of school districts in the State, as the several parts of a joint district are reported to the town superintendent of the town in which such part is situated. In some instances, parts of joint districts lie in four different towns and in two counties. But as near as can be ascertained, from data in our possession, the whole number of school districts in the State is about twenty-six hundred.

Joint school districts are, in many respects, unwieldly and impolitic organizations, for reasons it is unnecessary here to state, and town superintendents should resort to their formation only when the most urgent necessity exists ; such is obviously the sole intent of the law. It is gratifying to observe, that while there is a large increase in the number of school districts, principally in the newer counties, and from territory heretofore unorganized, there is, as appears from a comparison of the reports of 1853 and the present year, a decrease in the number of districts in the older and more populous towns. This is a cheering indication, as showing that in towns where the experiment has been tried, the people are getting tired of small districts, and the inevitable concomitants of a small amount of taxable property, few children drawing public money, miserable school houses, poor teachers, short sessions, and almost a total want of progress in the school. May other towns profit by their experience.

The whole number of children residing in the State, on the 31st of August last, as shown by the reports, over four and under twenty years of age, is—

Males,	77,766
Females,	72,590
Number reported in towns, making no distinction in regard to sex,	4,769

Total, . . . 155,125

Showing an increase of 16,467 over the number reported last year, which is a larger annual increase than in either of the last two years. The number over four and under twenty, that have attended school, is not reported in thirty-seven towns, that have otherwise reported, but the entire number reported is 101,580; showing an increase of 6,322 since last year in the attendance upon the public schools. In addition to these, 994 over twenty, and 1359 under four years of age, have attended upon these schools. It is doubtful whether any very rapid strides up the rough steep of science have been made by the latter class.

The following table shows the whole number of children residing in the State, over four and under twenty years of age each year, from 1849 to 1854, inclusive; together with the number who have attended school, and the per cent. of attendance in each year:

Year.	Whole No. of Children.	No. attending School.	Per cent.
1849	71,455	31,486	44
1850	91,305	61,649	67.5
1851	111,852	78,967	70.5
1852	124,340	88,036	70.8
1853	138,658	95,258	68.7
1854	155,125	101,580 (108,651)	65.4 (70)

In considering the low per centage, shown by the above figures, attending school during the year ending August 31st, 1854, it is well to state, that in thirty-seven towns, containing 10,102 children over four and under twenty years of age, no report is submitted of the number attending school. If we suppose that the general average attendance was the same in those towns as in the others, which is probably the case, or if we deduct the 10,102 from the whole number of children reported, and thus ascertain the average in towns fully reporting, we shall find the true per centage of children attending school during the past year to be a trifle over 70 per cent., and the whole number attending school to be 108,651. The average length of time for the State, that schools have been taught is 5 1-4 months. The highest average in any county is 7 3-4 months, in Kenosha county; the lowest, 3 months,

in Jackson county. The average number of months taught by males is 3 2-5; by females 4 1-3, showing that more female than male teachers are employed in the schools.

The average length of time scholars of a legal age have attended school appears, by the abstract, to be 4 4-9 months; but as in several counties such average is greater than the average number of months of school, it is plainly erroneous. By rejecting the reports from such counties, this average amounts to about 4 months.

The average amount of wages per month, paid to male and female teachers, and the total amount of money expended for teachers, wages in each year, under the present system, will appear by reference to the following table:

	Am't paid to Males.	Am't paid to Females.	Total.
1849,	\$15 22	\$ 6 92	\$ 12,788 27
1850,	17 14	9 02	59,741 59
1851,	17 15	9 07	96,636 06
1852,	17 34	8 50	105,082 18
1853,	18 24	9 50	113,788 18
1854,	21 10	10 87	163,485 64

It will appear from the above, that the price per month paid to male teachers is \$2 86 over that of 1853, showing a larger increase than in any previous year. The advance in price per month paid to females is \$1 37, being a larger increase than in any year since 1850. These are healthful indications regarding the schools, for as prices advance so will the qualifications of the teachers, for school districts in the management of their financial matters will not lavish high wages upon incompetent and unprofitable instructors. The highest average per month paid to male teachers is \$45 in St. Croix county; the lowest average is \$15, in Crawford county. The highest average per month paid to females is \$22 50, in Marathon county, the lowest average is \$7 25, in Monroe county.

The amount of money expended, during the year for common schools, is as follows:

For teachers wages,	163,485,64
Building and repairing school houses,	55,309,38
For libraries,	2,040,00
For other purposes,	21,281,52

Total money expended in the State for school purposes,	\$242,116,54
Showing an increase during the year of	76,982,37

The number and material of which the school houses of the state are constructed, and their total valuation in each year from 1849 to 1854, both inclusive, will appear by reference to the following table :

	No. of Brick.	No. of Stone.	No. of Framed.	No. of Logs.	Total.	Total valuation
1849	26	25	294	359	704	75,810,75
1850	38	51	568	540	1197	173,246,67
1951	53	55	697	704	1509	228,506,61
1852	66	74	812	778	1730	261,986,32
1853	74	74	1069	995	2212	289,346,89
1854	75	79	1052	933	2139	347,542,55

Increase in the total valuation during the past year, 62,195,66

The reports as to the number of school houses in the State for the past year, are evidently incomplete. While the reports show an expenditure of \$55,309,38, on school houses, principally in erecting new buildings, which sum added to the valuation of last year, makes about the valuation of these buildings this year, substantiating the correctness of this item of expenditure ; it appears that but one brick school house and five of stone, have been added to the list of last year. It is well known that very excellent framed school edifices have been erected in several villages, and in many of the smaller districts, and it is believed that the past year will compare favorably with any previous one in the number and character of the school houses that have been built. The large amount of money expended for such purposes seems to prove such a result.

About one-third of the school districts possess a site containing at least one acre of ground, and about three fourths of all the school house sites are uninclosed. Seven hundred and thirty-eight school houses are represented as without blackboards, and but comparatively few districts have outline maps, or apparatus of any kind. The number of district libraries is 830, containing 14,027 volumes.

THE SCHOOL FUND.

The present available sources of increase to the school fund are, property that may accrue to the State by forfeiture or escheat; the proceeds of fines collected for breach of the penal laws; moneys arising from the sale of the sixteenth section of land in each township; from the sale of the five hundred thousand acres granted to the State for school purposes, and five per cent of the nett proceeds of the sales of the public lands within the State.

The condition of the school fund is as follows:

Amount of School fund dues,	\$1,415,262 50
Amount of School fund loans,	220,314 24
Balance in treasury subject to loan	34,682 03

Total principal or capital of school fund, \$1,670,258 77

The principal of this fund as above given, except the amount stated as being in the hands of the State treasurer, is drawing seven per cent interest, payable in advance during the month of January, during each year, which interest constitutes the income of the school fund annually apportioned and distributed to the towns and cities of the State for the support of common schools.

SCHOOL FUND INCOME.

The capital of the school fund as above stated, is

	\$1,670,258 77
Int. upon this sum one year, at 7 per cent,	\$116,918 11
To which add balance of int. on hand,	27,493 92

And you have a total of

\$144,412 03

The amount of interest on hand includes advanced interest already paid for 1855, which will lessen the amount due in January to the extent of the interest so paid; but it is supposed that interest on sales during the winter will equal, at least, that amount. Should all the interest due for 1855, be punctually paid, and the sales that are anticipated be effected, together with an early loan of the amount in the treasury, the amount that will be subject to apportionment in March next, will be \$144,412 03, or about ninety-three cents to each child over four and under twenty years of age, reported to this office as residing in the State.

The above statements show an addition of \$528,454 49 to the school fund, during the past year; an increase of \$39,081 81 in the income subject to distribution, and an increase of 21 cents to each child over four and under twenty years of age. Only \$22,537 56 has been added to the fund from the nett proceeds of the sales of the public lands within the State, and it is believed that no less than sixty thousand dollars are now due the State from the General Government, as the sales of land since 1850, when the first and only payment on this account was received, have been very extensive, particularly during the past two years. This five per cent. is withheld by the General Government from the State, for the purpose of liquidating a debt against it, arising out of the grant of land by Congress to the Territory of Wisconsin, for the purpose of constructing a canal from Lake Michigan to Rock river. I am gratified to state that a re-investigation and consideration of this subject has been opened at Washington during the past year, with the proper authorities, through the instrumentality of the Executive of the State, with every prospect of obtaining at an early day, the amount of the five per cent. nett proceeds of the sales of the public lands, which has been accumulating for over four years, to be added to the school fund of the State.

PLANS FOR THE IMPROVEMENT OF SCHOOLS.

The law requires the State Superintendent to communicate to the legislature plans for the better organization of the common

schools. In the discharge of this duty it is not thought necessary to suggest to the legislature any plans for the better organization of the schools which would require any change in the system as it now exists, or affect a modification of any of its important details.

The income of the school fund for the ensuing year is much greater than it was last year, and the law is deemed sufficient to secure the best possible disposition of this income for the promotion of the objects intended, if faithfully and intelligently administered.

The power of improving the common schools, increasing their usefulness, enlarging the benefits derivable from them, and of giving them greater popularity and character, rests solely with the people.

Is there an unsuitable school house,—an incompetent teacher—superficial instruction—late and irregular attendance upon school—short sessions; and all the attendant evils which produce “a bad state of things” in a school,—Where lies the fault? Not with the law, for it gives the districts and their officers ample power to build up schools of the greatest excellence. The fault lies with the people; and it is to them that plans are suggested, for their consideration and adoption. So long as the people remain indifferent to the character of their school, so long will their children have to attend indifferent schools. The ways and means are provided by law, to establish useful and creditable schools in every district, and further than that the law cannot go; the rest must be done by the people. School houses will not grow up spontaneously, like the trees of the forest; time, labor, and means are requisite for their erection.

Competent teachers will not voluntarily and gratuitously lend their services in the cause of popular education; they must be sought and remunerated. A uniform series of text books will not be adopted by accident in schools; the district board must determine the matter, and the parents must comply with such determination. A punctual and regular attendance upon school of all

the children of the district, cannot be effected without the co-operation of parents with the teacher. Large districts with large means will not exist without the intelligent action of the people, and a correct public sentiment to influence the town superintendent in his official acts. In fine, nothing will be done rightly and completely while the people are indifferent or inattentive to the subject of school.

Some plans and suggestions for the improvement of the schools are submitted upon subjects intimately connected with their success; and although some of them may be considered frivolous, they aid in making up that aggregate of wants, and delinquencies and evils which are paralyzing the energies of the teacher, and rendering schools in some instances useless.

SCHOOL HOUSES.

As the site, external appearance and, above all, the internal arrangements of school houses, have a powerful influence for good or evil upon the character and success of the school, in any and every point it may be viewed, the first efforts at reform should be directed to these structures, by improving and perfecting them as a means whereby the schools may be made more useful and efficient. Much has been said, and written and done, relative to insufficient and ill-constructed school houses, with a design to condemn those uncouth and repulsive structures, seemingly planned for the apparent purpose of repelling from the school room a portion of the youth, or of being the means of forming bad tastes and habits, distorting the youthful form, and engendering incurable diseases. But upon a subject of so great importance, involving so many considerations, and demanding the earnest attention of so large a portion of community, too much cannot be said in reminding parents of their duties and responsibilities in this respect. It cannot reasonably be expected in a new and in many parts sparsely populated State, with school districts, in many instances, possessed of but limited means, and a school system yet in its infancy, that there should generally be found

school houses of an ornamental style of architecture, or possessed of all those improvements, surroundings and appendages, that are or ought to be found in the more populous and wealthy localities. But there are radical defects in construction and internal arrangement, and a neglect to provide necessary conveniences and comforts in not a few structures of this kind, that call loudly for reform—which appeals to our sympathies as well our judgment. I have accordingly in Appendix “B,” prepared several plans for school houses suited to the accommodation of schools of different numbers, accompanied with some suggestions relative to warming, ventilation, appendages and out door conveniences, which it is thought, will meet the wants of many of the districts. These plans are not submitted as perfect models, or with the expectation that they will meet the requirements of very many localities, but as a decided improvement upon many now in use; having consulted economy in plan and arrangement, so far as is consistent with the health and comfort of the scholars and teachers, and the good order and proficiency of the schools. The reports from the several towns for the past year, show a large increase in the amount expended in the erection of these edifices over that of last year; and there is no doubt but that a better class of buildings have been erected.

But while this fact is apparent, it is equally so, that far less consideration is given, generally, to the size and arrangement of the school house, to secure the health, comfort and full employment of the valuable hours of youth, than in the construction of edifices devoted to many institutions in the land.

In the erection of church edifices, of buildings devoted to pleasure and amusement, to public entertainment, to public charities, to a higher order of institutions of learning than our common schools, and in our dwellings, we ever keep in view, the health, comfort and convenience of those who will occupy them, and a complete adaptation of the building to the purposes for which it is erected. More than that, architectural skill is displayed, beauty of form and finish is consulted, prominence in location considered,

and all the arrangements are such as to approximate to perfection in all the necessary appendages and accompaniments to each of such edifices.

We are not of those who believe that youth cannot learn in schools without being encompassed by a splendid and costly edifice, and all the appliances which large expenditures of money alone can produce; but we do think that the school house should present a respectable and inviting appearance, and should be so situated and surrounded, with out-door conveniences, that the innate sense of propriety and modesty of the pupils shall not be blunted, and the germ of impropriety implanted in their youthful minds. It should be so arranged internally as to promote habits of order and cleanliness; should be properly warmed, ventilated and cleansed, with seats and desks of proper size, height and length, and all its arrangements such as to adapt the building to the purpose for which it is intended.

As these subjects are all considered in Appendix "B," it is unnecessary to go into details here.

Many teachers think that the most difficult part of their duties is to establish and maintain good order and discipline, and to adopt a system and method in the management and instruction of the school. Without order and good discipline in school there can be no progress, for all is confusion and distraction, and without system in the management of the school, progress must be comparatively slow. An ill-planned school room is an absolute prevention of good order and also operates against the establishment of a good system, so that in this respect alone there is a strong reason for well arranged school rooms. Another consideration is the health of the pupils and teacher. This is not properly cared for in a room where the dust is arising from the filth upon the floor, and is drawn in upon the lungs of the scholars; nor where they are exposed to currents of air from cracks in the walls of the building, or about the doors and windows; or where they are forced to breathe impure air for want of proper means of ventilation, or

obliged to sit upon ill-constructed seats, producing temporary pain and sometimes resulting in permanent distortions of the body.

Time is another consideration. It is not seldom the case that one-half of the morning session in the winter season is lost to the pupils, in consequence of the insufficient provisions for warming the room, by means of a poor stove-pipe of as many different sizes as there are joints, belching clouds of smoke into the room, and green or decayed wood taken from the snow or mud at the door; days of valuable time are thus lost in a single term. Such a state of things tends to familiarize the pupils with disorder and confusion, and to destroy all inclination to respect or observe it. It also causes a want of punctuality and regularity in attendance upon school, when in the morning and in severe weather the pupils have no assurance that they will be comfortable at the school house. Poor school houses serve also to increase the number of non-attendants upon the public school, and occasion a withdrawal of the influence of their parents from public schools and a bestowal of it upon private ones.

TEACHERS.

Of all the things necessary to be done to improve the public schools there is none more important than the improvement of teachers themselves. We may provide school houses suitable in every respect, awaken a deep interest in the cause of education on the part of parents, so that minor evils referred to will vanish and cease to harass the teacher and injure the schools, and if the teacher is not what he should be, all previous trouble will prove nearly useless,—the school will be as a body without a soul. There is too great indifference in many districts of the state as to the necessity of having well qualified teachers to instruct their children, and too little discrimination on the part of school officers, as well as others, between the value of good and poor teachers. Children cannot attend school six hours each day for eight or ten years of their early life, when the mind is most susceptible of impressions, and the most retentive when once impressed, without becoming con-

taminated if associated with vice, and without continuing virtuous if associated with virtue. It is in the school room, during these years, that the character of the pupils, in a great measure, is formed for life; and the direction there given to their moral and intellectual nature, and the self-control and self-reliance there attained will follow them through their future career in life. Hence the importance of engaging teachers of learning and ability, of good habits and precepts, possessing the tact and ability to maintain such discipline as will secure courtesy, kindness and politeness on the part of the scholars, and a due appreciation of the moral and social obligations under which they exist.

As the teacher is, so is the school. He teaches by example as well as by precept. If the teacher is boisterous the scholars will be so; if he is uncourteous toward his scholars they will be so to him and to each other; if he disregards his word in his own communications with his scholars, they will do it and lose all considerations of the value of truth; if he is careless in hearing recitations and teaching principles, they will be careless in preparing themselves for recitation, and indifferent as to understanding principles; if the teacher is superficial in his teachings, the knowledge of the scholars will be of the same character; if the teacher manifests no zeal or energy in the discharge of his duties, he will soon observe a listlessness on the part of his scholars; if he tolerates wrong, he must expect his school to become riotous; if he is unnecessarily severe in his government, he will lose the moral power he should possess over his pupils.

Teachers can much benefit themselves by frequent association with each other, and discussing subjects connected with their duties as such. Town associations of teachers might be formed with great advantage, as there seems really no obstacle to prevent them. School officers and parents would attend them, and thus an interest would be awakened in the minds of the people and a better understanding exist between them and the teachers, resulting from such associations. Of county associations and institutes and nor-

mal schools for better preparing teachers for their duties, we have spoken elsewhere.

TEXT BOOKS.

Another serious obstacle to the greater efficiency of our common schools, is the great diversity of text books in use. By the reports made to this office it appears that the books which are most used in the different towns comprise a list of fifteen different spelling books, eighteen readers, ten geographies, fifteen arithmetics and twenty grammars; and it is believed that if all the school books in use were known, they would comprise a list nearly as extensive as that reported in Connecticut a few years since, which, in the five studies named, included the works of one hundred and ninety-one different authors. The same diversity of text books extends to History, Algebra, Philosophy, Chemistry, &c. In a majority of the schools this evil of a diversity of text books exists, and that it should be overcome no one, who is at all acquainted with the routine of duties in a school room, will attempt to gainsay. Where there are different text books in the same school there will be just as many different classes, which in many instances so divide the time of the teacher among a multiplicity of classes, that he is able to devote but a few minutes to each, and has necessarily to hurry through recitations, imparting little or no instruction and making them mere exhibitions of memory on the part of pupils. It is evident to every one that under such circumstances, little or no progress can be made by a school, and the unlucky teacher is too frequently made to suffer as the sole cause of this want of proficiency.

The primary object to be accomplished in this respect is not so much to secure the use of the same text books in all the schools of the state, or of a county, as in towns and particularly school districts. For each school district is a separate and distinct organization, entirely independent of all others, and such means and appliances should be used to improve and perfect it, as will make it the means of conferring upon the district, upon the youth at-

tending it, the greatest possible benefit. It is not necessary for the school of district No. 2, to use text books by the same authors as those used by district No. 1, in order that No. 2 may be equally as proficient; as there are almost innumerable works, by different authors, upon the same subject, thrown before the public, and many of them are of nearly equal merit, and if introduced into the schools will be regarded with equal favor, and produce like results. An occasional change in the books used, especially in schools of a higher grade, is useful.

As the town superintendent exercises a supervision over the schools within his town, it is, for many reasons, an advantage to the schools to have a uniformity of text books in all the schools of the town. It will aid the town superintendent in his inspection of teachers and schools, and render the intercourse between teachers more profitable to themselves and their pupils.

The law provides that "it shall be the duty of the state superintendent to recommend the introduction of the most approved text books, and as far as practicable, to secure a uniformity in the use of text books in the common schools throughout the State." And it further provides, that "the board in each school district shall have power under the advice of the superintendent of public instruction to determine what school and text books shall be used in the several branches taught in the school of such district." This is the extent of the law on this subject, and is sufficient, in my view, to accomplish all that is necessary in the premises. As the town superintendent is privileged to give his advice and direction to district boards, and to teachers, as to the government of the schools and the course of study to be pursued therein, let such officer so advise with the district board and see that in each of the schools within his jurisdiction, a uniformity in the use of text books is secured. No other act of reform which he can induce, will produce a more beneficial result than this. Were all persons employed to teach our schools professional teachers, possessed of all the qualifications necessary to render them worthy of that ex-

alted title, this evil would be greatly reduced in magnitude; but as it is easier to secure uniformity of text books in every school than the services of professional teachers, the more speedy remedy should be applied. The uniformity of text books throughout the entire state is not thought important, even if it were practicable. No effort has yet, as I am aware, been made under the sanction of law, to enforce the use of a uniform series of books throughout a state, except in Illinois, during the present year, and the plan seems to meet with much opposition, and will probably result in a failure.

In the eastern states, where public schools have attained the highest degree of perfection, no idea is entertained of a necessity to have a uniformity of school books throughout a state; the people would regard it as surrendering too much of their liberty, as investing in one man, or set of men comprising a Central Board, too much power in allowing them to dictate what books their children shall study. Towns and districts regard themselves as little independent republics, jealous of their privileges, and unwilling to yield a power that may more successfully and agreeably be exercised by local authorities in the districts and towns. Were there but one set of books among the vast number thrown before the public, which are adapted to use in common schools, a different state of things would exist, and a uniformity throughout the state would follow as a necessary incident to furnishing each school with such meritorious books.

Upon a comparison of the returns in this office with, the recommendations of text books suitable to be used in the schools, made by my predecessors, there appears little ground for belief that very great success has attended such recommendations in affecting the object intended. The wisdom of those recommendations is not brought in question; but circumstances and counter influences are such that an individual recommendation, carrying with it no other weight or power than the confidence reposed in the means and ability of the officer to discriminate upon so important a subject, is not likely to be very extensively adopted.

In many districts, the books recommended cannot be procured without great inconvenience, and they are content to use such as are within their reach. Publishing firms are alive to their own interests and can afford to expend large sums in employing agents to canvass the state for the purpose of introducing their publications, as the field is an extensive one, promising large profits in return for the outlay. This is an influence difficult to overcome, nor is it desirable, if good books are thus introduced into the school. But it is not calculated to result in securing a uniform series throughout the state, as there are rival firms. The law, as before stated, requires the state superintendent to recommend the introduction of the most approved text books.

It would be a laborious task to ascertain what text books really are the most approved as the best literary institutions in the country differ in their choice of elementary and other school books.

I therefore recommend the following series of books as highly meritorious works, and eminently worthy to be introduced into the schools of the state, and commend their adoption by district officers.

Spelling Book.—McGuffey's.

Reading Books.—McGuffey's 1st, 2nd, 3rd, 4th & 5th.

McGuffey's Pictorial Primer is a very excellent little book to be placed in the hands of beginners, being well adapted to the capacity of childhood. It is believed that no better series can be adopted than this, as it leads the scholar gradually from the first principles of our language, through the entire series, affording a complete and systematic method of learning the art of reading.

Geographies.—Mitchell's Primary.

Mitchell's School Geography and Atlas.

Mitchell's Geographical Question Book.

Outline Maps.—Pelton's (with Key.)

Arithmetics.—Colburn's Intellectual.

Ray's. Part 3d.

Grammars.—Greene's Elements of English Grammar.

Tower's Elements of Grammar (for beginners).

Analysis of Words.—McElligott's Analytical Manual.

Histories.—Parley's First and Second Books.

Goodrich's History of the United States (new Ed.).

Natural Philosophy.—Johnston's.

Algebra.—Ray's, Parts 1st & 2d.

Geometry.—Davie's Legendre.

Astronomy.—Smith's Quarto.

Chemistry.—Johnston's Turner's Elements.

Book-Keeping.—Mayhew's Practical.

I most cordially concur in the recommendation of my predecessor for the introduction of book-keeping into the common schools, as "a large proportion of the children of the state receive their education in public schools, and among the preparations for business and active life which they receive, some knowledge of book-keeping is an object of importance." I know of no work so well adapted in every respect for use in the public schools as the one named.

Anatomy, Physiology and Hygiene—Cutters.

Human and Comparative Physiology, by Mrs. E. P. Cutter, for beginners.

I deem it of the highest importance that this study should be introduced into the common schools, and in the order of study should take precedence of all others except those branches required by law to be taught. The little work is adapted to the capacity and wants of children twelve years of age, and as far as I have observed in schools, where this study is pursued, the pupils regard it as very interesting and make rapid progress. They are thus early in youth becoming acquainted with important truths concerning their own physical constitution, with the functions of the different organs, and the laws of health; and are imbibing principles which will be of great service in their youth and after life, in aiding them to adopt such a course of conduct as will insure the greatest physical vigor and the consequent enjoyment of good health.

The large work on the same subject, by Dr. Calvin Cutter,

is more extended in its investigations, and suited to the use of older scholars. Both works contain engravings to illustrate the anatomy of the human system. There are also ten large anatomical outline plates, arranged to accompany the books, which will greatly aid the pupil in prosecuting this study. These plates can be procured for ten dollars a set; one of which is sufficient for the use of a school, and should be suspended upon the wall.

Dictionaries.—Webster's Unabridged, should be used by every teacher in the school room, and a copy of either the "School," "High School," or "Quarto Academic" edition should be in the hands of every pupil who can read.

Irregular Attendance, and want of Punctuality.—Teachers are unanimous in their testimony that, of all the evils necessary to be overcome in schools, there are none which so completely baffle all their efforts and plans for effecting a reform as irregular attendance upon school, and tardiness, or want of punctuality in being at the school room at the hour of opening school. These may be considered trivial things, but they are serious obstacles to the successful management and rapid progress of a school. The effect produced by tardiness is that the delinquents are unable to continue with their class, on account of the loss of recitations and the accompanying instructions of the teacher; and they must either go on without a knowledge of what has been mastered by their fellows in the class, or the class must be kept back until they can acquire what has been lost through this want of punctuality, or they must fall back into another class,—more probably a new one has to be organized.

If new classes are thus formed, the whole school suffer by a further division of the time of the teacher. If the class is kept back until the delinquents overtake it, the class suffers; and if they go on without mastering what they have missed by tardiness, they must necessarily be the losers. The same evils result from irregular attendance, but in a greater degree. Thus a disarrangement of the classification and system of the school is affected, and its harmony and good order interrupted.

This evil can only be overcome by the hearty co-operation of parents with teachers; for all efforts of the latter towards reform, in this respect, are powerless, so long as they are opposed by parents, either through want of consideration, indifference or design. This opposition or rather inattention to the subject on the part of parents is mainly induced through ignorance of the real effects of irregular and late attendance, which serves to multiply the difficulties of the teacher.

Parents, probably, have a legal right to suffer their children so to attend school as to inflict a positive injury upon the school and every other child attending it, but they have no moral right thus to trespass upon the privileges of others. There are sometimes unavoidable causes to produce in a slight degree, the evil under consideration; but in a great majority of cases it is the result of censurable carelessness and neglect on the part of parents, which would not exist if they possessed sufficient interest in the education of their children. Children who are habitually irregular and late attendants upon school might as well remain at home, for they can make little or no progress, but injure that of others. A parent may plead that he can do as he pleases with his own children and that he has a right to wrong them, but it is respectfully suggested that he has no right to wrong the children of his neighbors.

The attention of school officers and all friends of education is respectfully directed to this subject; for in their own district and neighborhood they can correct this evil, by remonstrating with their friends and neighbors, correcting their false views, arousing their interest in education, and teaching them the priceless value of the education of their offspring.

LARGE SCHOOL DISTRICTS.—Another reform necessary to be accomplished for the improvement of schools, is to avoid extending indefinitely in a town the number of school districts. District schools are supported solely by money annually apportioned to the districts and by direct taxation upon the property within the limits of the district. Small districts can contain but a small number of children upon which an apportionment is based, and consequently

the amount of public money received by such a district will be proportionately small; the amount of taxable property in the district must necessarily be small and of course taxation increased. The means of the district being thus very limited the inevitable concomitants of miserable school houses, indifferent teachers, short sessions, and a want of the appendages and aids to learning that should always be found in school houses, will of course follow this state of things.

But the evil does not end here. Where taxation is thus rendered high as it surely must be to maintain a respectable and useful school, a spirit of opposition to having a school is engendered in consequence of the inordinate burden imposed upon the taxpayers. It is sometimes absolutely necessary for feeble school districts to be formed, or some children will be prevented from attending school on account of distance from school-house or the geography of the country; but it is questionable whether the schools of such districts prove at all beneficial to the children whose misfortune it is to attend them.

The remedy for this evil lies entirely with the town superintendent except as an occasional appeal reaches this office; and he cannot be too mindful of the great good or evil which it is in his power to bestow upon the cause of education in the discharge of his duty, nor be too cautious in the exercise of that power. School districts should be sufficiently large to maintain a good school at least nine months in each year without being obliged to resort to burdensome taxation.

APPARATUS.—A further means of improving the schools is by furnishing suitable apparatus to aid the teacher in his explanations and illustrations, and the scholar in more readily and fully comprehending the subject of his investigations. "No school room can be considered as complete which is not provided with such fixtures and means of visible illustration, as will aid the teacher in cultivating in his pupils, habits of correct observation, comparison and classification, and in making the knowledge communicated by books, accurate, vivid and practical."

A blackboard is an indispensable article in every school room, and should always be found there, no good teaching can be accomplished without it.

A clock is a very convenient and necessary article in a school room, marking the hour of opening and closing the school, and of each recitation during the day.

The cardinal points of the compass may be painted on the ceiling or the teacher's platform, and will be of much service in the study of geography. The measure of an inch, foot, yard, &c., marked off on the edge of the blackboard, will give a correct and visible standard of distance. Different weights, and measures of quantity may be used to great advantage in a school. Wherever geography and astronomy are taught there is a necessity for a terrestrial and celestial globe, an orrery and tellurian. Outline maps are a great aid in giving instruction in geography. A numerical frame, geometrical forms and solids, scale and triangle, blocks to illustrate square and cube root, &c., will be found useful aids to instruction.

It cannot be denied that if schools were supplied with apparatus comprising a list of articles no more extensive than those enumerated, it would be an invaluable aid to the teacher in enlisting the attention and interest of the class, and making more correct and valuable impressions upon the youthful mind.

There is but very little apparatus found in any of the schools, and there is need that the attention of school districts should be directed to the subject. The sum which a school district is allowed to raise annually for apparatus, will purchase all the articles enumerated, and others can be added as circumstances suggest, or the wants of the district require. The apparatus of a school should of course be selected with reference to the studies pursued; as the wants of a primary department would be entirely different in this respect, from a school of a higher grade.

UNION SCHOOLS.

Union schools have been the subject of discussion in each of the reports made to the legislature from this department, and I

have little to add here upon that subject, except to express my full concurrence in the views therein expressed.

It is in union schools alone that the most perfect economy and the most profitable expenditure of the public money can be attained; that the best school houses can be provided, including all necessary conveniences and appendages; that suitable maps and apparatus can be provided; that the pupils can be properly classified; the best order and discipline can be maintained; the time of the teacher and taught most profitably employed; the services of professional teachers obtained; the most approved system of teaching introduced; the highest proficiency of the pupils secured; and the deepest and most continued interest of the public manifested in the prosperity of the schools.

These, without enumerating further, seem sufficient reasons for the establishment of union schools wherever practicable. All these advantages are gained by a concentration and union of means and influence. It is not proposed to abandon the district system to establish union schools, as the latter are nothing more nor less than a large graded school, having two or three departments, as circumstances may require, in a large school district, with large means, and a large number of scholars. In many districts such schools cannot now be established; but in populous sections, villages and cities, there is no obstacle to prevent their establishment but public sentiment. Wherever they have been established, they have given the most unqualified satisfaction, and there is no desire to return to the old plan of small schools, and of teaching all ages and grades of proficiency, by one teacher in a single room.

There is no necessity for obtaining a special act of the legislature to organize these schools, although in large villages or cities, it may be better to increase the number of the school board, and confer upon them some additional powers not now possessed by district officers. A better supervision of the schools will be thus provided for.

But in any populous section of the State, let two or more school

districts be united and formed into one district, and the means and interest thus united, will be sufficient to maintain a good union school. The main objection to such a plan usually is, that the expense of such a school will be much greater than to maintain an ordinary district school. This is true; but the expense is really less than what it costs to maintain the separate schools before the consolidation of districts was effected, and there is a gain of a far better school. There is another great advantage derived from the establishment and maintenance of union schools not before alluded to, which apparently overshadows all other considerations. It is in none but union or graded schools that the services of professional teachers can be obtained, because the compensation offered in small districts is no inducement for them to offer their services there, when they can realize far more in almost any other employment. The influence then of these graded schools, is not limited to its own districts, but radiates far and wide in every direction, and is a model for other schools and other teachers.

The great majority of the teachers in the state must be educated and prepared to discharge their duties, in the schools of the state; and I regard these union schools wherever successfully in operation, as so many normal schools, from which annually go forth well disciplined young men and women who become teachers, and who adopt in their schools the same approved method of discipline and instruction that they have learned while in attendance upon these union schools.

Viewing the subject in this light, I would respectfully suggest to the legislature a consideration of the propriety of aiding in their establishment, by loaning a portion of the principal of the school fund, to aid in the erection of suitable buildings for such schools.

A proposition has been advocated before several preceding legislatures, to loan to all school districts that may apply therefor, such sums from the school fund as will be necessary to erect a suitable school house for each such district so applying, but for many and obvious reasons this proposition has met with compara-

tively little favor. But such conditions might be embodied in a law, as would secure the repayment of the sum loaned, without trouble, to aid in erecting union school edifices, by providing that within the limits of the district, so loaning money from the school fund, there must be a given amount of taxable property for each hundred dollars received, that the boundaries of the district shall not be changed while any portion of the principal remains unpaid, and the annual payment of the interest on the sum loaned made certain, by withholding from such district, an amount of money from the sum annually apportioned to it, equal to the amount of interest due, if it remain unpaid.

This proposition may be regarded as local in its application, but if there is any truth in the assertion that teachers are being educated in these union schools, possessing far better qualifications than the majority of teachers, it becomes a question of interest to all parts of the state whether a portion of the school fund principal may not properly be used in extending these schools.

TEACHERS' ASSOCIATIONS AND INSTITUTES.

The Teachers' Association of Fond du Lac county met at Waupun on the second day of November last, and continued in session during six days. There were over fifty teachers in attendance, from the counties of Fond du Lac, Dodge and Winnebago.

The association was organized as an institute, and the exercises during the day consisted in drills and recitations in the different branches of common school education, and in discussions upon the best method of teaching. The evenings were devoted to lectures and discussions upon topics of educational interest.

A large number of the citizens of Waupun were in attendance each evening, and quite a number during the morning and afternoon sessions, manifesting much interest in the exercises. Some of them gave lectures and joined in the discussions of the evenings.

The cause of popular education is much indebted to several individuals who nobly came forward and gave their aid to the pro-

motion of the objects of the institute which is under the direction of able and efficient managers. The occasion was one of the highest interest and will be fruitful of good results, at least to the teachers attending and the schools under their management.

I cannot forbear to express my appreciation of the interest and enterprise of the members in sustaining semi-annual meetings of the association ; it is alike creditable to themselves and to the localities they represent ; and has a visible effect in elevating the character of the common schools in that county, and in awakening the people to life on the subject of education. Were there live associations of this kind in every county, the influence thus exercised in behalf of popular education, would be paramount to all other means yet devised in the State. It would improve the methods of teaching, have the effect to discard the mechanical school exercises, worthy only of by-gone days ; and make the school-room what it should be, a fountain of learning, where pupils are taught to think and reason, to understand principles as well as rules ; where the mind is developed, the mental capacity enlarged, instead of being blunted and contracted by exercises which serve only to mystify the studies they are vainly endeavoring to master ; where the exercises are intellectual and calculated to inspire love instead of disgust for study. Teaching is a profession with some, and it is a noble and honorable one. To be a good teacher requires all the learning, skill and ability that is necessary to insure success in any other profession, indeed more. But it is useless to talk of so extending the numbers of this profession, that all of our common schools or even a majority of them will be favored with the services of professional teachers, during the present generation, at least.

It is a pleasant theme to discourse upon, and "a consummation most devoutly to be wished," but we have no better assurance that we shall succeed in accomplishing in this State what has not yet been done in other and older States, after years of trial.— There are insurmountable obstacles to prevent it. Teachers, like other persons, are not above pecuniary considerations, and as long

as other professions and other occupations offer far greater pecuniary returns for talent and ability, for services rendered, it cannot be expected that the profession of teaching will be over-stocked. But a small number of persons follow teaching beyond two or three years, and for this time only as a means of aiding them in some other undertaking already in view. They go to teaching not as a business or profession, which they intend to follow through life, but as a temporary occupation induced by temporary circumstances.

As then, no arrangements that can be made will, for years to come, accomplish the result of placing well educated and competent professional teachers in all the schools; it follows, that temporary teachers, those who teach just long enough to have an idea of the duties and responsibilities of their employment, are to be the instructors of the great mass of the youth of the State.

This is a solemn fact, and cannot be controverted. The question then arises, what, if anything, shall be done in preparing these temporary teachers for a respectable discharge of their duties? Has not the State a deep interest in the matter? and can it not by provision of law, and a small appropriation of its funds aid in elevating the standard of teaching?

In every State and in every county where these institutes have been held, the people bear ample testimony of the great good flowing from them. I therefore respectfully repeat to the legislature the recommendation heretofore made, that an appropriation be made and placed at the disposal of the State Superintendent, to defray necessary expenses to be incurred in organizing and holding such institutes, in as many of the counties as may be thought practicable.

NORMAL SCHOOLS.

The law providing for the organization of the "University of Wisconsin," declares that it shall consist of four departments:

1. The department of science, literature and the arts;
2. The department of law;
3. The department of medicine;

4. The department of the theory and practice of elementary instruction. (The Normal Department.)

It is only during the past year that a complete organization of the first department has been accomplished; the pecuniary condition of the University has not permitted a more rapid advance towards its full establishment, according to the intent and requirements of the law.

The Normal department will probably next claim the attention of the Regents of the University, as the departments of law and medicine are secondary in importance to it, and their organization will necessarily be deferred until there shall be such an increase of the fund, by the sales of land, and a consequent increase of income, that the latter will support the institution complete in all its parts.

By an act of Congress of the present session, seventy-two sections of land, which were originally granted to the State, on its admission into the Union, as saline lands, have been added to the amount previously granted by the general government, for the support of the University. This additional endowment will so increase the fund, ultimately, that the plan of the Regents, and the pride of our citizens, will be realized in making the "University of Wisconsin," the first literary institution in the country.

But its present available means will not allow it to attempt the organization of any other department, and its means in prospect will not be available for that purpose within three years, at least, so that there is no probability of the opening of the Normal department within that time, by the Regents, without some aid from the State.

There seems no necessity for commenting upon the great good which a successfully conducted Normal school will have upon the common schools of the State. Wherever tried they have proven their usefulness and received the approbation of all friends of education. New York has one which has been in operation for eight years, supported by appropriations from the general fund, and the large number of teachers who have gone forth from it to teach

the youth of the State, are living examples of its good works. Massachusetts has three and Connecticut one Normal school supported at the expense of the respective States; and no consideration could induce those States to abandon so successful a plan for providing their schools with good teachers.

It is respectfully recommended to the legislature that such appropriations be annually made from the income of the school fund as will be sufficient to secure the services of a competent Normal professor, and defray all proper expenses incident to the full establishment and successful operation of this department, until such time as it shall appear that the income of the university fund, exclusive of the support of the law and medical departments, shall be sufficient for the purpose.

The Board of Regents of the University adopted an ordinance in 1849, providing for the organization of the department of the "Theory and Practice of Elementary Instruction," constituting the Chancellor and a Normal Professor to be chosen by the Regents, the Faculty, whose duty it shall be to hold annual sessions of at least five months, for the instruction of the Teachers' Class, composed of such young men as may avail themselves of its advantages with a view to the business of instruction in common schools. The members of the Teachers' Class or Normal department to be members of the University, entitled to its privileges, and amenable to its discipline, having free access to the lectures of the other professors, the use of the library and apparatus on the same conditions as members of the regular classes. The pupils of the Normal Department will be entitled to the instruction of the University *without charge*; and to this end it is made the duty of the Chancellor to admit to this department "any young man of suitable age and unexceptionable character, who shall present the certificate of the Treasurer that he has executed his written obligations to pay the usual fee of tuition, conditioned to be void in case he shall have been engaged in instruction two years within the four next succeeding the period of his connection with the University."

"At the close of the course, the members of the Teachers' Class shall, if approved on examination, have a part in the exercises of the commencement, shall be admitted to the appropriate degree in the art of teaching, and receive a diploma from the hands of the Chancellor."

It is the intention of the law of the state providing for a Normal department in the University, and of the Board of Regents acting under that law, that it should be organized and opened for the reception of teachers; but when? That is the important point. We shall never hereafter need its good services so much as now, in providing the schools with good teachers, and *now* is the time for that Normal department to exist otherwise than upon paper. It has thus slumbered long enough.

The second dormitory building will be completed in June next, when there will be ample room in the University buildings for the use of this department. It will be perceived that the design of the Normal department is not to give elementary instruction to its members, or to educate them in the branches usually taught in our common schools, but to teach them the theory and practice of elementary instruction, or in other words, the best modes of teaching, government and discipline of our common schools, and to give instruction upon all subjects pertaining to the duties of a teacher.

The ordinance of the Regents, providing for the organization of the Normal department, is well conceived and suited to the purpose. It would seem proper, however, that young ladies should be admitted as well as young men, as a majority of the teachers in our common schools are young ladies.

"The instructions and honors of the institution being thus gratuitously tendered, we may reasonably expect that the Normal department will be crowded with pupils as soon as it shall be organized; and, with the aid of teachers' institutes, a new impulse given to the cause of popular education in the state."

NON-ATTENDANCE AT SCHOOL.

From the official reports made to this department, it appears, as heretofore stated, that the total number of children residing in

the state, or in the towns reporting, is one hundred and fifty-five thousand one hundred and twenty-five, over four and under twenty years of age. Of this number one hundred and one thousand five hundred and eighty have attended school during the year, thereby showing that fifty-three thousand five hundred and forty-five children, considered of requisite age, have not been the direct recipients of any benefits derivable from our free school system. To embrace within this estimate the number attending school in thirty-seven towns not reporting upon this subject, and assuming that the ratio of attendance is the same as in the towns reported, the number of children of school age, who have not attended the common schools is reduced to forty-three thousand four hundred and forty three. Assuming that there are five thousand children in attendance upon select and incorporated schools within the state, and that five thousand more from sixteen to twenty years of age, have received a partial education and are engaged in some legitimate pursuits, and we still have left over thirty-three thousand children who ought to be, but are not, pupils in our common schools,—over twenty-one per cent., or one fifth of the total number of children in the state.

When we consider that the public schools of the State are entirely free from tuition or any other charge, and that the children of the poorest and humblest as well as the richest and most distinguished, have a legal and constitutional right to receive instruction at these schools, it becomes a matter of the highest importance to ascertain what are the causes at work inducing this large non-attendance, and to apply the appropriate remedy. Were ours not a free school system, the most natural and charitable conclusion would be that the number is mainly composed of those whose parents are unable to provide the means necessary for their attendance; but as this difficulty has been obviated by the enlightened policy of our State, in "taxing the property of all to educate the children of all," we are to seek for other causes, which are in a measure operating to partially defeat the very mission of good, which this school system was designed to fulfill.

A large portion of these children are withheld from school on account of the carelessness and indifference of parents in attending to the moral and intellectual wants of their offspring; some on account of sparse population in isolated locations, and the consequent want of means to make the necessary provisions for sustaining schools for their children.

Of this latter class the State has little to fear, as time will remedy the evil, but of the former the number is sufficiently large to merit the attention of all friends of education, and of the good character of the State, in devising ways and means of bringing within the influence of moral and intellectual training, this vast army of youth who will otherwise grow up in ignorance and vice, and carry woe, poverty, crime and expense to communities which may have made adequate provision for the education of all the children within their own limits. This evil, for such I term it, is not confined to the cities and larger towns, but is spread out over the whole State, and calls loudly for a vigorous public sentiment, that shall judge with severity and yet with justice, the conduct of any parent or guardian who shall, without sufficient cause, fail to secure the attendance of their children and wards, upon the schools provided for them.

This evil has existed and does now exist, in every other State, and to an extent as great as in this, and has been the cause of an enactment, in one State at least, imposing penalties upon parents who shall neglect to educate their children; acting upon the principle that it is the duty of the state to punish crime and endeavor to reform the criminal, so has the state an equal right and duty to perform to prevent crime, by requiring such moral and intellectual training to be given to the youth as will place them above the temptation, or the wrongly conceived necessity of violating wholesome laws.

Legislation is not thought a suitable means at present of securing the attendance of such children upon our public schools—public sentiment would not favor coercive measures; but as our

school system is intended to embrace within its influence and teachings, all the children of the state, of school age, the system fails in accomplishing its mission in so far as there is a failure to encompass within its relations any portion of the youth of the state.

Non-attendants upon our public schools, which the state has most to fear, are the children of the poor, the ignorant, the negligent; even these may be reached by the efficient services of school officers, and of philanthropic and intelligent persons who manifest an interest in the educational character of the state, and who have sympathies for the children of poverty, crime and negligence. There are the children of the reckless and the vicious, whose natures have become so debased, that they are willing to abandon their offspring to the chance education of the streets, or the demoralizing training of their own criminal and vicious practices. There is need yet of greater exertions to accomplish the training of such children "in the way they should go."

There is efficacy and power in public sentiment, and when properly directed will accomplish what laws cannot, and were it once awakened and expressed in each community upon the subject under consideration, the most happy effects would be realized. Parents should be made to know and feel that they can lay no claim to a just treatment of their children, to respectability even, while they are neglecting to perform their first and most sacred duty, the education of their children.

WEBSTER'S DICTIONARY.

During the last session of the legislature a bill was introduced and passed the Assembly, and reached its third reading in the Senate, authorizing the purchase by the State of a sufficient number of copies of "Webster's Unabridged Dictionary of the English Language," to furnish a copy to each common school in the State. The books to be paid for out of the library money of the different towns, by retaining in the State treasury a sufficient sum from the

amount of the school fund income apportioned to each town, to pay for the copies so furnished. Such a measure, it is believed, would result in great good to the schools of the State. It furnishes the teacher with an invaluable work of reference, one which cannot well be dispensed with, and aids him in securing on the part of his pupils, a proper use of words, and a correct orthography and pronunciation.

Should the work thus be introduced into the schools, its effect will be to make it the standard Dictionary of the English Language, so far at least, as the schools are concerned, and ultimately it will be so recognized by all. It will aid in discarding the many provincialisms in use, and prevent corruptions of the language always incident to a State comprising citizens representing different nations and tongues. The attention of the legislature is respectfully directed to this subject.

DISTRICT LIBRARIES.

Section seventy-four of the school law provides that "Each town Superintendent may, in his discretion, set apart a sum, not exceeding ten per cent. of the gross amount of the school money apportioned to any school district, which shall be applied by such district to the purchase of school district libraries, which shall be the property of such district," &c. The amount of school money to be apportioned by the town Superintendents to the school districts, is now so ample that at least ten per cent. in all cases, should be set apart for the purpose of purchasing school district libraries. Great importance is attached to them as a powerful auxiliary in the promotion of popular education; yet it appears that there are not over eight hundred and seventy five in the whole State, comprising fourteen thousand volumes. There are hundreds and thousands of children in the State that have no opportunities of reading, outside of their school books, and with little prospect of their condition being improved in this respect, unless through

the medium of district libraries. Too little importance is attached to that subject generally. The effect of a well-selected library, though it may be small, is not limited to children of school age, but reaches the older classes of the communities where they have been established.

Of New York it has truthfully been remarked that, "In neighborhoods where books were a luxury rarely enjoyed, and where intelligence was at a very low ebb, the establishment of a school district library has in a few years, created a taste for reading, and, ultimately, changed entirely the intellectual character of the whole community." Books should be found in district libraries suitable for young children, for the older class of scholars, and for mature minds; and of such a character as will please, as well as instruct, and should be founts from which youthful minds may draw information that will be of service to them in all after life.

The attention of the legislature is respectfully directed to the propriety of amending the section referred to so that it shall be the duty of the town Superintendent to set apart ten per cent. of the school money due each district, for the purchase of a library.

In consequence of ill health during several weeks of the time which I had designed to employ in traveling through the various counties, I have not visited as many schools, nor held that personal communication with teachers and friends of education, which I desired. To visit every county in the State annually, and remain sufficiently long to examine one-tenth of the schools, would require all the time of one man; and to make a hurried tour through the State would amount to nothing more than a pleasing fiction. I have universally found it to be true, that where the people are interested in schools, they always have good ones; it is a legitimate result that where there is indifference manifested on the subject, they have but indifferent schools, and that where there are contentions in the districts, apathy on the subject of schools, or a want of harmonious action on the part of the people, the condition of the school will be like that of the district.

There is need that the people should be more thoroughly awakened upon the subject of education, and when they are made fully to realize and perform their duty to themselves, their children, and posterity, the most ardent hope of all philanthropists will be realized in witnessing the greatest efficiency of our free school system.

H. A. WRIGHT,
State Superintendent.

APPENDIX.

APPENDIX "A."

Abstract of the Reports of the Clerks of the Boards of Supervisors of the several counties of the State of Wisconsin, for the year ending September 1, 1854 :

COUNTIES.	No. of Towns in County.	No. Towns which have not reported.	No. school districts in reporting towns.	No. districts which have not reported.	No. of parts of districts.	No. parts of districts which have not reported.	Average No. months school has been taught.	No. male children residing in county over 4 and under 20 years of age.	No. female children residing in county over 4 and under 20 years of age.	Total No. of children residing in county over 4 and under 20 years of age.	No. children between 4 and 20, who have attended school.	No. children under 4 years of age who have attended school.	No. children over 20, who attended school.	Av. No. of months children, between 4 and 20, who have attended school.	Av. No. of months schools have been taught by males.	Av. No. of months schools have been taught by females.
Adams.....	..	..	..	3	..	..	3 3-4	464	425	889	471	..	3	3 3-20	33-4	49-108
Bad Ax.....	5	..	13	3	..	..	4 1-7	734	729	1,494	642	6	1	6 3-8	55-6	4
Brown.....	9	2	16	1	2	..	..	..	..	..	..	..	..	..	..	..
Buffalo.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Calumet.....	7	1	21	3	5	..	5 3-10	535	531	1,066	733	6	11	4 3-5	33-4	34-5
Chippewa.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Clark.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Columbia.....	21	..	110	11	36	5	5 9-10	2,658	2,576	5,264	3,744	65	49	3 9-10	33-8	4
Crawford.....	1	..	13	1	..	..	3 5-6	411	351	762	406	7	..	2 1-2	3	31-5
Dane.....	33	..	160	18	69	13	5 8-10	5,025	4,716	9,741	6,179	114	74	5 1-2	29-10	32-3
Dodge.....	25	..	142	4	98	7	5 3-5	5,018	4,577	10,017	8,151	112	65	5 2-5	32-5	49-100
Dunn.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Door.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Douglas.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Fond du Lac.....	21	..	125	11	55	8	6 1-3	3,561	3,396	7,204	5,330	90	45	4 4-5	33-4	42-7
Grant.....	20	..	106	9	40	10	4 9-10	3,906	3,525	7,431	4,873	49	49	4 1-4	3	24-5
Green.....	16	..	94	10	35	3	5 5-8	2,570	2,223	4,793	2,970	29	44	4 1-2	24-5	23-5

Iowa	11	.	58	6	13	1	5 1-3	2,281	2,101	4,595	2,674	23	7	3 7-8	27-8	44-3
Jackson	1	.	5	4	..	..	3	64	70	134	94	..	..	1-2	3	3
Jefferson	16	.	93	..	79	..	6 1-8	4,009	3,795	7,804	5,332	83	40	4 3-4	31-6	41-5
Kenosha	8	.	54	2	30	4	7 3-5	2,300	2,209	4,509	2,958	25	21	....	41-4	54-7
Kewaunee	..	.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
La Crosse	6	.	15	4	2	..	4 3-4	318	366	820	572	..	1	7	33-8	43-10
La Fayette	15	.	77	14	12	3	5 2-7	2,402	2,204	5,242	2,309	26	21	4 5-10	33-4	33-10
La Pointe	..	.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Manitowoc	10	.	46	11	4	1	4 3-5	1,307	1,172	2,479	1,373	8	5	4 1-7	4	34-5
Marathon	1	.	5	3	..	..	..	..	..	56	56	8	..	..	3	111-2
Marquette	21	.	82	3	57	10	5 4-5	2,363	2,153	4,516	3,650	81	102	5	29-10	36-10
Milwaukee	8	.	65	1	15	3	4 3-7	6,587	6,551	13,138	5,969	44	9	4 3-8	42-7	31-25
Monroe	1	.	8	2	..	..	4	142	103	245	249	2	2	2 1-2	..	4
Oconto	2	.	7	..	..	..	3 1-2	230	215	445	180	..	..	3 1-2	4	6
Outagamie	9	1	23	1	5	..	6 1-8	684	561	1,245	873	17	5	5 3-10	31-9	34-5
Ozaukee	7	.	50	..	13	..	5 3-10	2,259	2,063	4,322	2,487	12	11	5 3-11	31-2	43-100
Pierce	..	.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Polk	2	.	4	..	..	..	4 9-16	53	54	107	..	..	..	..	..	49-16
Portage	7	1	21	12	..	..	4 2-5	180	175	476	323	6	2	4 3-4	31-2	41-4
Racine	11	.	67	9	48	..	7 1-3	2,389	2,120	7,192	4,633	56	37	5 3-4	31-3	44-5
Richland	6	1	27	6	2	1	3 2-3	502	434	936	192	5	12	2 1-2	41-4	53-4
Rock	21	.	108	1	100	6	6 3-4	4,797	4,633	9,430	6,759	116	123	5 1-2	31-9	43-8
Sauk	13	.	69	11	28	7	6 4-100	1,721	1,578	3,523	2,488	22	19	3 2-5	32-5	41-6
Shawano	..	.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sheboygan	16	.	86	3	24	..	6	3,018	2,742	5,760	3,256	46	13	4 7-10	32-3	41-2
St. Croix	3	.	9	..	..	..	4 1-8	186	171	357	178	2	..	4 15-16	3-4	33-4
Trempealeau	..	.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Walworth	17	.	96	3	77	..	6 7-10	3,878	3,746	7,642	5,651	71	82	5 7-10	35-10	42-3
Washington	13	.	91	4	39	2	5 2-5	3,303	2,987	6,290	4,079	73	11	4 3-5	41-4	31-4
Waukesha	16	.	88	4	93	2	7 1-7	4,451	4,151	8,602	7,142	81	80	5 1-30	35-8	41-2
Waupaca	10	4	22	3	5	..	5 1-3	422	399	821	537	2	5	3 3-5	27-10	49-10
Wausar	11	.	30	7	32	8	3 3-10	670	614	1,284	1,013	19	6	4 3-5	23-100	41-8
Winnebago	15	.	58	1	41	1	6 1-4	2,338	2,174	4,512	3,048	53	39	4 3-4	31-5	41-5
	435	10	2164	186	1062	95	5 1-4	77,766	72,590	155,125	101,580	1,359	994	4 4-9	32-5	41-3

APPENDIX "A."—Continued.

COUNTIES.	Average monthly wages paid to male teachers.	Average monthly wages paid to female teachers.	Amount of money received from County Treasurer.	Amount of money received from Town Treasurer.	Amount of money received from other sources.	Total amount of money received.	Amount of money expended for teachers' wages.	Amount of money expended for Libraries.	Amount of money expended for other purposes.	Amount of money remaining unexpended.	Amount raised by tax, and expended for teachers' wages.
Adams.....											
Ba1 Ax.....	\$20 58	\$10 20	\$ 418 59	126 86	\$297 60	\$ 853 55	736 24	....	75 00	69 00	10 00
Brown.....	23 64	11 10	233 16	1.171 72	760 71	2.108 73	881 29	....	589 97	78 17	140 17
Buffalo.....											
Calumet.....	15 83	7 57	684 17	435 12	20 00	1.139 32	746 66	24 66	96 00	135 41	143 66
Chippewa.....											
Clark.....											
Columbia.....	18 75	9 37	3.328 52	4.119 40	430 82	8.252 82	6.608 09	48 17	289 02	883 00	2490 13
Crawford.....	15 00	13 05	485 28	198 25	1.025 66	1.709 19	660 48	....	1025 66	23 05	262 33
Dane.....	15 94	9 24	6.007 62	5.532 78	1.047 49	12.814 47	9.633 82	23 69	155 49	1388 65	1582 69
Dodge.....	16 70	8 39	6.404 55	3.862 81	71 87	11.194 37	9.393 52	232 96	341 97	370 77	4486 79
Dunn.....											
Door.....											
Douglass.....											
Fond du Lac.....	17 28	8 86	4.177 07	3.663 27	282 47	8.714 34	7.708 07	154 91	193 44	259 17	2730 24
Grant.....	22 65	12 23	5.586 70	2.313 79	....	7.890 84	5.743 28	57 82	220 17	498 53	3988 05
Green.....	18 04	9 21	4.240 34	2.139 83	2 50	6.440 80	4.301 48	74 53	....	333 43	1835 78
Iowa.....	20 66	13 45	2.864 44	1.583 71	....	4.448 15	4.433 82	49 00	....	407 17	922 99

Jackson	34 00	20 00	.....	.....	102 00	102 00	.....	.....	.....	.....	.....	.....
Jefferson	18 93	9 23	5.180 01	2.855 80	210 74	8.244 55	7.809 72	68 00	.....	158 97	3297 19	.....
Kenosha	24 81	11 47	2.879 74	2.818 99	.....	6.748 91	6.283 90	.....	.....	494 70	4183 39	.....
Kewaunee .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
La Crosse	16 00	8 73	.....	306 27	.....	604 37	278 72	.....	.....	.....	123 30	.....
La Fayette	21 87	12 28	3.108 81	1.532 90	176 08	5.189 45	3.556 52	94 64	76 46	799 43	701 04	.....
La Pointe .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Manitowoc	22 25	14 07	1.629 83	665 51	63 75	2.459 09	1.746 52	43 70	.....	356 90	1426 32	.....
Marathon	24 50	22 50	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Marquette	17 72	7 64	2.777 30	2.342 69	98 61	5.240 71	4.159 55	72 22	97 55	698 12	2340 75	.....
Milwaukee	23 57	15 93	6.385 26	3.677 93	.....	15.709 72	15.547 86	166 83	1600 44	378 36	826 88	.....
Monroe .....	.....	7 25	.....	.....	.....	.....	.....	.....	.....	.....	10 00	.....
Oconto	25 00	14 50	230 00	100 00	.....	330 00	260 00	.....	.....	70 00	.....	.....
Outagamie	19 81	10 94	632 72	1.161 23	.....	2.121 95	1.432 87	.....	341 70	172 17	.....	.....
Ozaukee	17 80	11 52	3.043 12	1.176 50	.....	4.219 63	4.022 64	105 58	829 57	96 32	1223 40	.....
Pierce .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Polk .....	.....	15 50	.....	.....	.....	274 00	.....	.....	.....	.....	234 00	.....
Portage	26 25	12 62	98 64	187 93	.....	270 08	334 00	.....	.....	.....	.....	.....
Racine	24 25	12 49	4.436 05	5.190 93	15 29	11.479 73	9.798 47	180 22	1523 93	53 18	1718 13	.....
Richland	20 20	7 41	491 76	421 66	.....	911 76	249 80	.....	.....	.....	173 47	.....
Rock	19 77	9 91	6.489 77	6.257 97	932 25	15.400 43	14.795 79	91 22	134 38	592 40	4387 71	.....
Sauk	18 60	8 15	2.422 34	2.333 08	.....	4.986 60	3.904 92	137 16	34 80	443 47	1354 04	.....
Shawano .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sheboygan	17 41	11 13	3.053 93	3.886 09	.....	7.869 94	5.522 41	181 04	657 42	942 39	1477 11	.....
St. Croix	45 00	11 63	189 35	394 70	.....	584 35	419 20	.....	.....	186 45	112 00	.....
Trempeleau .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Walworth	22 11	9 59	5.174 78	3.818 77	137 03	9.607 85	9.104 50	122 45	20 00	154 09	4255 46	.....
Washington	17 02	10 14	4.659 93	2.573 81	3 00	7.236 74	6.991 43	96 97	.....	169 49	1274 67	.....
Waukesha	18 44	10 00	5.848 60	4.411 92	.....	10.260 52	9.400 08	15 12	9 74	267 12	6239 46	.....
Waupaca	15 73	7 83	491 62	243 63	.....	678 25	380 85	.....	.....	23 43	162 00	.....
Wausara	15 48	8 20	443 66	532 26	.....	1.011 19	647 37	.....	.....	66 47	513 99	.....
Winnebago	18 07	9 69	2.768 17	3.717 38	495 14	6.980 69	5.991 77	.....	1159 72	764 10	1160 71	.....
.....	21 10	10 87	96.866 73	75.755 59	6.173 01	194.089 09	163.485 64	2.040 89	9472 43	11333 91	55787 86	.....

APPENDIX "A."—Continued.

COUNTIES.	Amount raised by tax and expended for District Libraries.	Amount raised by tax and expended on School Houses.	Amount raised by tax and expended for fuel and other purposes.	Name of Authors of Spelling Books most used in Schools.	Names of Authors of Reading Books most used in Schools.	Names of Authors of Geographies most used in Schools.	Names of Authors of Arithmetics most used in Schools.
Adams.....	....	....	....	Webster.....	McGuffey.....	Smith.....	Smith.....
Bad Ax.....	....	75 00	....	Sander and McGuffey	Sander and McGuffey	Mitchell.....	Colburn.....
Brown.....	8 75	254 48	12 76	Sander.....	Sander and McGuffey	Mitchell.....	Adams.....
Buffalo.....	....	....	....	Sander and Webster	Sander and McGuffey	Smith.....	Adams.....
Calumet.....	10 00	30 85	7 21	Sander and Webster	Sander and McGuffey	Mitchell.....	Thompson.....
Chippewa.....	....	....	....	Sander.....	Sander.....	Mitchell.....	Adams.....
Clark.....	....	....	....	Sander and Webster	McGuffey.....	Olney.....	Adams and Ray.....
Columbia.....	22 54	3267 56	447 00	Sander and Webster	Sander and McGuffey	Smith.....	Adams.....
Crawford.....	....	678 00	85 33	Sander and Webster	Sander and McGuffey	Mitchell.....	Thompson.....
Dane.....	12 88	4005 76	251 76	Sander.....	Sander.....	Mitchell.....	Adams.....
Dodge.....	49 26	7124 93	414 82	Sander and Webster	McGuffey.....	Olney.....	Adams and Ray.....
Dunn.....	....	....	....	....	....	....	....
Door.....	....	....	....	....	....	....	....
Douglas.....	....	....	....	....	....	....	....
Fond du Lac.....	83 06	2061 85	617 59	Sander.....	Sander.....	Mitchell.....	Adams.....
Grant.....	16 25	1355 14	331 22	Webster.....	McGuffey.....	Olney.....	Thompson.....
Green.....	....	1610 26	436 82	Sander.....	Sander.....	Olney.....	Adams.....
Iowa.....	....	2099 29	516 57	Webster.....	McGuffey.....	Smith.....	Adams.....

Jackson				McGuffey & Webster	Sander and McGuffey	Mitchell and Smith	Adams and Colburn
Jefferson	8 00	3254 35	405 80	Webster	McGuffey	Smith	Adams
Kenosha	52 50	2343 97		McGuffey	McGuffey	Mitchell	Smith
Kewaunee							
La Crosse		2645 00		Sander and McGuffey	McGuffey	Smith	Adams
La Fayette	6 00	844 00	134 49	Webster	McGuffey	Smith	Adams
La Pointe							
Manitowoc	45 28	1494 64	98 91	Sander	Sander	Smith	Davies
Marathon							
Marquette	59 38	2246 62	205 20	McGuffey	McGuffey	Mitchell	Adams
Milwaukee	81 50	1080 23	342 03	McGuffey	McGuffey	Mitchell	Ray
Monroe		396 00		McGuffey	McGuffey	Mitchell	Daboll
Oconto				Webster	McGuffey	Olney	Ray
Outagamie				Sander	McGuffey	Mitchell	Ray
Ozaukee	38 75	838 95	281 52	McGuffey	McGuffey	Mitchell	Ray
Pierce							
Polk							
Portage			50 00	Sander and McGuffey	Sander and McGuffey	Smith	Adams
Racine	72 61	907 24	458 64	Sander	Sander	Smith	Smith
Richland		568 18	24 91	Sander and Webster	McGuffey	Smith and Olney	Ray and Smith
Rock	74 81	2437 23	3187 09	Sander and McGuffey	Sander and McGuffey	Smith	Adams
Sauk		1574 95	103 45	McGuffey	Sander and McGuffey	Morse	Adams
Shawano							
Sheboygan	30 38	1052 55	201 77	McGuffey	McGuffey	Smith	Ray
St. Croix		125 00	603 42	McGuffey	Sander	Smith	Ray
Trempealeau							
Walworth	21 73	2040 25	1083 45	Sander	Sander	Mitchell	Adams
Washington		1113 48	95 91	Sander	McGuffey	Smith	Adams
Waukesha	53 00	3135 46	940 64	Sander and McGuffey	McGuffey	Mitchell	Adams and Ray
Waupaca		497 60	52 00	McGuffey	McGuffey	Mitchell	Adams
Waushara		1022 25	10 00	Sander	McGuffey	Smith	Adams
Winnebago	10 40	2128 31	408 78	McGuffey	McGuffey	Smith	Ray
	756 71	55309 38	11809 09				

APPENDIX "A."—Continued.

COUNTIES.	Names of Authors of Gram- mars most used in schools.	No. of Brick School Houses.	No. of Stone School Houses.	No. of Framed School Houses.	No. of Log School Houses.	Total Valuation of School Houses.	Highest Valuation of any School House.	Lowest Valuation of any School House.	No. School House sites con- taining less than an acre.	No. of School House sites uninclosed.	No. of Schools without a Blackboard.	No. of District Libraries.	No. of Joint Libraries.	No. of Volumes in all the Libraries.
Adams.....		.	.	3	7	580 00	\$ 100	\$25	3	7	6	2	.	37
Bad Ax.....	Smith.....	.	.	1	10	795 00	200	15	5	6	2	.	.	37
Brown.....	Brown.....	.	.	.	.	.	.	.	.	.	.	.	.	.
Buffalo.....		.	.	3	16	1,568 50	250	3	17	17	9	7	.	80
Calumet.....	Brown.....	.	.	.	.	.	.	.	.	.	.	.	.	.
Chippewa.....		.	.	.	.	.	.	.	.	.	.	.	.	.
Clark.....		.	.	.	.	.	.	.	.	.	.	.	.	.
Columbia.....	Brown and Smith.....	.	4	50	45	15,362 23	800	1	92	89	57	28	4	362
Crawford.....	Brown.....	.	.	2	8	700 00	300	25	10	10	7	.	.	.
Dane.....	Brown.....	5	11	56	77	20,328 19	500	10	107	109	53	55	10	889
Dodge.....	Brown.....	2	5	69	80	27,132 12	6000	05	160	138	66	91	10	1241
Dunn.....		.	.	.	.	.	.	.	.	.	.	.	.	.
Door.....		.	.	.	.	.	.	.	.	.	.	.	.	.
Douglass.....		.	.	.	.	.	.	.	.	.	.	.	.	.
Fond du Lac.....	Brown.....	.	1	56	61	15,751 00	2000	5	107	96	37	69	16	897
Grant.....	Wells.....	8	2	45	29	14,110 00	800	5	52	61	30	23	.	402
Green.....	Smith.....	2	8	41	45	14,164 56	400	1	64	75	30	36	2	324
Iowa.....	Smith.....	1	4	25	26	9,025 00	1600	10	18	43	17	5	.	23

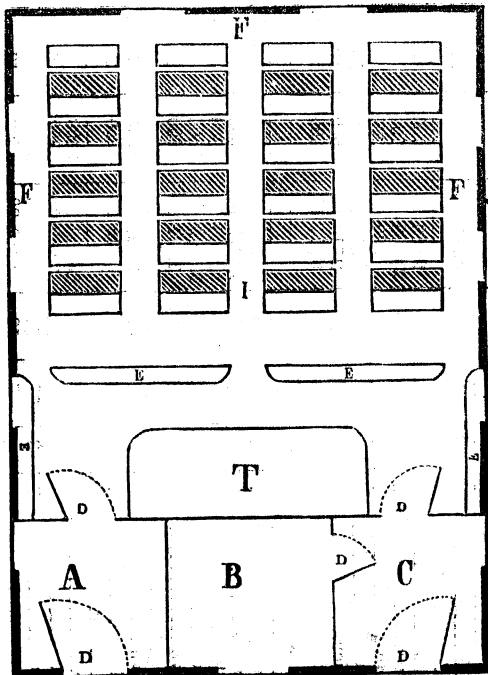
o	Jackson	Brown and Smith	.	.	2	1	400 00	300	50	..	5	2	..	..	..	..
	Jefferson	Brown	16	.	44	44	16.311 00	1000	5	84	78	33	49	3	..	496
	Kenosha	Brown	3	.	58	6	16.650 00	493	....	..	47	..	..	..	..	568
	Kewaunee	.....	.	.	..	..	.....	.....	.....	..	..	..	..	..	..	.....
	La Crosse	Smith	1	.	3	2	755 00	175	20	2	2	8	..	..	..	.....
	La Fayette	Wells	2	5	22	17	5.211 50	700	25	15	38	25	8	..	..	360
	La Pointe	.....	.	.	..	..	.....	.....	.....	..	..	..	..	..	..	.....
	Manitowoc	Smith	.	.	10	22	4.553 00	800	25	27	21	12	3	1	..	333
	Marathon	.....	.	.	..	..	.....	.....	.....	..	..	..	..	..	..	.....
	Marquette	Smith	.	.	37	45	9.983 00	700	3	77	80	58	32	9	..	572
	Milwaukee	Brown	5	.	42	26	30.805 00	700	5	68	58	19	45	6	..	1044
	Monroe	Smith	.	.	..	6	300 00	300	6 $\frac{1}{4}$	1	..	6	..	..	..	.....
	Oconto	Brown	.	.	3	..	250 00	100	75	3	3	2	..	..	..	.....
	Outagamie	Bullion	.	.	8	13	2.710 00	600	10	17	14	9	..	..	..	.....
	Ozaukee	Smith	1	.	11	43	5.671 00	1000	10	51	47	12	26	..	..	450
	Pierce	.....	.	.	..	..	.....	.....	.....	..	..	..	..	..	..	.....
	Polk	.....	.	.	..	..	.....	.....	.....	..	..	..	..	..	..	.....
	Portage	Brown and Smith	.	.	5	1	600 00	375	175	2	3	1	..	..	..	.....
	Racine	Brown	5	1	56	6	10.329 00	6000	20	67	40	18	41	11	..	618
	Richland	Wells	.	.	7	6	1.605 00	370	12	9	9	6	2	..	..	.....
	Rock	Brown	18	27	93	23	35.425 00	5500	5	136	147	16	87	26	..	1687
	Sauk	Brown	.	.	28	29	7.127 50	1000	10	37	44	31	26	2	..	274
	Shawano	.....	.	.	..	..	.....	.....	.....	..	..	..	..	..	..	.....
	Sheboygan	Brown	.	.	35	42	9.227 00	1000	5	72	79	29	34	3	..	849
	St. Croix	Wells	.	.	2	1	445 00	250	45	3	5	6	..	..	..	.....
	Trempeleau	.....	.	.	..	..	.....	.....	.....	..	..	..	..	..	..	.....
	Walworth	Brown	4	7	86	7	26.168 00	3000	5	92	95	20	47	2	..	800
	Washington	Brown	.	1	17	91	7.858 00	390	5	95	99	53	52	6	..	555
	Waukesha	Brown	2	3	72	34	23.545 00	2500	5	102	97	12	46	20	..	887
	Waupaca	Brown	.	.	7	12	1.452 20	300	10	8	5	16	..	..	..	.....
	Waushara	Smith	.	.	7	23	1.787 00	250	5	14	16	11	..	..	..	.....
	Winnebago	Brown	.	.	46	29	8.857 75	1000	25	56	46	19	16	4	..	279
			75	79	1052	933	347.542 55	6000	05	1673	1729	738	830	135	14027	

APPENDIX "B."

PLANS FOR SCHOOL HOUSES.

No. 1.

The following plan for a district school room originally appeared in the second volume of the "Ohio School Journal," edited by Dr. Lord, Superintendent of the common schools of Columbus, Ohio. It will be found well adapted to the accommodation of a school numbering not over fifty pupils.



The building here presented should be 26 by 36 feet on the ground, or at least, 25 by 35 feet inside. The plan is drawn on a scale of ten feet to the inch.

A C—Entries 8 feet square, one for each sex.

B—Library and apparatus room, 8 by 9 feet, which may be used for a recitation-room for small sized classes.

T—Teacher's platform, 13 by 5 feet, eight inches high, supplied with a table where he can place his books of reference, &c., and all apparatus while used in teaching a class. Behind this platform, on the wall, should be a blackboard 13 feet long by 4 wide.

D D D D—Inside and outside doors.

E E E E—Recitation seats ; those on the sides fixed against the wall, those in front of the platform having backs and being movable.

F F F—Free space at least two feet wide, next the wall on three sides of the room.

G—Desk for two pupils, four feet long by 18 inches wide.

H—Seat for two pupils, four feet long by 13 inches wide.

[The letters G and H are not represented in the cut, but the white parallelograms represent the seats and those with dark lines across them, are the desks.] The seats should be so arranged that the pupils will sit facing the teacher when in his chair on the platform.

I—Centre aisle, two feet wide, with one aisle on each side of same width.

The area, on either side and in front of the teacher's platform, is intended for any class exercises in which the pupils stand ; and the space next the wall may be used to arrange the greater part of the school as one class in any general exercise requiring it.

Four windows are represented on each side of the house, and two on the end opposite the teacher's stand. The door of the library room opens from one of the entries, and the room is lighted by a window in the front end of the house. The windows should be furnished with outside or inside blinds—the latter are preferable. If these are deemed too costly, curtains should be provided.

The teacher's platform should be furnished with a table and chair, for the use of the teacher. Chairs should also be provided for the accommodation of persons visiting the school.

The stove for warming the room may be placed in front of the teacher's platform, between the movable seats and the front desks, and the pipe should be carried across the room to a chimney or

flue running up between the two windows in the back end of the room.

A ventilating flue should also be constructed adjoining the smoke flue and communicating with it before it reaches the roof. The heat from the smoke flue will rarify the air in the ventilating flue, materially accelerating the escape of the foul air from the school room, and the smoke and vitiated air will both escape from the same chimney above the roof. This ventilating flue should be brought down to the floor of the school room, and be at least one foot square, with one opening in it near the floor and another near the ceiling, each so arranged that they can be kept open or closed as circumstances may require. The upper sash of the windows should be so arranged that they can be lowered.

Fresh air may be supplied by an opening in the floor under the stove, supplied with a tube leading beneath the floor through the outside wall of the building. This mode of admitting air is preferable to opening a door or window, as no pupil will be exposed to a current of cold air rushing into the room; for the air admitted through the tube beneath the stove comes directly in contact with the hot air about the stove and thus becomes warm before it circulates through the room. This air tube should have a register which may be opened or closed at pleasure.

The ceiling of a school room of the above sizes should be twelve feet high, so as to allow about 175 cubic feet of air to each pupil supposing the school to number fifty.

As this plan is designed for the accommodation of a school composed of scholars varying in age from four to twenty years, it must not be forgotten that the seats and desks must be of different height and width, and so constructed that both old and young may sit and use their desks at ease.

Seats, of at least four different dimensions, should be provided in every school room composed of scholars of all ages, as above mentioned, as shown in the following scale :

Height of Seat.	Height of Desk.	Width of Seat.	Width of Desk.
10 inches.	17 inches.	10 inches.	12 inches.
12 "	19 "	11 "	13 "
14 "	23 "	12 "	15 "
17 "	26 "	13 "	18 "

Figure 1.
Top of Desk.

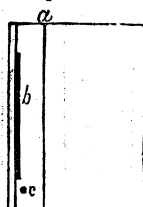


Figure 2.
Section of Seat and Desk.

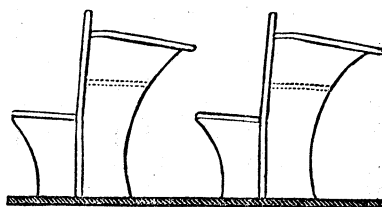
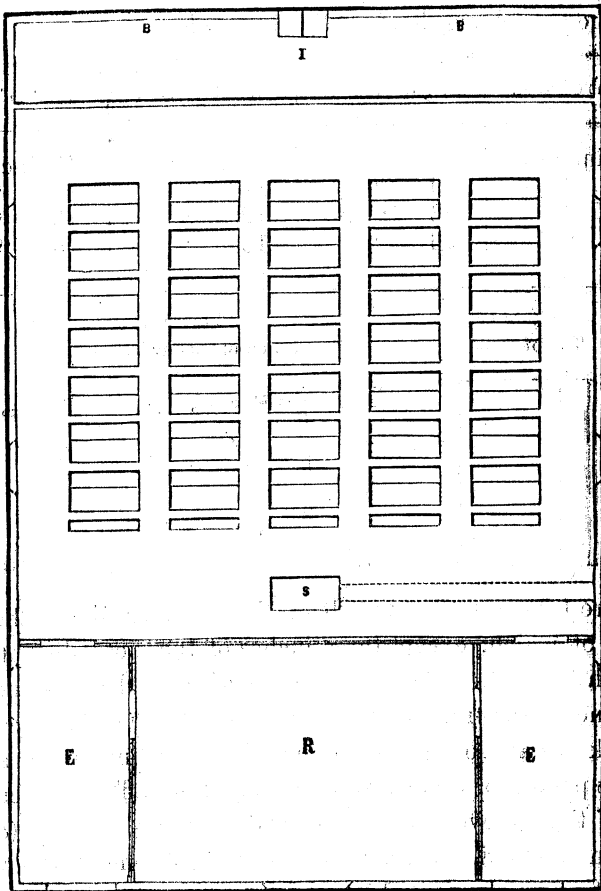


Figure 1, represents one-half of the top of a desk, the upper portion of which, except three inches of the most distant, slopes one inch in a foot. The edge of the desk is in the same perpendicular line as the front of the seat. The upper or back portion of the desk has a groove (*a*) running along the line of the slope, to prevent pencils or other articles from rolling off; an opening (*b*) back of the groove, to receive a slate; and an opening (*c*) to receive an inkstand. There should be a shelf beneath the desk, for books, &c., as represented by

Figure 2. This also represents the proper inclination of the seat, its back, and the top of the desk.

PLAN No. 2.



The above plan represents a house designed for two schools on the same floor. It is drawn on a scale of one-tenth of an inch to the foot. The building is 46 by 31½ feet outside. There are two doors in the front end opening into the entries E E, which communicate with the school room.

R.—Room for small scholars, 18 by 12½ feet, lighted by one large window in front. This room should have a black-board extending entirely across the partition wall between it and the large school

room, and seats for the accommodation of the scholars, and suitable means for warming the room. This plan may also be used for one large school, and the room R, used as a recitation room by the assistant teacher, in which case, it should communicate directly with the large school room instead of the entries.

The seats and desks in the large school room are designed for two scholars, and are sufficient in number to accommodate seventy, besides the front row of seats which may be used for recitations. These seats should be arranged so that the pupils will sit facing.

T.—Teacher's platform, extending entirely across the room.

I.—Smoke and ventilating flues.

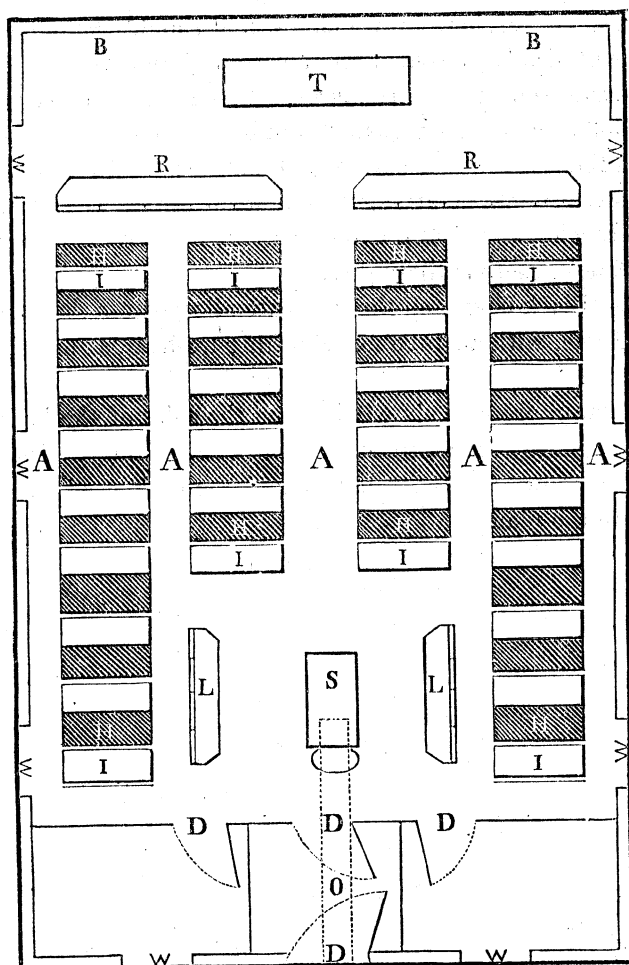
B B.—Black-board, on the wall extending across the room.

S.—Stove, with air tube for admitting fresh air, as mentioned in plan No. 1.

The plan represents six windows on the sides of the building—four in the large school room, and one in each entry. There may be two windows for the small school room, instead of one, as shown in the plan.

PLAN No. 3.

PLAN OF SCHOOL ROOM FOR SIXTY SCHOLARS.



[26 by 40 feet outside.

Scale of 8 feet to the inch.]

D D D D—Outer and inner doors. The entry should be lighted over the outer door. In this plan there is but one entrance door. The boys and girls are furnished with separate closets, opening into the school room.

W W—Windows, of which there are two in front, and three on each side.

A A—Aisles. The central one is three feet wide, and each of the other four is two feet wide.

H H—Desks, four feet in length, and varying in height from one foot five inches, next the teacher's table, to two feet two inches, near the entrance doors. The desks should vary in width from one foot to one foot six inches, and slope about an inch to the foot.

I I—Seats, varying in height from ten to seventeen inches. The front edge of the seat should be in the same perpendicular line as the lower edge of the desk.

T—Teacher's table, two feet wide and six feet long, furnished with a drawer, lock and key. It would be better, perhaps, to have this table stand upon a platform, elevated about eight inches from the floor, and extending entirely across the room.

B B—Blackboard, reaching entirely across the back end of the room, which should be made by giving the plastering a colored, hard finish.

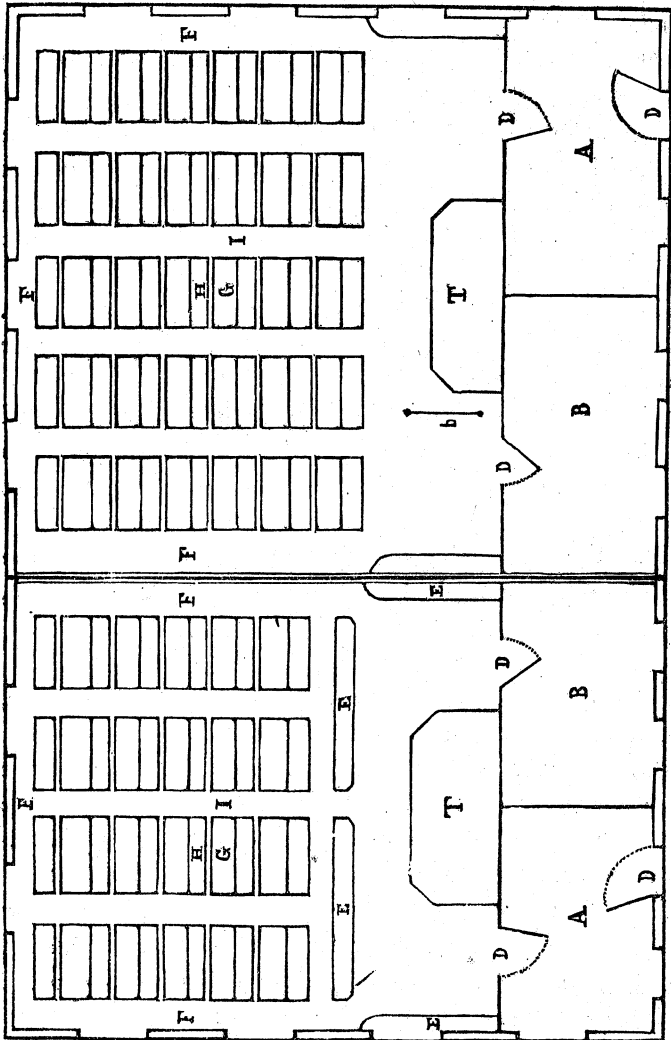
R R—Recitation seats.

S—Stove, the pipe of which, passing over the central aisle, should enter the chimney at the back end of the room.

Q—Air tube, under the floor, through which pure air may be introduced beneath the stove. Impure air should be allowed to pass off through a ventilator adjoining the chimney, or by lowering the upper sash of the windows, or both.

L L—Movable seats near the stove, which may be occupied by the scholars while warming, or by small children, if necessary. They might be placed in the closets, which being warmed, could be occupied by assistants as recitation rooms.

PLAN No. 4.



The above represents a plan for two distinct schools in one building, 34 by 54 feet, one story high. Each school room having but one front entrance. The large room will accommodate sixty, and the smaller forty, scholars.

D D—Doors. A A—Entries.

B B—Library and apparatus rooms, which may be used as recitation rooms.

T T—Teacher's platforms, with blackboards behind each, on the wall. In the large room is a movable blackboard (3).

E E E E—Benches. Those on each side of the teacher's platform are fixed to the wall; the others are movable, and may be used as recitation seats, together with the seats in front of the desks.

H H—Seats.

G G—Desks.

I I—Aisles, between the rows of seats.

F F—Vacant space next to the wall of the room.

SUGGESTIONS IN REGARD TO SCHOOL ARCHITECTURE.

1. LOCATION OF SCHOOL HOUSE.

The site of the school house should be dry, healthy and pleasant, easily accessible from all parts of the district, and apart from the dust, noise and danger of the highway. The vicinity of places of idle and dissipated resort should be avoided in selecting a site for a school house, as well as places of public business; and if it can be so chosen as to overlook a delightful country, and be surrounded by picturesque scenery, it will increase the attractions that should always surround it. "As many of the pleasant influences of nature as possible should be gathered in and around the spot, where the earliest, most lasting and most controlling associations of a child's mind are formed," To secure these requisites, and avoid their opposites, it is frequently necessary to select a location more or less removed from the territorial center of the district. It is desirable that the site should contain at least one acre of ground, never less than half an acre, and be inclosed with a

neat, substantial fence, with a yard in front of the school house, common to the whole school for recreation and sport; and two yards in the rear—one for each sex, separated by a high board fence, and provided with the necessary out buildings. Shade trees should be planted upon the ground surrounding the school house, which will add much to the beauty of the site and be a protection from the hot rays of the sun in summer, and the cold winds in winter. An appropriate place for fuel should be provided, and this should, at all times when it is necessary to be used, be supplied in sufficient quantity and of good quality, that the school room may be readily warmed for the comfort of the scholars, and that one half of the morning session may not be lost in almost fruitless attempts at warming the room with green or decayed wood taken from a snow heap. Every school house should be provided with a well, or so situated that water may be easily procured for the use of pupils and teacher.

2. SIZE OF BUILDING.

The building should be large enough to have a separate entry for each sex; a room for recitation, apparatus, library and other purposes; and a school room large enough to accommodate all the children in the district who are entitled to attend the school of the district, and allow each one so attending it at least 175 cubic feet of air, space enough to go to and from his seat without disturbing any one else, to sit comfortably in his seat, and enable the teacher to approach each scholar, and pass conveniently to any part of the room. The entries should be furnished with scraper, mat, hooks, shelves, basin and towels, and thus furnished, will promote health, prevent confusion and impropriety, and aid in securing habits of order and cleanliness. The school house should present a handsome exterior and in every respect an inviting and attractive appearance; calculated to inspire children and the community generally with respect to the object for which it is devoted.

3. THE SCHOOL ROOM—SEATS AND DESKS.

In determining the details of construction and arrangement

for a school house, due regard must of course be had to the varying circumstances of country and village of a large and small number of scholars, of schools of different grades, &c. In a great majority of the districts of the state as they are now situated, and will be for some time to come, there will be but one school room, with a smaller room for recitations, library, apparatus, &c.

This must necessarily be arranged and fitted up for scholars of all ages. In small villages and populous country districts, at least two school rooms should be provided, one fitted up exclusively for the younger, and the other for the older pupils. In large villages and cities, a better classification of the schools can be adopted, and of course, more completeness can be given to the construction and arrangements of the buildings and the rooms appropriated to each grade of schools.

In the construction and arrangement of the seats and desks of a school room, due regard should be had to the convenience, comfort and health of those who are to occupy them; and to secure these objects, they should be made suitable for use by those who *will* occupy them, for the young and not for grown persons, and of varying heights for children of different ages, from four years to twenty. Under the description of "Plan No. 1," for a school house will be found the dimensions for seats and desks of four different sizes.

The Hon. Henry Barnard, in his invaluable work entitled, "School Architecture," a book that should be in the possession of every school district, particularly if they contemplate erecting a school house, remarks as follows upon the subject of seats and desks for school rooms: "They should be adapted to each other, and the purposes for which they will be used, such as writing and ciphering, so as to prevent any awkward, inconvenient or unhealthy positions of the limbs, chest or spine. They should be easy of access, so that every scholar can go to and from his seat and change his position, and the teacher can approach each scholar and give the required attention and instruction, without disturbing any other person than the one concerned. They should be so ar-

anged as to facilitate habits of attention, take away all temptation and encouragement to violate the rules of the school on the part of any scholar, and admit of the constant and complete supervision of the whole school by the teacher. Each scholar should be furnished with a seat and desk, properly adapted to each other, as to height and distance, and of varying heights; the seats from nine inches and a half to fifteen and a half, (with desks to correspond,) for children of different ages or size. The seat should be made so that the feet of every child can rest on the floor, and the upper and lower part of the leg form a right angle at the knee; and the back, whether separate from or forming part of the adjoining desk behind, should recline to correspond with the natural curves of the spine and shoulders."

The desk, for two scholars, should be at least four feet long and from twelve to eighteen inches wide, with a shelf beneath for books, and an opening in the back side to receive a slate. "The upper surface of the desk, except three or four inches of the most distant portion, should slope one inch in a foot. On the level portion along the line of the slope there should be a groove to prevent pens and pencils from rolling off, and an opening to receive an ink-stand. The top of the ink-stand should be on a level with the desk. The end pieces of the desk should be so made as to interfere as little as possible with sweeping, and a free circulation of air. The desk should not be removed from the seat either in distance or height, so as to require the body, the neck or the chest to be bent forward in a constrained manner; or the elbow or shoulder blades to be painfully elevated, whenever the scholar is writing or ciphering. These last positions, to which so many children are forced, by the badly constructed seats and desks of our ordinary school houses, have led, not unfrequently, to distortion of the form, and particularly to spinal affections of the most distressing character. Such marked results are principally confined to females of delicate constitutions, and studious and sedentary habits. While boys and young men engage in active exercise and sport during the recess and at the close of the school, and thus give relief to the over-

strained and unnaturally applied muscles, and restore the spring of elasticity to the cushion-like substance which gives flexibility to the spinal column; girls exercise less in the open air, indulge but little in those sports which give variety of motion to the joints and muscles, and are confined to duties and studies which require their being seated, out of school hours, too much and too long at any one time."

A volume of testimony, from the most distinguished members of the medical profession, might be given, showing the evil and dangerous effects resulting from the use of improperly constructed seats and desks; but it is deemed unnecessary to produce testimony upon a subject so plain to the observation and common sense of every one.

To adopt further the language of Mr. Barnard: "No child should, under any circumstances, be long or frequently exposed to any one or all of these causes of discomforts, deformity, or disease. Seats and desks can be as easily and cheaply made of different heights, and for convenient and healthy postures, as they are now without reference to such considerations.

Little children are made to suffer, and many of them permanently, from being forced to sit long in one position, without any occupation for the mind or muscles, on seats without backs, and so high that their feet cannot touch, much less *rest*, upon the floor. Nothing but the fear of punishment, or its frequent application, can keep a live child still under such circumstances, and even that cannot do it long.

Who has not an aching remembrance of the torture of this unnatural confinement, and the burning sense of injustice for punishment inflicted for some unavoidable manifestation of uneasiness and pain? Even though the seats are as comfortable as can be made, young children cannot, and should not, be kept still upon them long at a time, and never without something innocent or useful to do, and under no circumstances longer than twenty-five or thirty minutes in one position, nor so long at one study, and that with frequent and free exercise in the open air. To

accomplish this, great and radical changes in the views and practice of teachers, parents, and the communities, must take place. Nowhere in the whole department of practical education, is a gradual change more needed or should be sooner commenced."—The school room should be properly warmed, whenever a fire is needed, and kept at an even temperature of about sixty-eight degrees; and as stoves are mostly used for this purpose, the pipe should be carried as high as possible over the heads of the scholars to a flue within or next the wall. A vessel, supplied with pure water should always be kept on the stove to give moisture to the atmosphere of the room.

4.—VENTILATION.

Every school room should be provided with means of ventilation, for the escape of vitiated air from the room, and for the admission of pure air within the room. The air of the room is constantly undergoing a change by being respired, rapidly losing its vital portions, and being otherwise rendered unwholesome and impure by the insensible perspiration of the inmates, and by burning fires. The importance of some arrangements to effect a constant supply of pure air, not only in school rooms, but in any room where any considerable number of persons assemble, has been overlooked, to the inevitable sacrifice of health, comfort and all cheerful or successful labor. But public attention is now being directed to that subject, and due importance, in many instances, attached to the necessity of providing proper means of ventilation, as is shown in very many of the public rooms and buildings in every part of the State; and it is hoped that the reform in this respect, will not fail to reach every school room in the state. Most of the union school buildings are provided with ample means of ventilation, but a great majority of school houses of the State are without any such humane provisions, unless it be opening an outside door, or raising the lower sash of the windows, a means resulting in as many ill effects as no means at all. For by opening a door or raising the lower sash of a window, a

cold current of air is precipitated into the room upon the persons of those sitting near those apertures, causing colds, coughs, and not unfrequently planting the germs of incurable diseases. The pure air we breathe is composed in every one hundred parts, of 21 of oxygen, 78 of nitrogen, and 1 of carbonic acid; but when this has been once respired or received into the lungs and again thrown off, it is found to have lost 8 per cent of its oxygen, and gained 8 per cent. of carbonic acid. If this is breathed again, it loses another quantity of oxygen, and gains as much more carbonic acid. As oxygen is the vital principle or part of air, it follows that each successive respiration reduces the quantity of this vital principle, without which no animal can live. Now it has been ascertained by experiment, that a healthy, adult person receives into his lungs, at each inhalation, every three seconds, about thirty-six cubic inches of air, which would be twenty-five cubic feet every hour, or seventy-five cubic feet every three hours. And farther, that "an animal cannot live in air which is unable to support combustion; and that air once respired will not support combustion; which establishes the important truth, that "air once respired, will not further support animal life." Hence it will be seen, that forty-five scholars, during a three hours session of school, would exhaust the vitality of three thousand three hundred and seventy-five cubic feet of air; and were they kept in a room of the size of twenty by twenty-four feet, and seven feet in height, in which no pure air would be admitted, and could they breathe the pure air until it is all once respired, they would all cease to exist before the expiration of three hours. For the room of the dimensions named, would contain 3360 cubic feet of air, which is fifteen cubic feet less than is necessary to support healthy respiration. There are many school rooms containing no more cubic feet of air than is mentioned in the above supposed case, and in which are crowded forty-five scholars, but the rooms are far from being air tight, so that such a condition of things as above supposed, cannot well exist; but there are approximations

to it, and this is given to show the necessity of large rooms, high ceilings, and proper means of ventilation.

The Hon. Ira Mayhew, superintendent of public instruction of the state of Michigan, in his very excellent work on "Popular Education," from which the above statements are derived, relates the following incident, as having occurred while in the discharge of his duty as such officer: "In the winter of 1841-2 I visited a school in which the magnitude of the evil under consideration (want of proper means of ventilation,) was clearly developed. Five of the citizens of the district attended me in my visit to the school. We arrived at the school house about the middle of the afternoon. It was a close, new house, eighteen by twenty-four feet on the ground, two feet less in one of its dimensions than the house concerning which the preceding calculation is made. There were present forty-three scholars, the teacher, five patrons, and myself, making fifty in all. Immediately after entering the school house, one of the trustees remarked to me: 'I believe our school house is too tight to be healthy.' I made no reply, but secretly resolved that I would sacrifice my comfort for the remainder of the afternoon, and hazard my health, and my life even, to test the accuracy of the opinions I had entertained on this important subject. I marked the uneasiness and dullness of all present, and especially of the patrons, who had been accustomed to breathe a pure atmosphere. School continued an hour and a half, at the close of which I was invited to make some remarks. I arose to do so, but was unable to proceed until I had opened the outer door, and snuffed a few times the purer air without. When I had partially recovered my wonted vigor, I observed with delight the renovating influence of the current of air that entered the door, mingling with and gradually displacing the fluid poison that filled the room, and was about to do the work of death. It seemed as though I was standing at the mouth of a huge sepulchre, in which the dead were being restored to life. After a short pause I proceeded with a few remarks; chiefly, however, on the subject of

respiration and ventilation. The trustees, who had just tested their accuracy and bearing upon their comfort and health, resolved immediately to provide for ventilation. * * *

Before leaving the house on that occasion, I was informed an evening meeting had been attended there the preceding week, which they were obliged to dismiss before the ordinary exercises were concluded, because, as they said, 'We all got sick, *and the candles went almost out.*' Little did they realize, probably, that the light of life became just as nearly extinct as did the candles. Had they remained there a little longer, both would have gone out together, and there would have been enacted the memorable tragedy of the *Black Hole* of Calcutta, into which were thrust a garrison of one hundred and forty-six persons, one hundred and twenty-three of whom perished miserably in a few hours, being suffocated by the confined air."

So tragical a scene as the one above supposed will not probably occur, but it forcibly illustrates the necessity of providing a constant supply of pure air, and of affording means for the escape from the room of foul air, generated by respiration and other causes. For, if in a school numbering forty-five scholars, 562½ cubic feet of air loses its vital power every half hour, and this vitiated air, mixing with the atmosphere of the room, proportionately deteriorates the whole mass, some means must be provided to supply the necessary quantity of oxygen, or the most evil results will inevitably ensue. During warm weather resort may be had to opening doors and windows as a means of ventilation, with less of evil effects than at times when a fire is needed to sustain the warmth of the room; but in the winter season other means are necessary.

Pure air should be introduced into the room by means of a tube leading from the outside of the wall of the building beneath the floor, and opening into the school room under the stove, as mentioned in Plan No. 1. By this arrangement the pure air will be moderately warmed before it circulates through the room. The size of this admission tube, or flue, must depend upon the

size of the room and the number of occupants; but if supplied with a register at the opening under the stove, the amount of air necessary to be admitted may be easily regulated, provided the tube is large enough, which should not be less than twelve inches square.

A flue should be constructed, through which the noxious air may escape, adjoining the smoke flue, which should be at the opposite side of the room from the place where the stove is situated, and cold air admitted. This flue should not be less than eighteen inches in diameter, with a smooth inside surface, and an aperture nearly the size of the flue, near the ceiling of the room, furnished with a register that it may be opened or closed at pleasure. By carrying up this ventilating flue close beside or within the smoke flue, the warmth of the latter during the season when fires are used, and will rarify the air in the former sufficiently to sustain a constant draught of air from the room. The ventilating flue may be made to connect with the chimney in the attic.

APPENDIX "C."

APPORTIONMENT (For the year 1854,) of \$99,749 52 among the several Towns and Cities of the State, according to the number of children residing therein between four and twenty years of age.

ADAMS COUNTY.

Towns.	No. of Children.	Apportionment.
Jackson,	208	\$149 76
Quineey,	64	46 08
Lemonwier,	125	90 00
Grand Marsh,	68	No apportionment.
Total	397	285 94

BAD AX COUNTY.

Bad Ax,	442	\$318 24
Bergen,	47	33 84
Kickapoo,	24	17 28
Jefferson,	116	63 52
Total	629	452 88

BROWN COUNTY.

Depere,	169	\$121 68
Green Bay,	968	696 96
Lawrence,	132	95 04
Wrightstown,	56	40 32
Howard,	221	159 12
Total	1546	1,111 32

CALUMET COUNTY.

Manchester,	199	\$143 28
Stockbridge,	276	198 72
Charlestown,	61	43 92

CALUMET COUNTY.—Continued.

Towns.	No. of Children.	Apportionment.
New Holstein,	170	122 40
Lima,	40	28 80
Portland,	147	105 84
Woodville	—	No apportionment.
Total	893	642 96

CRAWFORD COUNTY.

Prairie du Chien	674	\$485 28
Total	674	485 28

COLUMBIA COUNTY.

West Point,	145	\$104 40
Lodi,	232	167 04
Leeds,	214	154 08
Hampden,	195	140 40
Otsego,	158	113 76
Fountain Prairie,	260	187 20
Springvale,	199	143 28
Newport,	97	69 84
Port Hope,	205	147 60
Scott,	160	115 20
Columbus,	426	306 72
Caledonia,	179	128 88
Dekora,	269	193 68
Lowville,	172	123 84
Portage City,	348	250 56
Wyocena,	274	197 28
Courtland,	264	190 08
Lewiston,	148	106 56
Marcellon,	229	164 88
Randolph,	258	185 76
Total	4,432	3,191 04

DANE COUNTY,

Towns.	No. of Children.	Apportionment.
Albion,	354	\$254 88
Bristol,	279	200 88
Blue Mounds,	297	213 84
Blooming Grove,	164	118 08
Berry,	106	76 32
Burke,	238	171 36
Black Earth,	192	138 24
Christiana,	505	363 60
Cottage Grove,	381	274 32
Dane,	186	133 92
Dunn,	179	128 88
Dunkirk,	433	311 76
Deerfield,	248	178 56
Fitchburg,	257	185 04
Montrose,	211	151 92
Middleton,	159	114 48
Madison,	1127	811 44
Medina,	307	221 04
Oregon,	332	239 04
Primrose,	296	213 12
Pleasant Springs	432	311 04
Rutland,	381	274 32
Springfield,	225	162 00
Springdale,	197	141 84
Sun Prairie,	268	192 96
Verona,	241	173 52
Vienna,	104	74 88
Windsor,	211	151 92
Westport,	114	82 08
York,	252	181 44
Roxbury,	232	167 04
Crossplains,	213	153 36
Total,	9121	\$6,567 12

DODGE COUNTY.

Towns.	No. of Children.	Apportionment.
Ashippun,	441	\$317 52
Beaver Dam,	645	464 40
Burnett,	330	237 60
Emmett,	427	307 44
Calamus,	180	129 60
Chester,	356	256 32
Clyman,	363	261 36
Elba,	334	240 48
Fox Lake,	337	242 64
Hustisford,	346	249 12
Herman,	410	295 20
Hubbard,	370	266 40
Lebanon,	527	379 44
Lowell,	344	247 68
Leroy,	195	140 40
Lomira,	262	188 64
Oak Grove,	504	362 88
Portland,	226	162 72
Rubicon,	397	285 84
Shields,	332	239 04
Trenton,	390	280 80
Theresa,	341	245 52
Westford,	60	43 20
Williamstown,	363	261 36
City of Watertown, (5th & 6th wards)	148	106 56
Total,	8628	\$6212 16

FOND DU LAC COUNTY.

Ashford,	858	\$257 76
Auburn,	125	90 00
Alto,	240	172 80
Waupun,	342	246 24
Oakfield,	376	270 72

FOND DU LAC COUNTY.—Continued.

Towns.	No. of Children.	Apportionment.
Byron,	342	246 24
Forest,	318	228 96
Ceresco,	184	132 48
Rosendale,	241	173 52
Calumet,	602	433 44
Fond du Lac, (city),	844	607 68
Eden,	193	138 96
Osceola,	117	84 24
Metomen,	327	235 44
Springvale,	280	201 60
Lamartine,	284	204 48
Fond du Lac, (town),	260	187 20
Empire,	192	138 24
El Dorado,	281	202 32
Friendship,	164	118 08
Taychedah,	312	224 64
Total,	6382	\$4,595 04

GRANT COUNTY.

Hazel Green,	653	\$470 16
Smelzer,	327	235 44
Jamestown,	309	222 48
Paris,	161	115 92
Potosi,	828	596 16
Harrison,	322	231 84
Liberty,	79	56 88
Ellenboro',	190	136 80
Beetown,	397	285 84
Patch Grove,	581	418 32
Platteville,	785	565 20
Lima,	260	187 20
Clifton,	232	167 04
Wingville,	159	114 48

GRANT COUNTY.—Continued.

Towns.	No. of Children.	Apportionment.
Muscoda,	188	135 36
Fennimore,	397	285 84
Lancaster.	522	375 84
Waterloo,	115	82 80
Cassville,	284	204 48
Total,	6789	\$4,888 08

GREEN COUNTY.

Adams,	169	\$121 68
Albany,	292	210 24
Brooklyn,	262	188 64
Cadiz,	218	156 96
Clarno,	332	239 04
Decatur,	306	220 32
Exeter,	295	212 40
Jefferson.	368	264 96
Jordan,	258	185 76
Monroe,	555	399 60
Sylvester,	339	244 08
New Glarus,	154	110 88
Spring Grove,	329	236 88
Mount Pleasant,	324	233 28
Washington,	179	128 88
York,	81	58 32
Total,	4461	\$3,211 92

IOWA COUNTY.

Arena,	193	\$138 96
Clyde,	116	83 52
Mifflin,	285	205 20
Highland,	404	290 88
Ridgeway,	350	252 00
Mineral Point,	1043	750 96
Wyoming	167	120 24

IOWA COUNTY.—Continued.

Towns.	No. of Children.	Apportionment.
Pulaski,	132	95 04
Waldwick,	177	127 44
Linden,	416	299 52
Dodgeville,	972	699 84
Total,	4255	\$3,063 60

JEFFERSON COUNTY.

Aztalan,	277	\$199 44
Cold Springs,	227	163 44
Concord,	392	282 24
Farmington,	280	201 60
Hebron,	277	199 44
Ixonia,	639	460 08
Jefferson,	617	444 24
Koshkonong,	595	428 40
Lake Mills,	389	280 08
Milford,	334	240 48
Oakland,	424	305 28
Palmyra,	468	336 96
Sullivan,	327	235 44
Waterloo,	390	280 80
Watertown,	653	470 16
Watertown, (City)	687	494 64
Total,	6976	\$5,022 72

KENOSHA COUNTY.

Kenosha City,	1212	\$872 64
Bristol,	459	330 48
Salem,	423	304 56
Paris,	440	316 80
Pleasant Prairie,	495	367 40
Wheatland,	496	357 12
Brighton,	434	312 48
Somers,	235	169 20
Total,	4194	\$3,019 68

LA CROSSE COUNTY.

Towns.	No. of Children.	Apportionment.
Montoville,	15	\$10 80
Pierce,	104	74 88
La Crosse,	168	120 96
Leon,	56	40 32
Neshonac,	77	55 44
Total,	420	\$302 40

LA FAYETTE COUNTY.

Argyle,	182	\$131 04
Belmont,	73	52 56
Benton,	626	450 72
Center,	312	224 64
Elk Grove,	255	183 60
Fayette,	333	239 76
Gratiot,	249	179 28
Kendall,	193	138 96
Monticello,	92	66 24
New Diggings,	625	450 00
Shullsburg,	606	436 32
Willow Springs,	261	187 92
White Oak Springs,	245	176 40
Wiot,	454	326 88
Wayne,	187	134 64
Total,	4025	\$3,378 96

MARATHON COUNTY.

Marathon,	32	\$23 04
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MANITOWOC COUNTY.

Centreville,	128	\$88 56
Kossuth,	222	159 84
Manitowoc,	307	221 04

MANITOWOC COUNTY.—Continued.

Towns.	No. of Children.	Apportionment.
Manitowoc Rapids,	175	126 00
Maple Grove,	108	77 76
Meeme,	118	84 96
Newton,	197	141 84
Saxenburg,	103	74 16
Two Rivers,	345	248 40
Walders,	15	10 80
Total,	1,713	\$1,233 36

MARQUETTE COUNTY,

Brooklyn,	287	\$206 64
Montello,	68	48 96
Dayton,	190	136 80
Green Lake,	264	190 08
Buffalo,	194	139 68
Crystal Lake,	27	19 44
Hardin,	221	159 12
Mackford,	239	172 08
Marquette,	158	113 76
St. Marie,	221	159 12
Princeton,	294	211 68
Berlin,	526	378 72
Shields,	94	67 68
Westfield, no apportionment.		
Harriss,	75	54 00
Oxford,	102	73 44
Kingston,	214	154 08
Moundville,	209	150 48
Paekwaukee,	139	100 08
Newton, no apportionment.		
Neshkoro,	80	57 60
Total,	3,612	\$2,593 44

MILWAUKEE COUNTY.

Towns.	No. of Children.	Apportionment.
Milwaukee, (town)	679	\$488 88
Greenfield,	747	537 84
Wauwatosa,	784	564 48
Lake,	608	437 76
Franklin,	570	410 40
Oak Creek,	608	437 76
Granville,	875	630 00
City of Milwaukee,	7,808	5,621 76
Total,	12,679	\$9,128 88

OUTAGAMIE COUNTY.

Grand Chute,	315	226 80
Kaukauna,	294	211 68
Freedom,	93	66 96
Center,	35	25 20
Ellington,	49	35 28
Greenville,	63	45 36
Hortonia,	126	90 72
Total,	975	702 00

OCONTO COUNTY.

Oconto,	320	230 40
Total,	320	230 40

OZAUKEE COUNTY.

Mequon,	1,002	721 44
Grafton,	427	307 44
Fredonia,	396	285 12
Belgium,	720	518 40
Cedarburg,	623	448 56
Saukville,	314	226 08
Port Washington,	585	421 20
Total,	4,067	2,928 24

PORTAGE COUNTY.

Towns.	No. of Children.	Apportionment.
Stephens' Point,	145	104 40
Grand Rapids,	No apportionment.	
Amherst,	"	
Almond,	12	8 64
Plover,	55	39 60
Eagle Point,	No apportionment.	
Buena Vista,	"	
Total,	212	152 64

POLK COUNTY.

Leroy,	71	51 12
Total,	71	51 12

PIERCE COUNTY.

Prescott,	98	70 56
Total,	98	70 56

RACINE COUNTY.

Racine, (city,)	2,386	1,717 92
Racine, (town,)	330	237 60
Raymond,	428	308 16
Norway,	372	267 84
Waterford,	568	408 96
Burlington,	571	411 12
Caledonia,	534	384 48
Mount Pleasant,	412	296 64
Yorkville,	446	321 12
Dover,	398	286 56
Rochester,	299	215 28
Total,	6744	\$4855 68

RICHLAND COUNTY.

Towns.	No. of Children.	Apportionment.
Rockbridge,	78	56 16
Buena Vista,	263	189 36
Richwoods,	98	70 56
Richland,	72	51 84
Eagle,	31	22 32
Richmond,	172	123 84
	<hr/>	<hr/>
Total,	714	514 08

ROCK COUNTY.

Avon,	293	210 96
Beloit,	1,137	818 64
Bradford,	313	225 36
Center,	314	226 08
Clinton,	398	286 56
Lima,	340	244 80
Magnolia,	334	240 48
Milton,	442	318 24
Newark,	340	244 80
Plymouth,	260	187 20
Fulton,	450	324 00
Harmony,	320	230 40
Janesville (city),	1,217	876 25
Janesville (town),	233	167 76
Johnstown,	378	272 16
La Prairie,	158	113 76
Porter,	425	306 00
Rock,	230	165 60
Springvalley,	342	246 24
Turtle,	418	300 96
Union,	437	314 64
	<hr/>	<hr/>
Total,	8,779	\$6,320 88

ST. CROIX COUNTY.

Towns:	No. of Children.	Apportionment.
Hudson,	187	\$134 64
Rush River, no apportionment.		
Kinnakinnic,	56	40 32
Total,	243	\$174 96

SAUK COUNTY.

Baraboo,	434	\$312 48
Dellona,	180	129 60
Freedom,	188	135 36
Flora,	120	86 40
Greenfield,	113	81 36
Honey Creek,	270	194 40
Kingston,	392	282 24
Marston,	107	77 04
New Buffalo,	204	146 88
Prairie du Sac,	390	280 80
Reedsburg,	214	154 08
Spring Green,	171	123 12
Winfield,		44 64
Total,	2,845	\$2,048 40

SHEBOYGAN COUNTY.

Abbott,	228	\$164 16
Green Bush,	275	198 00
Holland,	386	277 92
Herman,	282	203 04
Lima,	374	269 28
Lyndon,	387	278 64
Mitchell,	174	125 28
Plymouth,	400	288 00
Rhine,	183	131 76

SHEBOYGAN COUNTY.—Continued.

Towns.	No. of Children.	Apportionment.
Sheboygan Falls,	570	410 40
Sheboygan (town,)	453	326 16
Sheboygan (city,)	896	645 12
Scott,	233	167 76
Wilson,	167	120 24
Total,	5,008	\$3,605 76

WALWORTH COUNTY.

Whitewater,	497	\$357 84
Richmond,	274	197 28
Darien,	409	294 48
Sharon,	531	382 32
Walworth,	428	308 16
Delevan,	480	345 60
Sugar Creek.	329	236 88
La Grange,	374	269 28
Troy,	361	259 92
La Fayette,	380	273 60
Geneva,	641	461 52
Linn,	283	203 76
Bloomfield,	231	166 32
Hudson,	511	367 92
Spring Prairie,	509	366 48
East Troy,	464	334 08
Elkhorn,	209	150 48
Total,	6911	\$4,975 91

WASHINGTON COUNTY.

Farmington,	382	\$175 76
Addison,	313	225 36
West Bend,	248	178 56
Hartford,	501	360 72
Germantown,	801	576 72
Jackson,	492	354 24

WASHINGTON COUNTY.—Continued.

Towns.	No. of Children.	Apportionment.
Polk,	715	514 80
Richfield,	680	489 60
Trenton,	355	255 60
Kewaskum,	163	117 36
Erin,	465	334 80
Wayne,	156	112 32
Newark,	338	243 36
Total,	5610	\$4,039 20

WAUKESHA COUNTY.

Muskego,	505	\$363 60
New Berlin,	587	422 64
Brookfield,	642	462 24
Menominee,	637	458 64
Lisbon,	496	357 12
Pewaukee,	476	342 72
Waukesha,	975	702 00
Vernon,	357	257 04
Mukwonago,	493	354 96
Genesee,	572	411 84
Delafield,	342	246 24
Merton,	413	297 36
Oconomowoc,	533	383 76
Summit,	314	226 08
Ottowa,	368	264 96
Eagle,	413	297 36
Total,	8123	\$5,848 56

WAUPACA COUNTY.

Dayton,	69	\$49 68
Waupaca,	258	185 76
Lind,	122	87 84
Embarrass,	No Apportionment.	
Mukwa,	81	58 32
Weyauwega,	161	115 92
Centreville,	No Apportionment.	
Total,	691	\$497 52

WAUSHARA COUNTY.

Towns.	No. of Children.	Apportionment
Waushara,	140	\$100 80
Pine River,	70	50 40
Warren,	20	14 40
Dacotah,	69	49 68
Merrien,	84	60 48
Ontario,	121	87 12
Mount Morris,	No Apportionment.	
Wautoma,	150	108 00
Oasis,	119	85 68
Total,	778	\$556 56

WINNEBAGO COUNTY.

Algoma,	282	\$203 04
Black Wolf,	153	110 16
Clayton,	188	135 36
Nekimi,	246	177 12
Nepeuskin,	172	123 84
Neenah,	436	313 92
Omro,	437	314 64
Oshkosh, (City)	470	338 40
Oshkosh, (Town)	85	61 20
Poygun,	53	38 16
Rushford,	425	306 00
Utica,	269	193 68
Vinland,	278	200 16
Winneconne,	257	185 04
Winchester,	90	64 80
Total,	3841	\$1,765 52

Grand Total in the State, 138,541 \$99,749 52

APPENDIX "D."

STATEMENT of the annual distribution of the income of the School Fund to the several counties of the State, since the organization of the Free School system.

NAMES OF COUNTIES.	Amount Apportion- ed in 1850.	Amount Apportion- ed in 1851.	Amount Apportion ed in 1852.	Amount Apportion- ed in 1853.	Amount Apportion- ed in 1854.
Adams.....	.....	.....	.....	.....	285 84
Bad Ax.....	.....	.....	162 72	204 75	452 88
Brown.....	6 94	757 71	722 40	706 95	1113 12
Calumet.....	3 25	191 08	273 60	310 95	642 96
Columbia.....	11 09	1213 56	1476 96	1637 55	3191 04
Crawford.....	2 84	210 39	188 16	191 25	485 28
Dane.....	32 44	2737 11	3272 16	3557 85	6567 12
Dodge.....	40 40	3214 80	3322 56	3414 60	6212 16
Fond du Lac.....	23 02	2133 88	2504 16	2652 40	4595 04
Grant.....	38 38	2527 73	2780 64	2313 40	4888 08
Green.....	19 56	1363 98	1845 60	1853 55	3211 92
Iowa.....	14 45	1190 18	1688 16	1723 95	3063 60
Jefferson.....	29 46	2555 17	2738 40	2805 30	5022 72
Kenosha.....	29 83	1951 96	1868 64	1793 25	3019 68
La Crosse.....	.....	.....	11 04	188 10	302 40
Lafayette.....	24 33	1431 57	1984 80	1999 80	3378 96
Marathon.....	.....	.....	.....	.....	23 04
Manitowoc.....	1 78	85 88	415 20	571 50	1233 36
Marquette.....	7 45	778 55	1333 44	1279 80	2593 44
Milwaukee.....	68 10	4998 55	4972 80	5047 65	9128 88
Outagamie.....	.....	.....	373 44	410 85	702 00
Oconto.....	.....	.....	.....	135 00	230 40
Ozaukee.....	.....	.....	.....	.....	2928 24
Portage.....	.....	59 92	.....	71 55	152 64
Pierce.....	.....	.....	.....	.....	70 56
Polk.....	.....	.....	.....	.....	51 12
Racine.....	32 35	2485 04	2741 76	2849 85	4855 68
Richland.....	.....	143 82	218 88	255 15	514 08
Rock.....	46 75	3804 30	3702 24	3764 25	6320 88
St Croix.....	24	.....	140 64	90 45	174 96
Sauk.....	6 88	703 33	905 76	1040 85	2048 40
Sheboygan.....	21 94	1480 86	1814 40	1999 35	3605 76
Walworth.....	47 28	3370 81	3406 56	3158 10	4975 92
Washington.....	44 20	3061 32	3721 92	3928 05	4089 20
Waukesha.....	28 74	3261 05	3595 20	3560 85	5848 56
Waupaca.....	.....	.....	79 68	129 15	497 52
Waushara.....	.....	.....	.....	123 65	556 56
Winnebago.....	6 10	1179 51	1441 92	1426 05	2765 52
	588 00	46,889 06	53,703 84	55,695 75	99,749 52

NOTE.—In consideration of the above table, and in comparing the amounts received by different counties in different years, it must be borne in mind that the boundaries of several of them have been changed, and their territory materially diminished since their first apportionment in 1850.

APPENDIX "F."

A TABULAR STATEMENT showing the whole number of Children, over four and under twenty years of age, residing in the several Counties of the State, together with the per cent. attendance of such Children upon the Public Schools; from 1849 to 1854, both inclusive.

COUNTIES.	1849.		1850.		1851.		1852.		1853.		1854.	
	No. of Children.	Per cent. attended.	No. of Children.	Per cent. attended.	No. of Children.	Per cent. attended.	No. of Children.	Per cent. attended.	No. of Children.	Per cent. attended.	No. of Children.	Per cent. attended.
Adams.....									465	68		
Bad Ax.....					339	.07	455	36	629	44.3	889	53
Brown.....	854	5.3	1491	32.2	1505	46.1	1471	47.6	1546	46.8	1494	43
Buffalo.....												
Calumet.....	399	38.1	376	73.1	570	30.3	691	49	893	62.2	1066	68.7
Chippewa.....												
Clarke.....												
Columbia.....	1369	56.4	2388	65	3077	88	3643	74.1	4432	77	5264	71.1
Crawford.....	350	19.1	414	37.4	392	50	425	37.1	674	54	702	57.9
Dane.....	3991	55.9	5386	62.2	6817	68.9	7987	64.5	9121	67.1	9741	63.4
Dodge.....	4970	32.7	6326	68.2	6922	79.4	7839	67.8	8628	82.5	10,017	81.3
Dunn.....												
Door.....												
Douglas.....												
Fond du Lac.....	2832	34.7	4199	78.1	5217	85.5	5896	78.7	6382	74.3	7204	73.9
Grant.....	4722	39	4974	65.9	5793	65.1	6272	70	6789	64.7	7431	65.6
Green.....	2406	47	2684	79.2	3845	72.1	4119	86.6	4461	82.9	4793	61.9
Iowa.....	1778	27.2	2342	62.5	3517	60.7	3831	77.3	4255	65.1	4595	58.1
Jackson.....											134	70.1
Jefferson.....	3525	57.5	5028	71.2	5705	82.4	6240	73	6976	78.8	7804	68.3

Kenosha.....			3841	77.9	3893	82.2	3985	80	4194	76.3	4509	65.6
Kewaunee.....					23	100	418	41.5	367	09.8	820	69.7
La Crosse.....	2993	42	2817	64.6	4135	53.1	4445	63.7	4693	50.8	5242	44
La Fayette.....												
La Pointe.....												
Manitowoc.....	219	72.6	169	53.2	865	73.1	1270	56.6	1713	70	2479	55.3
Marathon.....									32	100	56	100
Marquette.....	916	28.7	1532	81.5	27.8	70.7	2844	82.5	3612	82.4	4516	80.8
Milwaukee.....	8379	44.5	9836	25.5	10,360	37.5	11,215	45.5	12,679	36.6	13,138	45.4
Monroe.....												100
Oconto.....							*300		320	37.5	445	40.4
Outagamie.....					778	60.1	913	62.4	1012	74.8	1243	70.1
Ozaukee.....									4067	52.1	4322	57.5
Pierce.....									98	52		
Polk.....									71	26.7	107	33.1
Portage.....			112	81.2			169	76.9	212	64.1	476	67.8
Racine.....	7648	29.7	4890	76.2	5712	73.8	6333	69.8	6744	71.2	7192	64.4
Richland.....			283	21.9	456	44	567	67	714	75.2	936	20.5
Rock.....	5752	74.7	7486	79.4	7713	90.6	8407	90.3	8779	83.5	9430	71.6
Sauk.....	847	51.2	1384	63.8	1856	62.2	2313	73.6	2845	69.4	3523	70.6
Shawano.....												
Sheboygan.....	2699	23.1	2914	70.4	3780	58.3	4443	65.4	5008	55.5	5760	56.5
St. Croix.....	*29		38	63.1	293	14.6	201	41.2	264	56.8	357	49.8
Trempealeau.....												
Walworth.....	5817	56.6	6633	91	7097	93.7	7018	92.1	6911	79.7	7624	74.1
Washington.....	5438	24.8	6024	56.3	7754	57.1	8929	57.4	5610	62	6290	64.8
Waukesha.....	3551	68.2	6417	77.7	7490	81.8	7925	80.5	8123	83.5	8602	83
Waupaca.....					166	66.8	287	100	725	52.5	821	65.4
Waushara.....							349	46.4	773	61.8	1284	78.8
Winnebago.....	*751		2321	73.1	3004	86.4	3440	81	3841	87.4	4512	67.5
State.....	71,455	44	91,305	67.5	111,852	70.5	124,340	70.8	138,658	68.7	155,125	†60.4

* Report not complete.

† For reasons stated in the report, the true per centage for 1854 is 70, and the entire attendance 108,651.

APPENDIX "E."

A STATEMENT of the amount of money raised by tax, for the support of schools, in the several counties of the State, since the organization of the present school system.*

Names of Counties,	1849	1850	1851	1852	1853
Adams.....					135 00
Bad Ax.....			82 24	96 49	123 00
Brown.....	1922 55	1084 41	723 19	585 10	441 69
Buffalo.....					
Calumet.....		231 99	149 12	151 48	206 00
Chippewa.....					
Clarke.....					
Columbia.....	1641 96	1314 09	2693 26	2839 15	2761 92
Crawford.....	604 03	622 23	241 65	187 58	196 28
Dane.....	3168 31	2189 61	1630 61	1662 00	1813 00
Dodge.....		3033 95	1607 40	1686 28	1768 10
Dunn.....					
Door.....					
Douglas.....					
Fond du Lac.....		2166 97	2205 47	1250 07	1326 77
Grant.....	4238 21	1557 31	1263 92	1395 07	1418 25
Green.....		944 05	730 00	943 00	930 00
Iowa.....		2114 91	1681 69	1601 19	920 18
Jackson.....					
Jefferson.....	2375 59	2150 17	1442 77	1380 00	1809 56
Kenosha.....		2664 61	2480 69	2082 26	2586 44
Kewaunee.....					
La Crosse.....			81 39	402 83	309 11
La Fayette.....		1401 81	936 67	1245 00	1022 00
La Point.....					
Manitowoc.....		489 20	264 16	575 64	551 64
Marathon.....					75 00
Marquette.....		1547 35	1817 55	1200 00	1530 66
Milwaukee.....	6769 75	6363 72	7456 87	7535 64	7818 70
Monroe.....					
Oconto.....				200 00	80 00
Outagamie.....			528 37	501 34	337 72
Ozaukee.....					835 60
Pierce.....					13 54
Polk.....					130 00
Portage.....		154 97		8111 80	200 12
Racine.....	5107 61	2412 64	1694 47	2356 31	2661 83
Richland.....		231 01	368 57	297 89	187 14
Rock.....	5389 90	2183 47	3279 35	4048 20	4369 80
Sauk.....	1181 04	1348 93	1405 59	1111 71	782 80
Shawano.....					
Sheboygan.....	1628 45	2329 10	1742 70	2562 97	2850 38
St. Croix.....			64 08	85 18	198 60
Trempealeau.....					
Walworth.....	4840 40	1938 66	1685 71	2191 62	1578 43
Washington.....	2598 55	935 86	1587 91	1840 99	1522 71
Waukesha.....	3238 31	1373 64	1630 63	1797 60	1775 24
Waupaca.....				144 90	275 00
Waushara.....				100 00	306 13
Winnebago.....	1350 50	1749 32	1888 05	1584 39	2412 82
Total.....	46,055 25	44,534 30	43,364 08	46,353 88	48,256 26

* The above table exhibits only the aggregate amount raised in the several towns of a county by direction of the county board of supervisors at their annual session. Most towns, at their annual town meeting in April, vote to raise sums in addition to the amount so directed to be raised.

ANNUAL REPORT

OF THE

BANK COMPTROLLER,

OF THE

STATE OF WISCONSIN,

FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, PRINTER.

1855.

THE UNIVERSITY OF CHICAGO

1921

PAUL COMPTON

1921

STATE OF WISCONSIN

IN SENATE

REPORT

OF THE

1921

OFFICE OF BANK COMPTROLLER,
MADISON, JAN. 11th, 1855.

HON. J. T. LEWIS,

President of the Senate:

I herewith transmit to the legislature as required by law, the annual report of the Bank Comptroller.

Very Respectfully,

WM. M. DENNIS,

Bank Comptroller.

Office of the District Attorney

San Francisco, California

May 10, 1906

Members of the Board of Supervisors

I am much pleased to the opportunity of presenting to you the

annual report of the Board of Supervisors.

Very respectfully,

Wm. H. Hall

Chief Clerk

REPORT

BANK COMPTROLLER'S OFFICE,

MADISON, January 10th, 1855.

HON. J. T. LEWIS,

Lieut. Gov. and President of the Senate:

In pursuance of law, the Bank Comptroller has the honor of submitting the following report of the transactions of his office for the preceding year :

This department was organized on the 20th of November, A. D. 1852, by the appointment of James S. Baker, Esq., of Green Bay, to the office of Bank Comptroller, who continued in the discharge of the duties of that office until the first Monday of January, 1854, when the term of the present incumbent commenced.

My predecessor in office, in the ability and industry which he displayed in the organization and management of this new department, is entitled to much credit, and the result of his labors has materially aided me in the discharge of my official duties.

The State Bank at Madison was the first association organized under the banking law of this State, and deposited its first securities in this office, on the 25th day of January, 1853.

The whole number of banks doing the business on the first day of January, 1854, was ten.

The following will show the aggregate condition of banks as reported to this office on that day :

Capital	\$600,000 00
Circulation	485,121 00
Deposits	654,048 10
Specie	182,482 81
Cash Items	20,136 80
Public Securities	578,721 11
Private Securities	1,163,066 47

The whole number of banks organized and doing business on the first day of January, 1855, were twenty-four.

The aggregate banking capital of the organized banks on that day was \$1,450,000.

The banking capital of the State has increased during the past year \$850,000.

Several new institutions are now in the course of organization and will soon commence business, the aggregate capital of which is \$135,000.

The whole amount of countersigned notes issued to the banks, and outstanding, on the first day of January, 1855, is \$937,592.

The whole amount of State stocks on deposit in this office to secure the redemption of said notes, on that day was 1,033,000, and consisted of the bonds of the following States, to wit:

Virginia	State Stocks	6 per cent	\$277,000
Missouri	do	do	230,000
Tennessee	do	do	175,000
North Carolina	do	do	85,000
Kentucky	do	do	62,000
Louisiana	do	do	36,000
Michigan	do	do	18,000
Wisconsin	do	7 per cent	50,000
do	do	8 per cent	40,000
Georgia	do	6 per cent	42,000
do	do	7 per cent	20,000

Total, \$1,033,000

A particular description of the stocks deposited by each bank, will be found in the appendix attached to this report, and marked "A."

From the reports made to this office on the first day of January, 1855, by twenty-three banks, the following items are gathered, to wit:

Capital	\$1,400,000 00
Circulation	740,764 00
Deposits	1,481,866 74
Specie	334,383 74
Cash Items	103,184 27
Public Securities	998,485 19
Private Securities	1,861,043 66

NOTE.—The *Oshkosh City Bank* not included in the above statement.

Tables B, C, D, E in the appendix attached to this report, will exhibit the semi-annual reports of the banks from the organization of this department, up to and including the semi-annual report of January 1st, 1855.

The following Statement will show the amount of Capital Stock, the amount of Countersigned Notes issued to each Bank, and the amount of State Stocks on deposit to secure the redemption of such Notes, on the first day of January, 1855.

Name of Bank.	Capital.	Circulation Outstanding.	Amount of State Stocks on Deposit.
State Bank.....	\$ 50,000	\$ 30,800	\$ 32,000
Wisconsin Marine and Fire Insurance Co.	100,000	49,995	50,000
Bank of Racine.....	50,000	44,995	50,000
Rock River Bank.....	50,000	50,000	56,000
City Bank of Kenosha.....	50,000	46,000	51,000
State Bank of Wisconsin.....	250,000	119,000	134,000
Wisconsin Bank.....	50,000	46,998	50,000
Farmers and Millers' Bank.....	50,000	37,500	40,000
Jefferson County Bank.....	50,000	50,000	55,000
Badger State Bank.....	25,000	22,496	25,000
Oshkosh City Bank.....	50,000	49,900	50,000
Racine County Bank.....	100,000	26,098	29,000
Exchange Bank.....	50,000	22,492	25,000
City Bank of Racine.....	50,000	40,000	45,000
Bank of the West.....	100,000	35,000	35,000
Bank of Fond du Lac.....	25,000	22,492	25,000
Bank of Commerce.....	100,000	36,000	40,000
Columbia County Bank.....	25,000	24,993	25,000
Fox River Bank.....	25,000	24,998	25,000
Bank of Watertown.....	50,000	29,293	33,000
Germania Bank.....	25,000	22,500	25,000
Northern Bank.....	50,000	32,298	46,000
Dane County Bank.....	50,000	50,000	59,000
People's Bank.....	25,000	23,744	25,000
Total.....	\$1,450,000	\$937,592	\$1,033,000

The following Statement will exhibit the whole amount of Countersigned Notes issued to the several Banks of this State, from the organization of this Department, up to January 1st, 1855; also the amount of Countersigned Notes returned to the Bank Comptroller's Office by the said Banks, during that time, to be cancelled and destroyed.

Name of Bank.	Notes Issued.	Notes Returned.
State Bank.....	\$ 51,003	\$20,203
Wisconsin Marine and Fire Insurance Company.....	49,995	.....
Bank of Racine.....	49,995	5,000
Rock River Bank.....	50,017	17
City Bank of Kenosha.....	50,078	4,078
State Bank of Wisconsin.....	134,292	15,292
Wisconsin Bank.....	50,149	3,151
Farmers and Millers' Bank.....	50,904	13,404
Jefferson County Bank.....	50,260	260
Badger State Bank.....	25,036	2,540
Oshkosh City Bank.....	50,006	106
Racine County Bank.....	26,576	478
Exchange Bank.....	24,992	2,509
City Bank of Racine.....	44,990	4,990
Bank of the West.....	35,000	.....
Bank of Fond du Lac.....	24,992	2,500
Bank of Commerce.....	40,005	4,005
Columbia County Bank.....	24,993	.....
Fox River Bank.....	25,020	022
Bank of Watertown.....	29,293	.....
Germania Bank.....	24,992	2,492
Northern Bank.....	32,298	.....
Dane County Bank.....	50,006	006
Peoples's Bank.....	24,997	1,253
Total.....	\$1,019,889	\$82,297

The Bank Comptroller much regrets to be obliged to notice the suspension of the Oshkosh City Bank, one of the institutions organized under our banking law, which occurred on or about the twenty fifth ultimo, in consequence (as the Comptroller is unofficially informed) of the rapid and unexpected withdrawal of the funds of its depositors.

No report having been made to this office by the said Bank, on the first day of January, as required by the forty first section of the banking law; the Comptroller has therefore no other information concerning its condition or resources then what can be gathered from the books of this office. None of the circulating notes of that institution have yet been protested, (or the Comp-

troller has not been officially informed of the fact,) in order to authorize him to take initiatory steps to compel the bank to redeem its issues, or to enable the Comptroller to dispose of its securities and to provide for the payment of its circulating notes, as required by sections 23 and 24 of the banking law. Should it hereafter become the duty of this office to wind up the affairs of that bank, it will be done in the most economical manner, and in the shortest period of time consistent with the interest of the bill holder and a due regard to the rights of the institution.

It is however to be hoped that the individuals who control the bank, will see the necessity of making some arrangement with its creditors, either to continue or to close its business, without the interposition of the law.

The outstanding circulation of the Oshkosh City Bank is \$49,900 for the redemption of which the following securities are on deposit in this office to-wit:

Virginia 6 per cent stocks,	\$15,000
Missouri " " "	10,000
North Carolina " "	25,000

Cash received for interest upon the above stocks and now in the Bank Comptrollers hands	1,500
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Total	\$51,500
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The estimated value of said stocks according to recent sales in

New York is	\$46,000
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Add Cash	1,500
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Total	\$47,500
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Which will leave a deficiency of about five per cent of securities on deposit to provide for the redemption of its outstanding circulation, to cover which this department holds the bond of James Kneeland, David P. Hull and B. S. Henning in the penal sum of \$12,500 which will probably fully indemnify the bill holders from any loss.

By the fifth section of the banking law of this State, the New York Market is made the standard by which the value of the State

stocks offered as security for the redemption of the circulating notes of the banks is ascertained. It provides "that the stocks shall be estimated and governed by the average rate at which such stocks have been sold in the city of New York for the next six months preceding the time when such stocks may be left on deposit with the Bank Comptroller." The said section further requires, that such stocks shall in all cases be made equal to a stock producing six per cent per annum, and in no case to be received at a rate above their par value.

For many years past it has rarely occurred that the bonds of any of the States deposited in this office as securities for the redemption of the circulating notes of the banks have failed to command a premium in the New York market, and they have been, and are now regarded by capitalists as among the most safe and desirable of investments.

The bank comptroller has therefore considered it as his duty under the law, to issue a par circulation upon most of the stocks deposited by the banks, for in addition to the deposit of stocks, the 17th section of the banking law requires that before the bank comptroller shall countersign and deliver any circulating notes, the stock holders of the banks receiving them, shall execute a bond to be approved of by the bank comptroller, to the amount of one fourth of the circulating notes which such banking associations propose to receive, as an additional security to indemnify the bill holder against any loss that may be sustained in case the securities deposited with the comptroller shall not prove sufficient to redeem such bills.

The foregoing provision has in all cases been complied with; and although it has been the aim of this department to have all the circulating notes issued to the banks amply secured by the deposit of state stocks, still the law requiring additional security from the stockholders of banks, is a wise provision, and well calculated to guarantee the public against any occasional loss that may be sustained by depreciation in the value of stocks.

A statement of the names of the several individuals who have

executed bonds in pursuance of the provisions of this law, will be found in the appendix attached to this report, and marked "G"; as well as a statement of the names of the stockholders of each bank, according to the last report made to this office, and marked "H."

During the past three months the New York money market has been more depressed than at any previous period within the last twelve years. The best mercantile paper could scarcely be negotiated at any price. The most substantial securities have sold at ruinous rates, and the stocks of our largest and most reliable states greatly depreciated in the market.

On the first day of December last, in consequence of the decline of stocks below the value at which they had been received as banking securities by this department, and in order to completely secure the redemption of the outstanding circulation issued to the banks, the Bank Comptroller addressed the following circular to the several banks in the state:

"BANK COMPTROLLER'S OFFICE,

MADISON, Dec. 1st, 1854.

In consequence of the great and continued decline in the value of state stocks, in the New York market, and more particularly in the stocks of the states of Missouri, Virginia, North Carolina, Tennessee and Louisiana, I have thought proper to request of your bank to forward to this office at any time during the present month ten per centum of the whole amount of circulating notes which have been countersigned and issued to you by the Bank Comptroller, for the purpose of having the same cancelled; or, you can, at your option, deposite in lieu thereof a like amount of state stocks, at their current market value, all of which will be passed to your credit on the books of this department.

The present unsettled state of the money market might well justify a far larger call, but not wishing to embarrass the business of the banks, or to withdraw from active employment a larger sum than is absolutely necessary, I have, upon consultation with several of the prominent bankers of the state, concluded, at present, to make a call of but ten per cent.

Several of our banks have already, unsolicited by this department, deposited in this office, ten per cent. additional stocks to further secure their circulation, and others have intimated their readiness and willingness to do the same; and it is confidently expected that no institution, organized under our banking law, will decline to comply with this reasonable request, which will not only fully indemnify the public against all possibility of loss, from their circulating notes, but will greatly increase the confidence already reposed in the solidity of our banks.

Very Respectfully Yours,

WM. M. DENNIS,
Bank Comptroller."

The terms of the circular were varied so as to conform as near as practicable to the New York market value of the securities deposited by the different banks. Upon the stocks of our own state (seven and eight per cent.) no additional security was demanded, and upon the stocks of a few of the other states, less than ten per cent was demanded, and it gives me great satisfaction here to state, that my circular was favorably received, and cheerfully acquiesced in, by the prompt forwarding to this department of additional securities or the return of countersigned notes, by every bank in the state with the exception of the Oskosh City Bank.

The prompt manner in which our banks have complied with the terms of this circular, is not only an evidence of their strength and soundness, and of their desire to fully secure the redemption of their circulating notes, but of their ability to furnish the state with a sound and healthy currency. Their conduct is truly commendable and entitles them to additional claims upon the confidence of the people.

The banks of the state have during the short period of time they have existed, generally been doing a safe as well as a profitable business, and with a single exception have promptly redeemed all their issues, and met their other engagements with the public. To discriminate between them would be unjust, as it is believed that all have contributed as far as their ability and safety would permit,

to aid by means of discounts and exchange the various commercial interests of the state.

Our free banking law has now been in operation two years and under its provisions twenty-four banks have been organized, with an aggregate capital of \$1,450,000, and a circulation amounting to \$937,592, all of which is secured by the deposit in this office of \$1,033,000 of the stocks of the most substantial states in the Union. The operation of the law has thus far fully equalled the expectation of its friends and has given to the state a sound and well secured currency. If the affairs of this office are prudently conducted and all the requirements of the law faithfully enforced, little danger need be apprehended of any considerable loss being sustained by the public from currency based upon it.

The only securities that our banking law admits as a basis for banking, are state stocks and a limited amount of the first mortgage railroad bonds, of railroad companies, duly organized under the laws of this state.

The Milwaukee and Mississippi Railroad is the only road in the state that is so far completed as to come within the provisions of the law. That company, in the year 1853, made application to my predecessor in office to have its bonds admitted as banking securities. That officer caused the proper examination into the finances and condition of the road to be made, as required by law, with much care and attention, and very properly admitted the bonds of a portion of the road as banking securities.—See Table F.

The ability with which the affairs of that company have been managed, the large and profitable business that the road is doing, and the uniform promptness with which it has met all its engagements, has caused its securities to be sought after as safe as well as permanent investments; and the bonds of this company have, in consequence, ranged in the New York market within a small margin of state stocks. These reasons, and in consideration of the reduced amount of circulation that can be issued upon that class of securities under the law, have not caused them to be sought after as

banking securities. Only five thousand dollars of the first mortgage bonds of the Milwaukee and Mississippi railroad company have been deposited in this office as a basis for banking; and from the limited amount of circulation which the bank comptroller issued upon them, they were soon withdrawn, and state stocks substituted in their place.

The bank comptroller has in every instance rejected such securities as have been offered as a basis for banking under the law, as do not clearly come within its provisions, as well as the stocks of far distant and doubtful states, which have been construed as coming within the meaning of the act, and has only admitted as banking securities the bonds of such states as are considered most safe and convertible, and whose reputation for the integrity with which they have for a long period of time met their engagements, may be deemed a sufficient guarantee for the future.

The constitution having limited the whole amount of the public debt of this state at one hundred thousand dollars (\$100,000), the greater part of the currency of our banks must continue to be based upon the bonds of other states, which are generally issued in liberal amounts to aid in the construction of various works within their own borders; and it may hereafter, if, indeed, it has not already, become a question of serious financial import, as to how far the policy of our state should be restricted to the basing of nearly its entire currency upon the debts of other states, over which our own government has no supervision or control, either in limiting the amount, or the provision of means for their ultimate payment, or for the accruing interest thereon. In times of universal prosperity it may be well enough, but when commercial and financial revolutions occur, as occur they must, it would seem that the greatest degree of power should be held by our own government, consistent with its general financial policy, over the securities for the currency authorized by its laws.

It is believed that the business of this State requires a circulating currency of not less than \$4,000,000, in order to facilitate the various exchanges of produce, minerals, lumber, merchandise,

and other commodities, less than one-fourth part of which is furnished by the banks of our own State; and it rests with our Legislature to determine whether it is proper for our channels of circulation to be filled with the doubtful and depreciated currency of far distant States, whose currency is neither secured by the "pledge of public stocks," or anything else, and whose banks pay no taxes towards the support of our government. Is it not wrong to require of our own banks the most undoubted securities, and to oblige them to contribute largely to our treasury, and then to place them into competition with the doubtful and unsecured currency of other states.

The poorer currency will generally take the place of the better, as the precious metals seldom circulate in company with paper money, so the more doubtful class of paper currency will generally drive from circulation the better kind. Our own currency is more easily converted into coin or exchange, and is therefore returned to the banks for redemption, whilst the more doubtful, which is not so readily converted, is left to circulate among the people. It has been a subject of great complaint with our farmers and business men, that it is with difficulty they can dispose of their produce and obtain in exchange the notes of the banks of our own state, but that the notes of distant and almost unknown banks, are offered them in payment, which has been the cause of no inconsiderable losses in the converting of such currency into coin or the bills of our own banks, and it remains with the legislature to adopt such measures as will secure our citizens a good currency as well as to protect our banks from the evils of this illegitimate competition in their business.

Our banking law having been enacted by the legislature with much care, and in accordance with the provisions of the constitution submitted to and approved of by a large majority of the electors of the state before it became operative; the power of the legislature to amend or to change any of its provisions is generally questioned, and if no doubt upon the point existed, it is to be hoped

that the power will not be exercised except for good reasons, and then only with caution and great deliberation.

The bank comptroller will propose no material change in any of its provisions, but will only advise the enactment of such laws as in his opinion will have a tendency to perfect the original instrument which will be proposed through the appropriate committee of the Senate and Assembly.

SEC. 39 of the banking law requires that all the circulating notes of banks returned to the Comptroller's office, shall be destroyed by him, after he shall have made a record of the same, which record shall specify the number of each bill, so returned, its date, and by whom it was countersigned. The same section further directs that duplicate records shall also be kept in the office of the state treasurer.

The legislature at its last session directed the bank comptroller to procure suitable books for the purpose of carrying the foregoing provisions into effect, and made ample provision to defray the expenses of the same. The books have accordingly been procured, and opened with much care by a competent book keeper employed for that purpose, and the records are now nearly completed. The expense attending it, although considerable, will be more than compensated for by the additional safeguard that provides against fraudulent issues of countersigned notes.

Chap. 62 of the general laws of the session of 1854, created the office of bank register and vested the appointment with the bank comptroller. In pursuance of that law, Adolphus Menges, Esq., has been assigned to that station, and this opportunity is taken to bear testimony to the ability, fidelity, and industry, in which he has performed the arduous duties of that office as well as the office of deputy bank comptroller, an appointment which he has held since the present incumbent has had charge of this department.

BANK TAXES.

The sixteenth section of the banking law of this state requires that every banking association organized under its provisions, shall on the first days of January and July, in each year, pay into the

state treasury a semi-annual tax of three fourths of one per cent. on the amount of the capital stock of such banking association, which tax shall be in lieu of all other taxes except upon the real estate of such banking association.

The first banking association organized under the said act was in January, 1853.

The whole amount of taxes collected from the banks during the year 1853, was \$7,097 92.

The whole amount of taxes collected from the banks during the year 1854, was \$18,165 63.

It will be safe to estimate the revenue to the state from the bank tax for the year 1855, at \$30,000.

The following statement will show the amount of taxes due from each bank on the first day of January, 1855.

Names of Banks.	Capital.	Amount of Tax.
State Bank, Madison.....	\$ 50 000	\$ 375 00
Wisconsin Marine & Fire Ins. Co., Milwaukee....	100 000	750 00
Bank of Racine, Racine.....	50 000	375 00
Rock River Bank, Beloit.....	50 000	375 00
City Bank of Kenosha, Kenosha.....	50 000	375 00
State Bank of Wisconsin, Milwaukee.....	250 000	1,875 00
Wisconsin Bank, Milwaukee.....	50 000	375 00
Farmers & Millers Bank, Milwaukee.....	50 000	375 00
Jefferson County Bank, Watertown.....	50 000	375 00
Badger State Bank, Janesville.....	25 000	187 50
Oshkosh City Bank, Oshkosh.....	50 0 0	375 00
Racine County Bank, Racine.....	100 000	750 00
Exchange Bank, Milwaukee.....	50 000	375 00
City Bank of Racine, Racine.....	50 000	375 00
Bank of Fond du Lac, Fond du Lac.....	25 000	187 50
Bank of the West, Madison.....	100 000	750 00
Bank of Commerce, Milwaukee.....	100 000	750 00
Columbia County Bank, Portage City.....	25 000	187 50
Fox River Bank, Green Bay.....	25 000	187 50
Northern Bank, Howard.....	50 000	512 50
Bank of Watertown, Watertown.....	50 000	308 33
Germania Bank, Milwaukee.....	25 000	147 92
Dane County Bank, Madison.....	50 000	187 50
Peoples' Bank, Milwaukee.....		62 50
	\$1,450,000	\$10,591 67

ENGRAVING AND PRINTING.

Section four of an act entitled "an act to authorize the business of banking," approved April 19th, 1852, requires the bank comptroller to cause to be engraved and printed in the best manner to guard against counterfeiting such quantity of circulating notes in the similitude of bank notes, as may be necessary to carry into effect the provisions of that act, and that the plates, dies and materials so procured for the printing and making of such circulating notes shall remain in his custody and under his direction.

In order to carry this law into effect, contracts have been entered into by this department with four of the leading bank note engraving and printing establishments in the city of New York, to wit:

Messrs. Rawdon, Wright, Hatch & Edson; Toppan, Carpenter, Casilear & Co.; Wellstood, Harks, Hay & Whiting; Danforth, Wright & Co., who contract to do all the bank note printing and engraving for this department, and agree that they will not at any time or under any circumstances place the comptrollers die upon any bank note plate, or any token, or furnish transfers therefrom, without a written order from the bank comptroller of this state; that they will hold the "comptroller's die" and all bank note plates subject to his order, and that they will deliver all impressions printed by them to the authorized agent of the bank comptroller.

The well known reputation of the engravers selected to do the engraving and printing for this department, is a sufficient guarantee that their contracts will be faithfully performed, and it gives me pleasure here to say that all business committed to them has been neatly and expeditiously executed, and in a manner entirely satisfactory.

The bank note plates, of the several banks of this state, which are organized under our banking law, as well as those in process of organization, are deposited for safe keeping in the vault of "the Bank of the Republic," in New York city in a safe owned by the State, the key of which is kept by the agent of the department.

Whenever an association formed under our banking law applies to the comptroller for an order to have a bank note plate engraved, and bank notes printed, an order is issued, directed to such one of the before named engravers as the applicants may select, to engrave a plate and to print therefrom the number of impressions contained in such order, which order is forwarded by mail to the agent in the city of New York, who enters it upon his books, countersigns and delivers it to the proper engraver, and sees that appropriate vignettes, designs, &c., for the plate are selected. After the plate is completed and approved of by the agent, and the requisite number of impressions are printed, the plate is sealed with the seals of the engravers, and of this department, and delivered to the agent who deposits it in the bank and forwards a certificate of such deposit, duly executed by himself and the engravers to this office to be placed on file.

The affidavit of the engraver and printer is also taken that the plate has remained in their possession since it was engraved, and that no more impressions than the number ordered by the comptroller have been printed from the same.

The impressions are counted, packed, and sealed by the agent, and delivered by him to the express company to be forwarded to this office.

The receipt of the express company, as well as the certificate of the agent, and affidavit of the printer are also forwarded here to be filed.

Instructions have been given to have different vignettes selected for the plates of each bank in order to avoid a similitude in their bills, as well as to have the title, amount of capital stock and the name of the state plain and distinct, that the public may not be misled in their character, and that each bank may stand on its own merits and the reputation of our state.

This department has discountenanced the practice of copying the names of eastern banks, and imitating the style of their notes, changing only the name of the State which is generally engraved in small letters, thereby misleading the public as to

the character of their notes. This system has been too much practiced in some of the Western States, and in my opinion has reflected but little credit upon their banking departments.

It will thus be seen that this department has the full and complete possession of all the bank plates as well as the notes printed from the same, and that no bank has in its possession or under its control any of its plates or circulating notes until the said notes are registered and countersigned in this office, and securities deposited for the redemption of the same as provided by law.

The experience of other states has demonstrated that too much caution cannot be observed or too many guards thrown around the custody of bank notes or bank plates, in order to protect the public from fraudulent issues of paper currency. The expense attending the arrangements made by this department have been but trifling, and have been deemed necessary to carry the law into complete execution and to effectually protect the public as well as our banks who have placed their plates and notes in our charge, and expect in return that they will be faithfully watched.

An annual appropriation of three hundred dollars will be required to defray the expense of the agency in New York which is respectfully asked of the legislature.

All of which is respectfully submitted.

WM. M. DENNIS,
Bank Comptroller.

APPENDIX.

"A."

The following is a statement in detail of the stocks held for each Banking Association, and the amount of circulation issued and outstanding on the same, on the first Monday of January, 1855:

STATE BANK, MADISON.

Wisconsin, 8s.....	\$20,000
Missouri, 6s.....	12,000
	<hr/>
Circulation.....	\$32,000
	30,800

WISCONSIN MARINE & FIRE INSURANCE COMPANY, MILWAUKEE.

Wisconsin, 8s.....	20,000
do 7s.....	30,000
	<hr/>
Circulation.....	50,000
	49,995

RANK OF RACINE, RACINE.

Virginia 6s.....	5,000
Missouri, 6s.....	35,000
Tennessee, 6s.....	10,000
	<hr/>
Circulation.....	50,000
	44,995

ROCK RIVER BANK, BELOIT.

Virginia, 6s.....	40,000	
Kentucky, 6s.....	5,000	
Missouri, 6s.....	11,000	
	<hr/>	56,000
Circulation.....		50,000

CITY BANK OF KENOSHA, KENOSHA.

Virginia, 6s.....	25,000	
Kentucky, 6s.....	13,000	
Georgia, 6s.....	12,000	
Louisiana, 6s.....	1,000	
	<hr/>	51,000
Circulation.....		46,000

STATE BANK OF WISCONSIN, MILWAUKEE.

Virginia, 6s.....	40,000	
Tennessee, 6s.....	40,000	
Kentucky, 6s.....	6,000	
Missouri, 6s.....	48,000	
	<hr/>	134,000
Circulation.....		119,000

WISCONSIN BANK, MINERAL POINT.

Wisconsin, 7s.....	20,000	
Missouri, 6s.....	20,000	
Tennessee, 6s.....	5,000	
Virginia, 6s.....	5,000	
	<hr/>	50,000
Circulation.....		46,998

FARMERS & MILLERS' BANK, MILWAUKEE.

Kentucky, 6s.....	33,000	
Tennessee, 6s.....	7,000	
	<hr/>	40,000
Circulation.....		37,500

JEFFERSON COUNTY BANK, WATERTOWN.

Virginia 6s.....	55,000	
Circulation.....		50,000

BADGER STATE BANK, JANESVILLE.

Missouri, 6s.....	25,000	
Circulation.....		22,496

OSHKOSH CITY BANK, OSHKOSH.

Virginia, 6s.....	15,000	
Missouri, 6s.....	10,000	
North Carolina, 6s.....	25,000	
	<hr/>	50,000
Cash on deposit with Bank Comptroller.....		1,500
		<hr/>
Circulation.....		51,500
		<hr/>
		49,900

RACINE COUNTY BANK, RACINE.

Virginia, 6s.....	29,000	
Circulation.....		20,098

EXCHANGE BANK, MILWAUKEE.

Virginia, 6s.....	10,000	
Georgia, 6s.....	15,000	
	<hr/>	25,000
Circulation.....		22,492

CITY BANK OF RACINE, RACINE.

Kentucky, 6s.....	1,000	
Tennessee, 6s.....	13,000	
Missouri, 6s.....	10,000	
Virginia, 6s.....	21,000	
	<hr/>	45,000
Circulation.....		40,000

BANK OF THE WEST, MADISON.

Louisiana, 6s.....	28,000	
Michigan, 6s.....	7,000	
	<hr/>	35,000
Circulation.....		35,000

BANK OF FOND DU LAC, FOND DU LAC.

Tennessee, 6s.....	25,000	
Circulation.....		22,492

COLUMBIA COUNTY BANK, PORTAGE CITY.

Missouri, 6s.....	13,000	
North Carolina, 6s.....	15,000	
	<hr/>	28,000
Circulation.....		24,993

FOX RIVER BANK, GREEN BAY.

Virginia, 6s.....	11,000	
Tennessee, 6s.....	14,000	
	<hr/>	25,000
Circulation.....		24,998

BANK OF COMMERCE, MILWAUKEE.

Tennessee, 6s.....	37,000	
Kentucky, 6s.....	3,000	
	<hr/>	40,000
Circulation.....		36,000

BANK OF WATERTOWN, WATERTOWN.

North Carolina, 6s	14,000	
Michigan, 6s	11,000	
Tennessee, 6s	4,000	
Kentucky, 6s	1,000	
Louisiana, 6s	3,000	
	<hr/>	33,000
Circulation.....		29,293

GERMANIA BANK, MILWAUKEE.

Tennessee, 6s.....	10,000	
Missouri, 6s.....	15,000	
	<hr/>	25,000
Circulation.....		22,500

NORTHERN BANK, GREEN BAY.

Virginia, 6s.....	25,000	
Missouri, 6s	21,000	
	<hr/>	46,000
Circulation.....		32,298

DANE COUNTY BANK, MADISON.

Missouri, 6s.....	10,000	
Tennessee, 6s.....	10,000	
North Carolina, 6s	29,000	
Georgia, 6s	10,000	
	<hr/>	59,000
Circulation.....		50,000

PEOPLE'S BANK, MILWAUKEE.

Georgia, 7s.....	20,000	
do 6s.....	5,000	
	<hr/>	25,000
Circulation.....		23,744

"F."

Earnings of the M. & M. Rail Road from 1st August, 1852 to 1st August 1853.

	Freight.	Passengers.	Total
August	2,570 89	3,047 33	5,618 22
September	5,250 65	4,055 50	9,306 15
October	9,674 53	5,397 59	15,072 12
November	8,340 32	4,001 92	12,342 24
December	8,094 34	3,118 30	11,212 64
January	7,605 95	3,195 30	10,801 25
February	5,515 16	3,290 70	8,805 86
March	4,636 08	3,521 27	8,157 35
April	4,124 78	4,819 60	8,944 38
May	7,736 42	6,213 78	13,950 20
June	10,259 14	8,304 03	18,563 17
July	7,770 21	8,384 64	16,154 85
	<hr/>	<hr/>	<hr/>
	\$81,578 47	\$57,349 96	\$138,928 43

Running Expenses.

August	-	-	4,444 33
September	-	-	3,778 94
October	-	-	4,376 31
November	-	-	4,332 51
December	-	-	4,832 64
January	-	-	3,766 84
February	-	-	4,398 04
March	-	-	4,055 21
April	-	-	3,421 98
May	-	-	4,206 45
June	-	-	4,331 81
July	-	-	4,500 00
			<hr/>
			\$50,445 06

Earnings	-	-	138,928 43
Deduct Running Expenses	-	-	50,445 06

\$88,483 37

STATE OF WISCONSIN, }
 MILWAUKEE COUNTY. } ss.

We, George H. Walker, President pro tem., and William Tainter, Secretary of the Milwaukee & Mississippi Rail Road Company, being duly sworn, do depose and say each one for himself and not the one for the other, that the gross earnings of said company's road, leading from Milwaukee to Janesville, for the year next preceeding the first day of August instant, amount to the sum of \$188,928 43; and the expenses for running or operating said road during that period, is the sum of \$50,445 06, leaving the nett earnings thereof at the sum of 88,483 37; and in manner aforesaid, we further say, that we believe, and so state, the fact to be, that the nett earnings of said company's road between Waukesha and the point of intersection with the Janesville branch road, being forty-two and one-half miles, amounts to the sum of forty-eight thousand dollars and upwards. And in manner aforesaid, we further say, that the schedule hereunto attached is a correct and true exhibit of the monthly earnings of said road between the points first named, as well as the monthly expenses in operating or running the same, and that it also truly shows the nett earnings thereof.

And in manner aforesaid, we further state and set forth that we have carefully examined the accounts and items for the cost of the said company's road between the village of Waukesha and the point of insection with the Janesville Branch, and that the aggregate cost thereof amounts to the sum of eight hundred and seventy-five thousand dollars, and further the deponents, in manner aforesaid, say not.

(Signed,)

GEO. H. WALKER,

President pro tem. of the M. & M. R. R. Co.

WM. TAINTER,

Secretary of the M. & M. R. R. Co.

Subscribed and sworn to before me, this sixth day of August, A. D., 1853.

CHARLES F. ILLSLEY,

Notary Public, Milwaukee County, Wisconsin.

Filed in the office of State Treasurer, at Madison, this 19th day of September, A. D. 1853. Signed,

E. H. JANSSEN,

State Treasure.

By D. M. SEAVER.

We, the undersigned, the Governor, Bank Comptroller, and Attorney General of the state of Wisconsin, do hereby certify, from actual view and inspection, that a certain portion of the "Milwaukee and Mississippi Railroad," lying between Waukesha and Milton, being forty-two and a half miles in extent, has been constructed in a substantial manner, with a solid road bed, with a rail of T-pattern, and of weight not less than fifty pounds to the yard, similar to other roads of the first class, and has been fully equipped and in actual operation, and has earned for the year next preceding the first day of August, A. D. 1853, a nett revenue exceeding forty-eight thousand dollars.

Given under our hands, this 14th day of September, A. D. 1853.

(Signed)

LEONARD J. FARWELL,
JAMES S. BAKER.
E. ESTABROOK.

Filed in the Office of State Treasurer at Madison, this 19th day of September, 1853. Signed

E. H. JANSSEN,
State Treasurer.
By D. M. SEAVER.

OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF WISCONSIN,

MADISON, September 14th 1853.

I, Experience Estabrook, Attorney General of the State of Wisconsin, do hereby certify from actual examination, that a certain mortgage or deed of trust, bearing date June 15th, 1852, executed by the "Milwaukee and Mississippi Railroad Company," an incorporated Company in the state of Wisconsin, duly organized under its act of incorporation and the acts amendatory thereof, and having a road of more than twenty miles in extent, to George S. Coe, of the city of New York, of so much of the railroad of the said "Milwaukee and Mississippi Railroad Company" as lies between the city of Milwaukee and the east bank of Rock River, in the said state of Wisconsin, to secure payment of certain bonds of the said Railroad Company, not exceeding six hundred thousand dollars in amount, viz, \$400,000 thereof in bonds of \$1000 each, and to be numbered respectively from number 1 to number 400 inclusive, and \$200,000 thereof in bonds of \$500 each, and to be numbered respectively from number 401 to number 800 inclusive, and to bear date May 5th, 1852, and which said mortgage or deed of trust was duly recorded in the office of the Secretary of State of the said state of Wisconsin, on the 27th day of Decem-

cer, 1852, as appears of record in the office of the said Secretary of State, has been executed in the manner and with the provisions required by an act of the legislature of the state of Wisconsin, entitled "an act to authorize the business of banking," approved April 19, 1852, and that such mortgage or deed of trust is the first lien on a certain portion of road of the said Railroad Company of not less length than forty miles, to wit, on so much of said road as lies between Waukesha and Milton, being forty-two and one half miles in extent, its equipments, depots, fixtures, machinery, income and franchises. Signed

E. ESTABROOK,
Att'y Gen.

Filed in the office of State Treasurer at Madison this 19th day of September, 1853.

(Signed)

E. H. JANSSEN,
State Treasurer.
By D. M. SEAVER.

OFFICE OF STATE TREASURER,
MADISON, Oct. 5th, 1853.

I do hereby certify that the preceding papers are copies of the statement of the directors of the "Milwaukee and Mississippi Railroad Company," on file in this office and of the certificate, filed therewith, bearing date Sept. 14th, 1853 and that the same are full and correct copies of the whole and of every part of such statement and certificates.

E. H. JANSSEN,
State Treasurer.
By D. M. SEAVER.

OFFICE OF ATTORNEY GENERAL OF THE STATE OF WISCONSIN,
MADISON, October 4, 1853.

Upon the statement of the Directors of the Milwaukee & Mississippi Rail Road Co., and the certificates bearing date Sept. 14th, 1853, filed therewith in the office of the State Treasurer, I have no hesitation in saying that the bonds of the said rail road company secured by a mortgage or deed of trust, and bearing date June 15, 1852, executed by the said company, to George S. Coe, of the city of New York, on so much of said road as lies between the city

of Milwaukee and the east bank of Rock River in said State, are receivable as a basis for banking within the restrictions contained in an act entitled "an act to authorize the business of banking, approved April 19, 1852.

E. ESTABROOK,
Att'y. General.

OFFICE OF BANK COMPTROLLER,
MADISON, Wisconsin, Oct. 4, 1854

The bonds of the Milwaukee & Mississippi Rail Road Company to which the opinion of the Attorney General of this date and the preceeding papers relate, will be received at this office as a basis for banking, within the restrictions contained in an act entitled "an act to authorize the business of banking," approved April 19, 1852.

JAMES S. BAKER,
Bank Comptroller.

"G."

The following statement will show the names of the persons who have executed Bonds, now on deposit in the Bank Comptroller's Office, (in addition to the State Stocks deposited,) to further secure the redemption of the countersigned notes issued to their respective Banks, as required by Section 17, of the Banking Laws :

State Bank, Madison, penalty of bond,	-	-	-	\$12,500
Names of Bondsmen:	Sam'l Marshall and Chas. F Ilsey.			
Wisconsin Marine & Fire Ins. Co., Milwaukee, penalty of bond,	-	-	-	25,000
Names of Bondsmen;	George Smith and Alex Mitchell.			
Bank of Racine, Racine, penalty of bond,	-	-	-	12,500
Names of Bondsmen:	Aug. L McCrea, William J Bell, and Henry J Ullman.			
Rock River Bank, Beloit, penalty of bond,	-	-	-	12,500
Names of Bondsmen:	John M Keep, Lucius G Fisher and Alfred L Field.			
City Bank of Kenosha, Kenosha, penalty of bond,	-	-	-	6,250
Names of Bondsmen:	A Campbell, E W Blinn, H W Hubbard, H B Towsley, S B Scott, H W James, Betsey D Goff, J H Kimball and E W Evans.			
City Bank of Kenosha, Kenosha, penalty of bond,	-	-	-	6,250
Names of Bondsmen:	H B Towslee, Sam Hale, S Bronson, jr., John Denniston, A Campbell, Hubbard & Blinn and H M Elkins.			
State Bank of Wisconsin, Milwaukee, penalty of bond,	-	-	-	37,500
Names of Bondsmen:	James B Martin, Eliphalet Cramer, Anson Eldred, Elisha Eldred, John Catlin, P W Badgely, Joshua Hathaway, John G Inbash and C B Dickerman.			
Wisconsin Bank, Mineral Point, penalty of bond,	-	-	-	12,500
Names of Bondsmen:	C C Washburn and Cyrus Woodman.			

Farmers & Millers' Bank, Milwaukee, penalty of bond,	-	12,500
Names of Bondsmen: Newcomb, Cleveland, Stephen H Alden, Charles D Nash, M B Medberry, John W Medberry, and Jacob A Hoover.		
Farmers & Millers' Bank, Milwaukee, penalty of bond,	-	12,500
Names of Bondsmen: Edward H Brodhead, S H Alden, An- son Eldred, A Finch, jr., John Lockwood and E D Holton.		
Jefferson County Bank, Watertown, penalty of bond,	-	6,250
Names of Bondsmen; Chas G Harger and Daniel Jones.		
Jefferson County Bank, Watertown, penalty of bond,	-	6,250
Names of Bondsmen; Chas G Harger and Daniel Jones.		
Badger State Bank, Janesville, penalty of bond,	-	6,250
Names of Bondsmen: William J Bell and E L Dimock.		
Oshkosh City Bank, Oshkosh, penalty of bond,	-	12,500
Names of Bondsmen: James Kneeland, David P Hull and Benj S Henning.		
Racine County Bank, Racine, penalty of bond,	-	12,500
Names of Bondsmen: George C Northrop, L W Munroe, R M Norton, Nicholas D Fratt, Henry S Durand, H B Munroe, John W Cary and John Thompson.		
Exchange Bank of Wm J Bell & Co., Milwaukee, penalty of bond,	-	12,500
Names of Bondsmen: Wm J Bell and E S Wadsworth.		
City Bank of Racine, Racine, penalty of bond,	-	12,500
Names of Bondsmen: Gilbert Knapp, W H Waterman and Alex McClurg.		
Bank of the West, Madison, penalty of bond,	-	25,000
Names of Bondsmen: James E Kelly, James Ludington and Geo W Chapman.		

Bank of the West, Madison, penalty of bond,	-	-	-	8,750
Name of Bondsmen: Samuel A Lowe.				
Bank of Fond du Lac, Fond du Lac, penalty of bond,	-	-	-	6,250
Names of Bondsmen: Wm J Bell and Abram G Butler.				
Bank of Commerce, Milwaukee, penalty of bond,	-	-	-	25,000
Names of Bondsmen: George W. Peckham, James H Rogers, Joseph S Colt, Walter H Peckham and John Watson.				
Columbia County Bank, Portage City, penalty of bond,	-	-	-	6,250
Names of Bondsmen: Samuel Marshall, Charles F Ilsley and H S Haskell.				
Fox River Bank, Green Bay, penalty of bond,	-	-	-	7,000
Names of Bondsmen: Joseph G Lawton, M L Martin, F Des- noyers and John Day.				
Northern Bank, Howard, penalty of bond,	-	-	-	12,500
Names of Bondsmen: Otto Tank, M L Martin and E Conklin.				
Germania Bank, of G Papendick & Co, Milwaukee, penalty of bond,	-	-	-	6,250
Names of Bondsmen: Geo Papendiek & C H H Papendiek.				
Dane County Bank, Madison, penalty of bond,	-	-	-	12,500
Names of Bondsmen: Levi B Vilas, Leonard J Farwell and N B Van Slyke.				
People's Bank of Haertel, Greenleaf & Co, Milwaukee, penalty of bond,	-	-	-	6,250
Names of Bondsmen: H Haertel, E B Greenleaf and A W Greenleaf.				
Bank of Watertown, Watertown, penalty of bond,	-	-	-	12,500
Names of Bondsmen: A L Pritchard, Linus R Cady, Luther A Cole, Ebenezer W Cole.				

"H."

The following Statement will exhibit the names of the Stockholders and the amount of Stock owned by each individual, in the several Banks of the State, as reported to this Office on the first Monday of January, 1855.

Name of Banks.	Name of Shareholders.	Residence.	Amount.
State Bank - - -	Marshall & Illsley Samuel Marshall Charles F. Illsley	Madison Milwaukee	} \$50,000
Wis. M. & F. Ins. Company	Alexander Mitchell	Milwaukee	
Bank of Racine - -	Henry J. Ullmann Wm. J. Bell Elisha S. Wadsworth	Racine Milwaukee Chicago, Ill.	100,000 25,000 12,500 12,500
Farmers & Millers Bank	Edward D. Holton John Lockwood Anson Eldred S. H. Alden A. Finch, jr. E. H. Broadhead G. H. Walker E. M. Williamson	Milwaukee do do do do do do Madison	6,600 6,500 8,100 6,500 6,500 6,600 5,000 4,200
Wisconsin Bank - -	C. C. Washburn Cyrus Woodman	Mineral Point do	25,000 25,000
City Bank of Kenosha	Seth Doan H. W. Hubbard J. G. Gottsfredsen S. B. Scott Harvey Durkee John V. Ayer Samuel Hale Royal B. Towslee Mrs. Louisa Elkins Asahel Farr James A. Newman Richard Campbell Ann M. Robinson Frederick Robinson Frederick Gage Alonzo Campbell	Kenosha do do do do do do do do do Somers Chittenango, N. Y. Kenosha do do do	1,000 2,000 500 1,000 500 2,500 7,500 1,000 500 1,000 1,000 2,000 200 300 300 19,000

Name of Banks.	Name of Shareholders.	Residence.	Amount.
City Bank of Kenosha— <i>continued</i>	H. B. Towslee	Kenosha	5,000
	Uriah Newman	Somers	3,000
	Thomas Pricture	Kenosha	1,200
	Southport L., No. 7, I. O. of O. F.	do	500
Rock River Bank	John M. Keep	Beloit	1,500
	J. J. Bushnell	do	7,900
	Lucius G. Fisher	do	8,000
	Alfred L. Field	do	8,000
	Peter K. Field	do	300
	Mrs. A. C. Brinsmade	do	2,000
	Joseph Emerson	do	1,200
	Trustees Beloit Col'le	do	2,000
	A. L. Chapin, G'n of		
	F.C. & W.W. Curtis	do	1,200
	Amos Sheffield	Old Saybrook, Con.	1,600
	Supton W. Curtis	Union District, S.C.	400
	A. W. Root	Elgin, Ill.	500
	T. W. Williams	New London, Conn.	5,000
	Talcott & Co.	Rockton, Ill.	2,000
	W. and S. Talcott	do	500
	Miss Mary Lusk	Enfield, Conn.	2,000
	Miss Caroline Lusk	do	2,000
	Miss India Lusk	do	2,000
	Joseph Emerson	Rockford, Ill.	1,200
State Bank of Wisconsin	Henry P. Peck	Milwaukee	1,000
	Joshua Hathaway	do	4,500
	F. W. Hawley	do	2,000
	Jos. H. Cordes	do	1,000
	P. W. Badgley	do	5,000
	Elisha Eldred	do	7,500
	John Catlin	do	8,300
	Eliphalet Cramer	do	7,000
	Wm. E. Cramer	do	3,000
	E. B. Dickerman	do	5,000
	John G. Inbush	do	6,000
	Anson Eldred	do	9,200
	Ed'rd A. Broadhead	do	4,000
	John D. Inbush	do	4,000
	Lester Sexton	do	3,000
	Cyrus Hawley	do	1,400
	Helen Hawley	do	600

Name of Banks.	Name of Shareholders.	Residence.	Amount.
State Bank Wis.— <i>continued</i>	Daniel Wells, Jr.	Milwaukee	5,000
	James B. Martin	do	7,000
	Franklin Ripley	Greenfield, Mass.	3,000
	H. A. Perkins	Hartford, Conn.	2,000
	A. L. Catlin	Burlington, Vt.	15,000
	Le Grand B. Cannon	New York	15,000
	G. H. Cramer	Troy, N. Y.	5,000
	D. J. Robinson	Hartford, Conn.	3,000
	James Forsyth	Troy, N. Y.	1,600
	John Cramer	Waterford, N. Y.	10,000
	John Knickerbacker	do	8,000
	Geo. W. Kirtland	do	8,000
	E. Curtis	New York	10,000
	Geo. B. Warren	Troy, N. Y.	14,000
	Geo. Henry Warren	do	6,500
	Nathan B. Warren	do	1,500
	Stephen E. Warren	do	7,500
	P. C. Cole	Rochester, N. Y.	2,000
	Thomas Belknap	Hartford, Conn.	3,000
	Joseph M. Warren	Troy, N. Y.	7,500
	Charles K. Richards	do	3,300
	E. Seymour	Brattleboro, Vt.	3,000
	H. W. Clapp	Greenfield, Mass.	4,000
	Mary W. Cannon	Troy, N. Y.	4,000
	C. F. Taber	do	3,300
	W. H. Warren	Moreau, N. Y.	2,500
	W. L. Storrs	Hartford, Conn.	6,000
	John Wasburton	do	5,000
	Elias Flinn	Troy, N. Y.	2,000
	Frank Ripley, and W.	Greenfield, Mass.	1,000
	T. Davis, Trustees		
	E. H. Ball	East Troy, Wis.	1,000
	Abner Peckham	Providence, R. I.	2,000
	Frank Ripley and W.		
	T. Davis, Trustees	Greenfield, Mass.	1,000
	F. S. Eldred	Jonhstown, Wis.	1,000
	W. H. Warren	Moreau, N. Y.	1,500
	W. T. Lee	Hartford, Conn.	1,000
	Henry Thompson	Thompsonstown, Ct.	1,000
Jefferson County Bank	C. G. Harger	Pamelia, N. Y.	36,000
	Daniel Jones	Watertown Wis.	14,000
Badger State Bank	Wm. J. Bell	Milwaukee	6,300
	E. L. Dimock	Janesville	12,500

Name of Banks.	Name of Shareholders.	Residence.	Amount.
Badger State B'k— <i>continued</i>	Elisha S. Wadworth	Chicago, Ill.	\$6,200
Racine County Bank	Henry S. Durand	Racine	3,000
	Reuben M. Norton	do	2,000
	George C. Northrop	do	2,500
	Lyman W. Munroe	do	6,000
	Horatio B. Munroe	do	4,000
	Curtiss Mann	Buffalo	3,000
	Aaron R. Vail	do	2,000
	George O. Vail	do	3,000
	Nicholas D. Fratt	Racine	2,050
	John W. Cary	do	2,000
	John Thompson	do	2,000
	C. Clement	do	500
	E. Darwin Munroe	do	1,000
	William H. Bennett	do	100
	William P. Brown	do	100
	Alexander Mosher	do	200
	Harry Griswold	do	100
	Charles P. Bliss	do	100
	James Nield	do	250
	James Mather	do	250
	Edwin Burgess	do	250
	Heath & Dickenson	do	500
	Fred. L. Durand	Rochester, N. Y.	1,000
	Mrs. Mary H. Cary	Racine, Wis.	200
	N. M. Harrington	Delavan, "	500
	Hannah E. Aikin	Racine, "	600
	George Burford	do	250
	Franklin Hardy	Barret, Vt.	200
	Mary Cottrel	Greenwich, N. Y.	1,000
	Adam Cottrel	do	1,000
	R. H. Bowman	Racine	500
	Lewis C. Osborn	do	250
	W.H.Lathrop & Co.	do	2,000
	Thos. H. Barret	do	150
	Rebecca Hurd	West Arlington, Vt.	1,000
	W. W. Vaughan	Racine	1,000
	Ellis Price	do	850
	E. Andrews (Ex.)	Greenwich, N. Y.	1,000
	Edwin Andrews	do	1,000
	Darwin Andrews	do	1,000
	Chester W. White	Racine	2,000
	Frederick Button	Clarendon, Vt.	500
	Enoch Smith	do	500

Name of Banks.	Name of Shareholders.	Residence.	Amount.
Racine Co. Bank— <i>continued</i>	George Capron, jr.	Tinmouth, Vt.	\$500
	J. W. Moore	Danby, "	500
	Charles Andrews	Wallingford, "	500
	Elias H. Steward	Clarendon, "	500
	Horace Bigelow	Greenwich, N. Y.	1,000
	Leonard Gibb	do	2,000
	Sylvester B. Peck	Racine	250
	E. Martindale	Wallingford, Vt.	1,000
	Edw. S. Howard	do	2,000
	David Dater	Troy, N. Y.	1,000
	David Carr	do	1,000
	Lathan Cornell	do	5,000
	Chas. K. Cornell	New York	5,000
	Wm. W. Cornell	Troy, New York	5,000
	H. N. Graves	Granville "	5,000
	A. Bigelow	Greenwich "	2,700
	D. A. Boies	do	500
	Horace Cottrell	do	1,000
	Eliza Bassett	Troy, N. Y.	1,000
	C. W. & G. A. Waters	do	50
	H. C. Sheldon	do	1,000
	Harvey Church	do	2,600
	Chas. H. Holden	do	1,000
	Sylvia B. Burton	Greenwich, N. Y.	1,000
	William Dorr	do	500
	I. J. Vail	Dorset, Vt.	1,000
	W. C. Allen	Delavan, Wis.	1,000
	J. T. Masters	Greenwich, N. Y.	2,000
	Thomas Hill	Granville, N. Y.	500
	Daniel Roberts	Manchester, Vt.	1,000
	Howard Harris	Wallingford, Vt.	1,000
	F. A. Scofield	Racine, Wis.	500
Exchange Bank	William J. Bell	Milwaukee	25,000
	Elisha Wadworth	Chicago, Ill.	25,000
City Bank of Racine -	A. McClurg	Racine	23,500
	Gilbert Knapp	do	5,000
	W. H. Waterman	do	5,000
	Wm. McConiche	do	5,000
	A. W. Davison	Chicago, Ill.	5,000
	Almira Knapp	Racine	3,000
	Philo White	do	2,500
	Alonzo McConiche	Troy, N. Y.	1,000

Name of Banks.	Name of Shareholders.	Residence	Amount.
Bank of the West -	Samuel A. Lowe	Madison	100,000
Bank of Commerce -	G. W. Peckham	Milwaukee	40,000
	Joseph S. Coit	do	15,000
	Walter H. Peckham	New York	15,000
	John Watson	do	10,000
	Rufus W. Peckham	Albany, N. Y.	10,000
	P. B. Peckham	Lockport, N. Y.	10,000
Columbia County Bank -	Samuel Marshall	Madison	} 15,000
	Charles F. Ilsley	Milwaukee	
	Harrison S. Haskell	Portage City	
Germania Bank -	George Papendiek	Milwaukee	20,000
	C. H. H. Papendiek	do	5,000
Bank of Watertown -	A. L. Pritchard	Watertown	15,000
	H. W. Clark	do	15,400
	L. R. Cady	do	1,000
	L. A. Cole	do	1,000
	Amos Steck	do	500
	John Richards	do	500
	E. W. Cole	do	2,000
	John P. Roose	do	300
	Daniel Jones	do	2,000
	Joseph Moss	Albion, Mich.	3,000
	Freeman Moss	do	3,000
	Sam. Medbury	New Berlin, N. Y.	2,500
	D. H. White	do	500
	Jesse Beardslee	do	1,000
	Samuel White	do	1,000
	Delia S. White	do	1,000
	R. G. Litte	Oconowoc, Wis.	300
Dane County Bank -	Levi B. Vilas	Madison	20,000
	Leonard J. Farwell	do	15,000
	N. B. Van Slyke	do	15,000
People's Bank -	Herman Haertel	Milwaukee	12,500
	E. B. Greenleaf	do	6,300
	A. W. Greenleaf	New York	6,200

Name of Banks.	Name of Stockholders.	Residence.	Amount.
Northern Bank -	Otto Tank	Fort Howard	7,666 66
	Edgar Conklin	Green Bay	7,666 66
	Mason C. Darling	Fond du Lac	7,666 66
	Keys A. Darling	do	7,666 66
	Morgan L. Martin	Green Bay	9,666 68
	Uriah H. Peak	Fort Howard	(68
Bank of Fond du Lac -	E. S. Wadsworth	Chicago, Ill.	6,250 00
	Wm. J. Bell	Milwaukee	6,250 00
	A. G. Butler	Fond du Lac	12,500 00
Fox River Bank -	Jos. G. Lawton	Howard, Wis.	25,000 00
Oshkosh City Bank	James Kneeland	Milwaukee	25,000 00
Reported July 3, 1854 -	David P. Hull	do	22,000 00
No. Report for Jan., 1855	B. S. Herring	Oshkosh	3,000 00

"I."

The following Statement will exhibit the number of Bank Note impressions which have been received at this office, from its organization up to the first day of January, 1855. The number delivered to the Banks or destroyed, and the number now remaining in the Bank Comptroller's Office :

Names of Banks.	Denomination	No. Impressions Received.	No. Impressions Destr'd and Deliv'd	On hand
State Bank.....	1, 1, 2, 5,	5,778	5,667	111
Bank of Racine.....	1, 2, 3, 5,	4,700	4,547	153
Wisconsin Marine and Fire Insurance Co.	2, 3, 5, 5,	5,000	5,000	...
Rock River Bank.....	1, 2, 3, 5,	5,000	4,547	453
City Bank of Kenosha.....	1, 1, 2, 3,	7,200	7,154	46
State Bank of Wisconsin.....	1, 1, 2, 5,	14,500	11,588	2,912
do do.....	5, 10,	2,004	2,004	...
Wisconsin Bank.....	1, 2, 3, 5,	6,200	6,159	41
Farmers and Millers' Bank.....	1, 1, 2, 5,	10,500	5,656	4,844
Jefferson County Bank.....	1, 1, 3, 5,	5,500	5,063	437
Fox River Bank.....	1, 1, 2, 5,	6,000	2,780	3,220
Badger State Bank.....	1, 2, 3, 5,	4,700	2,276	2,424
Bank of Fond du Lac.....	1, 2, 3, 5,	2,400	2,272	128
Exchange Bank of Wm. J. Bell & Co.....	1, 2, 3, 5,	4,600	2,272	2,328
Oshkosh City Bank.....	1, 2, 3, 5,	7,000	4,546	2,454
Racine County Bank.....	1, 2, 3, 5,	4,500	2,416	2,084
City Bank of Racine.....	1, 2, 3, 5,	4,700	4,122	578
Bank of the West.....	1, 1, 2, 3,	14,006	5,000	9,006
Bank of Commerce.....	1, 1, 2, 5,	7,000	5,445	1,555
Columbia County Bank.....	1, 1, 2, 5,	3,000	2,777	223
Northern Bank.....	1, 1, 2, 3,	5,300	4,614	686
Germania Bank.....	1, 2, 3, 5,	2,500	2,272	228
Dane County Bank.....	1, 2, 3, 5,	6,000	4,546	1,454
People's Bank.....	1, 1, 2, 3,	3,699	3,571	128
Milwaukee Bank.....	1, 2, 3, 5,	2,500	...	2,500
Janesville City Bank.....	1, 2, 5, 5,	2,300	...	2,300
Bank of Beloit.....	1, 2, 3, 5,	2,727	...	2,727
Bank of Milwaukee.....	1, 1, 2, 5,	3,000	...	3,000
Madison Bank.....	1, 2,	18,000	...	18,000
Central Bank.....	1, 1, 2, 3,	3,600	2,600	1,000
Northwestern Bank.....	5, 10,	1,800	...	1,800
Bank of Watertown.....	1, 2, 3, 5,	5,000	2,665	2,335

"J."

The following is a List of Plates of Banks belonging to the Bank Department of the State of Wisconsin, and now deposited in the Bank of the Republic of New York city.

Racine County Bank	-	-	-	-	-	1, 2, 3, 5,
Bank of the West	-	-	-	-	-	1, 1, 2, 3,
Bank of Commerce	-	-	-	-	-	1, 1, 2, 5,
Jefferson County Bank	-	-	-	-	-	1, 1, 3, 5,
Northern Bank	-	-	-	-	-	1, 1, 2, 3,
Fox River Bank	-	-	-	-	-	1, 1, 2, 5,
City Bank Kenosha	-	-	-	-	-	1, 1, 2, 3,
State Bank at Madison	-	-	-	-	-	1, 1, 2, 5,
State Bank of Wisconsin	-	-	-	-	-	1, 1, 2, 5,
State Bank of Wisconsin	-	-	-	-	-	5, 10,
Central Bank of Wisconsin	-	-	-	-	-	1, 1, 2, 3,
Exchange Bank	-	-	-	-	-	1, 2, 3, 5,
Rock River Bank	-	-	-	-	-	1, 2, 3, 5,
Wisconsin Marine & Fire Insurance Company	-	-	-	-	-	2, 3, 5, 5,
Wisconsin Bank	-	-	-	-	-	1, 2, 3, 5,
City Bank of Racine	-	-	-	-	-	1, 2, 3, 5,
Bank of Fond du Lac	-	-	-	-	-	1, 2, 3, 5,
Bank of Racine	-	-	-	-	-	1, 2, 3, 5,
Farmers and Millers' Bank	-	-	-	-	-	1, 1, 2, 5,
Columbia County Bank	-	-	-	-	-	1, 1, 2, 5,
Badger State Bank	-	-	-	-	-	1, 1, 2, 5,
Oshkosh City Bank	-	-	-	-	-	1, 2, 3, 5,
Germania Bank	-	-	-	-	-	1, 2, 3, 5,
Bank of Watertown	-	-	-	-	-	1, 2, 3, 5,
The Madison Bank	-	-	-	-	-	1, 2,
People's Bank,	-	-	-	-	-	1, 1, 2, 3,
Dane County Bank	-	-	-	-	-	1, 2, 3, 5,
The Milwaukee Bank	-	-	-	-	-	1, 2, 3, 5,
Northwestern Bank	-	-	-	-	-	5, 10,
The Bank of Milwaukee	-	-	-	-	-	1, 1, 2, 5,
The Bank of Beloit	-	-	-	-	-	1, 2, 3, 5,
The Janesville City Bank	-	-	-	-	-	1, 2, 5, 5,

32 Plates.

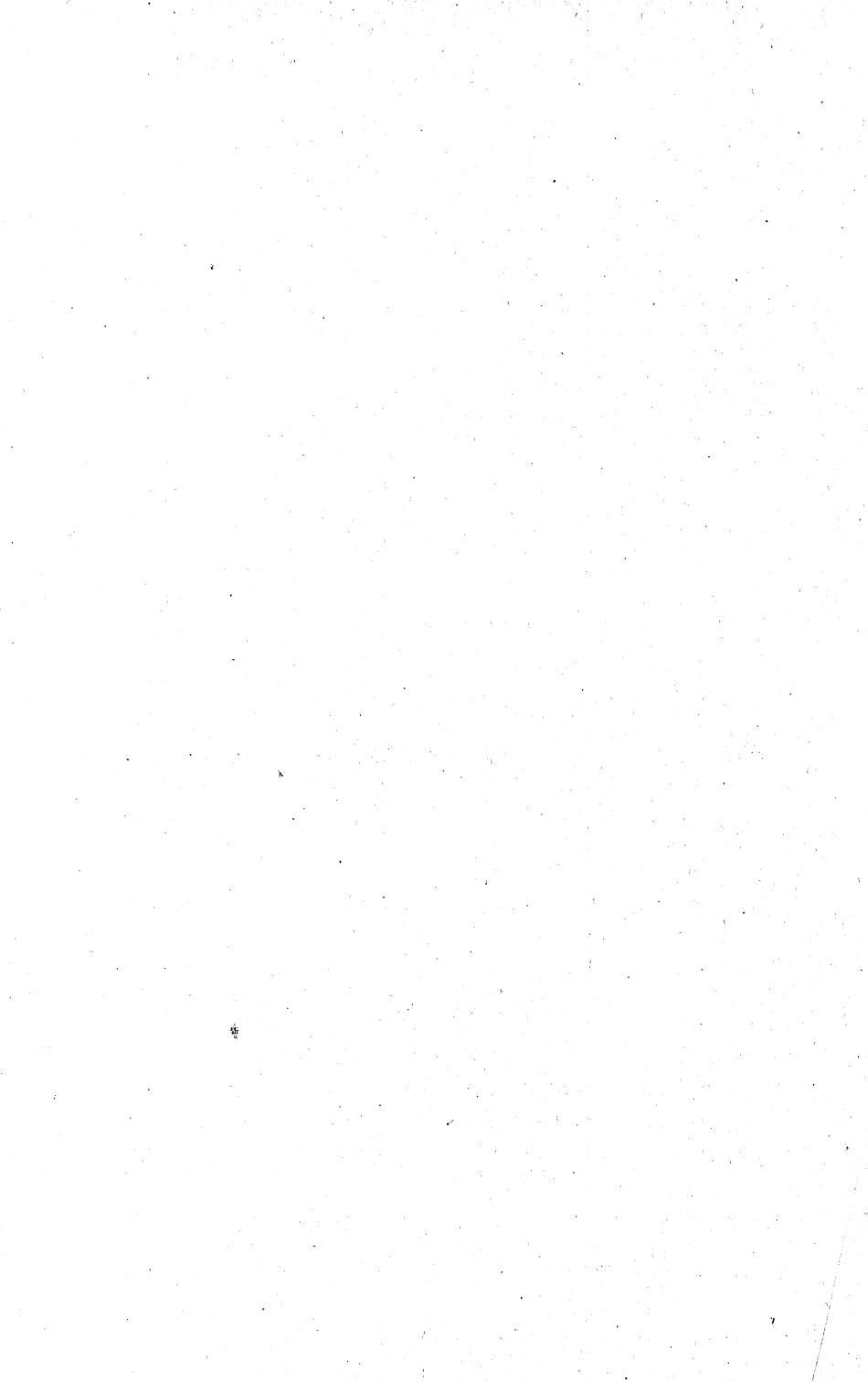
"K"

List of Presidents and Cashiers of Banks.

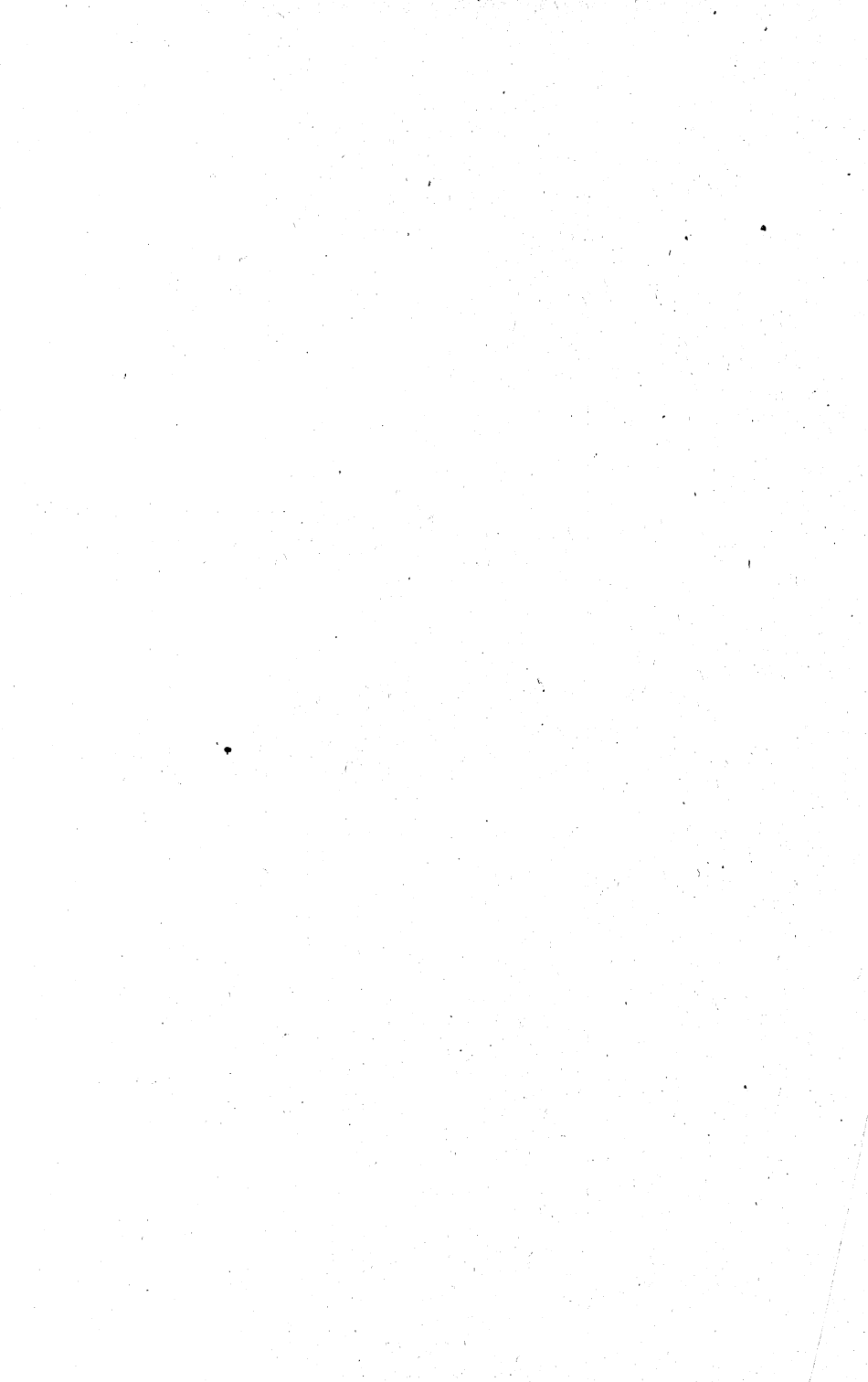
Names of Banks.	Location.	Presidents.	Cashiers.
State Bank	Madison.....	Sam. Marshall	J. A. Ellis
Wis. Marine & Fire Ins. Co.	Milwaukee ..	Alex. Mitchell	David Ferguson ..
Bank of Racine	Racine.....	Wm. J. Bell	Henry J. Ullman ..
Rock River Bank	Beloit.....	John M. Keep	A. L. Field
City Bank of Kenosha.....	Kenosha.....	Alonzo Campbell....	Sam. H. Scott
State Bank of Wisconsin.....	Milwaukee ..	Eliphalet Cramer....	M. S. Scott
Wisconsin Bank	Mineral Point	C. C. Washburn	Cyrus Woodman....
Farmers & Miller's Bank	Milwaukee....	Edward D. Holton....	H. H. Camp
Jefferson County Bank.....	Watertown ..	Charles G. Harger....	Daniel Jones.....
Badger State Bank.....	Janesville ..	Wm. J. Bell	E. L. Dimock.....
Oshkosh City Bank.....	Oshkosh.....	James Kneeland.....	B. S. Henning.....
Racine County Bank.....	Racine.....	R. M. Norton	Geo. C. Northrop....
Exchange Bank.....	Milwaukee ..	Wm. J. Bell	James B. Kellogg....
City Bank of Racine.....	Racine.....	Gilbert Knapp	Alex. McClurg
Bank of the West.....	Madison.....	Sam. A. Lowe	Wm. L. Hinsdale....
Bank of Fond du Lac.....	Fond du Lac..	Wm. J. Bell	Abram G. Butler....
Bank of Commerce.....	Milwaukee ..	Geo. W. Peckham	Jos. S. Coit.....
Columbia County Bank	Portage City..	Samuel Marshall	H. S. Haskell.....
Fox River Bank.....	Green Bay....	Jos. G. Lawton	Francis Desnoyer ..
Northern Bank.....	Howard.....	K. A. Darling	Robert Chappell....
Bank of Watertown	Watertown ..	Albert L. Pritchard..	Wm. H. Clark
Germania Bank.....	Milwaukee ..	George Papendiek....	C. H. H. Papendiek..
Dane County Bank.....	Madison.....	Levi B. Vilas	N. B. Van Slyke....
People's Bank.....	Milwaukee ..	Herman Haertel	C. B. Greenleaf.....
Bank of Milwaukee *	Milwaukee ..	C. D. Nash	P. S. Peake
Bank of the Northwest *	Fond du Lac..	Benj. F. Moore	Aug. G. Ruggles....
Bank of Beloit *	Beloit.....	G. B. Sanderson.....	L. C. Hyde
Kenosha County Bank *	Kenosha.....	John C. Coleman.....	J. H. Kimball.....

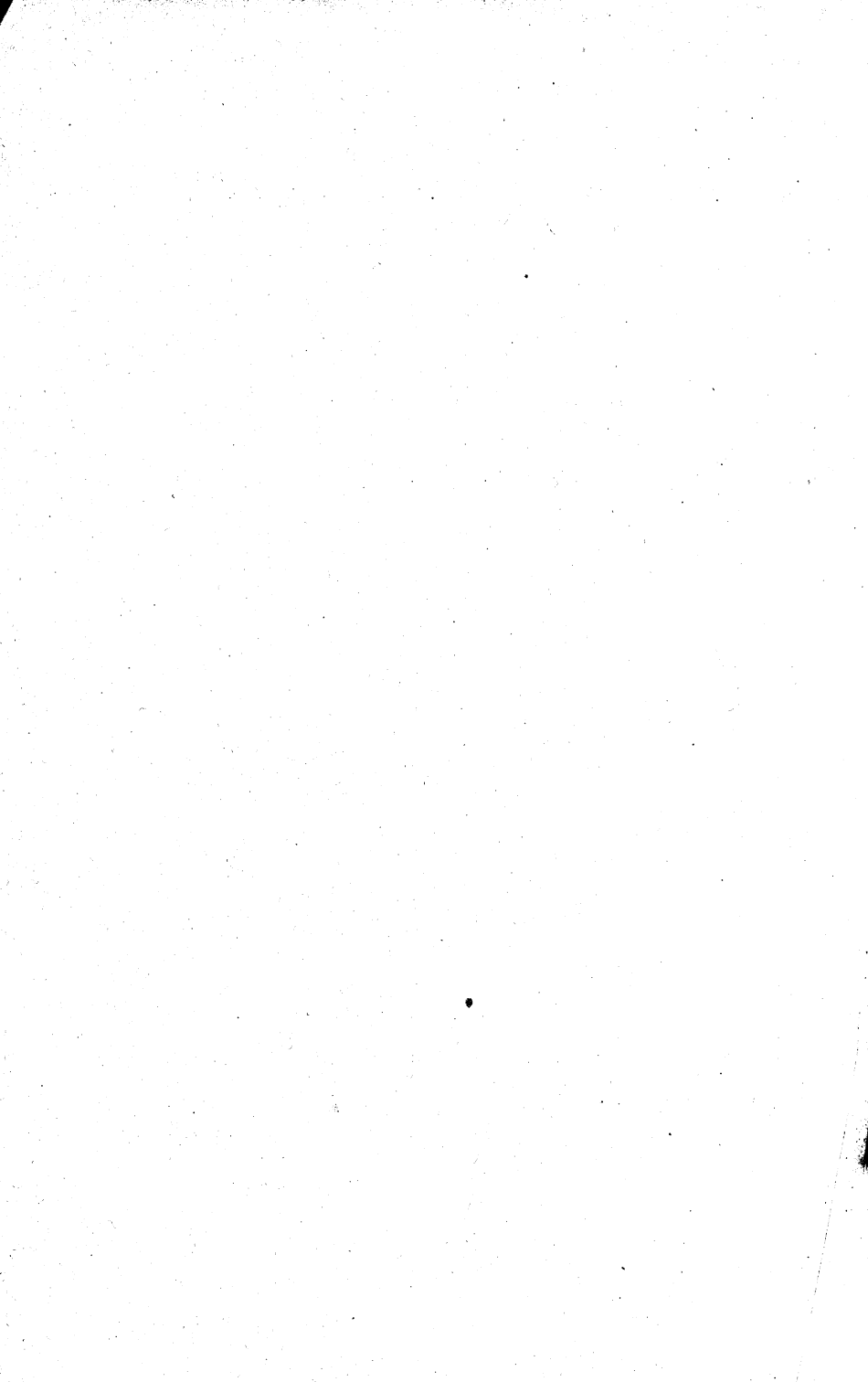
* Organized since January 1st, 1855.











"B."
STATEMENT Showing the Condition of the Banks July 4, 1853.

Table with 15 columns: NAMES OF BANKS, Loans and Discounts, Due from Directors, Due from Brokers, Over Drafts, Stocks, Premiums Notes, Specie, Cash Items, Real Estate, Loss and Expense, Bills of Solvent Banks, Bills of Suspended Banks, Due from Banks, Total Resources, Capital, Registered Notes, Due to the Treasurer, Due to Depositors, Due to others, Total Liabilities.

Summary of the Items of Capital, Circulation and Deposits, Specie and Cash Items, Public Securities and Private Securities of the Banks of the State of Wisconsin, on the Morning of Monday, July 4, 1853.

Summary table with 2 columns: Item (CAPITAL, CIRCULATION, DEPOSITS, SPECIE, CASH ITEMS, PUBLIC SECURITIES, PRIVATE SECURITIES) and Amount.

"C."
STATEMENT of the Condition of the Banks of the State of Wisconsin, on Monday, January 2, 1854.

Table with 15 columns: NAMES OF BANKS, Loans and Discounts, Due from Directors, Due from Brokers, Over Drafts, Stocks, Premiums Notes, Specie, Cash Items, Real Estate, Loss and Expense, Bills of Solvent Banks, Bills of Suspended Banks, Due from Banks, Total Resources, Capital, Registered Notes, Due to the Treasurer, Due to Depositors, Due to others, Total Liabilities.

Summary of the Items of Capital, Circulation and Deposits, Specie and Cash Items, Public Securities and Private Securities, of the Banks of the State of Wisconsin, on the Morning of Monday, January 2, 1854.

Summary table with 2 columns: Item (CAPITAL, CIRCULATION, DEPOSITS, SPECIE, CASH ITEMS, PUBLIC SECURITIES, PRIVATE SECURITIES) and Amount.

"D."
STATEMENT of the Condition of the Banks of the State of Wisconsin, Monday, July 2, 1854.

Table with 15 columns: NAMES OF BANKS, Loans and Discounts, Due from Directors, Due from Brokers, Over Drafts, Stocks, Premiums Notes, Specie, Cash Items, Real Estate, Loss and Expense, Bills of Solvent Banks, Bills of Suspended Banks, Due from Banks, Total Resources, Capital, Registered Notes, Due to the Treasurer, Due to Depositors, Due to others, Total Liabilities.

Commenced business 16 March, 1854. Commenced business 13th April, 1854. Commenced business 13th May, 1854. Commenced business 13th June, 1854. Reported as personal property. \$2,319 72 of it reported as personal property. Reported as profit and loss.

Summary of the Items of Capital, Circulation and Deposits, Specie and Cash Items, Public Securities and Private Securities of the Banks of the State of Wisconsin, on the Morning of Monday, July 2, 1854.

Summary table with 2 columns: Item (CAPITAL, CIRCULATION, DEPOSITS, SPECIE, CASH ITEMS, PUBLIC SECURITIES, PRIVATE SECURITIES) and Amount.

"E."
STATEMENT, showing the condition of the Banks of the State of Wisconsin, on Monday, January 1st, 1855.

Table with 15 columns: NAMES OF BANKS, Loans and Discounts, Due from Directors, Due from Brokers, Over Drafts, Stocks, Premiums Notes, Specie, Cash Items, Real Estate, Loss and Expense, Bills of Solvent Banks, Bills of Suspended Banks, Due from Banks, Total Resources, Capital, Registered Notes, Due to the Treasurer, Due to Depositors, Due to others, Total Liabilities.

Commenced business August 16, 1854. Reported as office furniture, and refitting old office. Reported as office furniture. Reported as fixtures. Reported as due from stockholders on demand. Including outfit. Reported as expense account. Reported as due from premium paid. Reported as personal estate. Reported as premium paid. Reported as profit and loss.

SUMMARY OF THE ITEMS OF CAPITAL, CIRCULATION AND DEPOSITS, SPECIE AND CASH ITEMS, PUBLIC SECURITIES AND PRIVATE SECURITIES, of the Banks of the State of Wisconsin, on the Morning of Monday, January 1, 1855.

Summary table with 2 columns: Item (CAPITAL, CIRCULATION, DEPOSITS, SPECIE, CASH ITEMS, PUBLIC SECURITIES, PRIVATE SECURITIES) and Amount.

ANNUAL REPORT

OF THE

Commissioner of the State Prison,

OF THE

STATE OF WISCONSIN,

FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, PRINTER.

1855.

THE STATE OF WISCONSIN

Department of the State

STATE OF WISCONSIN

FOR THE YEAR 1901

WISCONSIN
DEPARTMENT OF THE STATE

1901

REPORT.

To HIS EXCELLENCY WILLIAM A. BARSTOW,
Governor of Wisconsin:

In pursuance of my official duty, as prescribed by section 6, of chapter 477, of the Session Laws of 1852, the undersigned, Commissioner [of the State Prison of the State of Wisconsin, begs leave to present the following report of the affairs and condition of said Prison for the year 1854:

Whole No. of convicts confined in the prison from January 1st, 1854, to the 31st day of December, 1854.	105
Of which num. there were here on the 1st day of January, 1854,	59
Num. of convicts received into the prison from January 1st, 1854, to December 31st, 1854,	46
Num. of male prisoners received during the year,	43
" female " "	3
Num. of prisoners discharged on expiration of term,	2
" " Governor's pardon,	32
Whole num. discharged during the year,	34
Num. of male prisoners discharged,	31
" female " "	3
Of the prisoners who were here on the 1st of January, 1854, there were discharged on pardon	26
Of the prisoners who were here on the 1st of January, 1854, there were discharged on expiration of term,	2

Of the prisoners received here during the year there were discharged on pardon, 6

Of the No. of prisoners discharged on pardon, there were discharged one day before expiration of term, 19

Of the No. of prisoners discharged on pardon there were discharged from two months, to eighteen months before expiration of term, 13

Whole No. of prisoners now here on the 31st day of Dec. 1854, 71

Of which No. there were here on the 1st of Jan. 1854, 31

do do do received here during the year. 40

No. of male prisoners now here, 71

do female, do do 66

do do do do 5

71

Counties from which the Prisoners now here were sent.

Milwaukee, 37

Marquette, 2

Dodge, 4

Rock, 6

Racine, 2

Sauk, 1

Kenosha, 8

Bad Ax, 1

Columbia, 2

Waukesha, 4

Dane, 2

Jefferson, 2

Ozaukee, 4

Washington, 1

71

Crimes for which Prisoners now here were Convicted and Sentenced.

Murder in the 1st degree,	(in during life),	6
Murder in the 2d degree,	do	1
Murder in the 3d degree,		1
Manslaughter in the 1st degree,		3
Manslaughter in the 2d degree,		1
Burglary,		8
Rape,		5
Larceny,		19
Robbery,		3
Passing counterfeit money,		2
Embezzlement or robbing mail,		3
Uttering counterfeit bills,		1
Perjury		1
Housebreaking, with intent to commit larceny,		1
Having in possession counterfeit money,		1
Forgery,		1
Burglary and Larceny,		2
Larceny in dwelling-house,		7
Larceny in shop,		3
Assault with dangerous weapons, with intent to steal,		1
Adultery with daughter,		1
		71

Trades or Occupation of Prisoners now here.

Carpenters,	3
Farmers,	18
Blacksmiths,	5
Shoemakers,	3
Barbers,	2
Pedlers,	2
Engineer,	1
Sailors,	4
Tinsmiths,	2
Masons,	2
Cook,	1

Clergyman,	1
Seamstress,	1
Laborers,	8
Cabinet-maker,	1
Baker,	1
Brick-maker,	1
Engraver,	1
Butchers,	2
Stone-cutter,	1
Overseer on railroad,	1
Physician,	1
Painter,	1
Paper-folder,	1
Fisherman,	1
Hotel-waiter,	1
Jeweller,	1
	<hr/>
	67
No trade or occupation reported, (females,)	4
	<hr/>
	71

Places of Nativity of the Prisoners now here.

United States,	33
Canada,	1
Ireland,	13
England,	2
German States,	13
Holland,	1
Free City of Hamburg,	1
Wales,	1
Born on the Atlantic Ocean,	1
	<hr/>
	71

Ages of the Prisoners now here.

From 9 years of age to 15 years of age,					2
" 15	"	"	20	"	12
" 20	"	"	25	"	16
" 25	"	"	30	"	16
" 30	"	"	35	"	7
" 35	"	"	40	"	5
" 40	"	"	45	"	4
" 45	"	"	50	"	4
" 50	"	"	55	"	1
" 55	"	"	60	"	2
" 60	"	"	65	"	1
					<hr/> 71

MENTAL CULTIVATION OF THE PRISONERS.

Of the prisoners now here about one fourth of them possess more than a common education.

Number who can read and write	70
Number who can neither read nor write	1

When I took charge of the prison, in January last, there were many of the younger class of prisoners who could read but very poorly, and had never written a word in their lives. I have deemed it my duty to use all proper means, consistent with my position, to effect, if possible, an improvement in the mental and moral condition of the convict, and with that object in view, I induced a large number of them to devote such hours as were not occupied in the employ of the state in the study of reading, writing and arithmetic, under the instruction of teachers appointed from among the convicts, and in presence of one or more of the prison officers. The experiment has proved successful beyond my most sanguine expectations, and the result is indeed gratifying. Such

convicts as have been thus induced to make an effort for improvement have made rapid progress, in all the studies above named, and while they have been laying up a little store of practical education, to be used, we hope, for good purposes in the future, the effect has, to a very great extent, been efficacious in softening down the rough, dogged manner of the criminal into the more obedient, submissive conduct of the convict.

While I am upon this branch of my report, I wish to state, that a large majority of those prisoners who have been discharged by virtue of executive interposition were discharged only one day before the expiration of their sentence, for the purpose, as I have been led to understand, of restoring them to the rights of citizenship.

And here allow me to suggest, that for an established custom, the exercise of this prerogative, on the part of the executive of the state, is calculated to work a great moral and general good in the condition of the discharged convict, and acts as a great incentive towards a better course of conduct during the term of his confinement.

Perhaps two-thirds of the prisoners who have been confined in the prison since its establishment and organization, and of those that are now here, are very young men, who, in an unguarded hour, under the influences of evil associations, and vicious, abandoned company, have committed the first crime in their lives, that might have subjected them to the severer penalties attached to the criminal laws of our state.

Since my connection with the prison there has not been a convict released but has voluntarily, and I feel confident, with heartfelt sincerity, expressed a firm determination to lead an honest, upright life, and use to his own credit, and the benefit of society, his restoration to that place among men which he had forfeited by his own act, committed against the public well-being and the laws of the state. I am informed that, with one or two exceptions, this determination has been sacredly adhered to.

If these impulses are sincerely felt, I am constrained to believe that the true design of punishment, and the principles of public justice, are by no means advanced by sending the convict out again upon the world as a branded felon, doomed to suffer, without any mitigating consideration, the entailed consequences of his crime forever, without any possible inducement to gain a respectable name among his fellow men.

The following statement will show the amount of money received by me from all sources during the current year, and the disbursement of the same.

Feb. 4, 1854,	Rec'd from State Treasurer on appropriation of 1853	\$5,376 76
Mar. 13, do	do do do '53 & '54	9,610 10
Apr. 17, do	do do do 1854	2,000
July, 6, do	do do do do	500
Oct. 11, do	do do do do	200
Dec. 8, do	do do do do	300
Amt. of cash received from the various prison shops during the year,		<u>508 11</u>
		\$18,494 97

Disbursements.

I have paid on the old debt of the Prison contracted by ex-commissioner Brown,	\$12,709 17
Leaving a balance of all moneys received, to be expended on expenses of current year,	<u>5,785 80</u>

Which balance has been expended as follows:

For wood and provisions,	\$1,900
do Labor, (pay of officers,)	1,600
do Paid on contract for digging artesian well,	201 54
do Shop tools for the various prison shops, leather and shoe findings, sheet iron and tin,	<u>2,084 26</u>
	5,785 80
Amount paid on old debt, as above,	<u>12,709 17</u>
For all of which proper vouchers are on file in the commissioner's office,	\$18,494 97

In recurring to the report of the committee appointed by the legislature at its last session to investigate the affairs of the Prison for the past year (1853,) you will find, that so far as they were able to ascertain from the evidence which was placed before them, they reported the indebtedness of the prison for that year, up to the 1st of January, 1854, at about \$12,100. There have been demands made upon me by many individuals, upon claims against the state on account of the prison, for the year 1853, backed by the most incontrovertible vouchers; and in all cases where such vouchers have been presented, I have paid the demands.

There were also some palpable mistakes on the Prison books for that year, which, when corrected, enlarged the demands of persons, and I assumed to pay the corrected demands. You will perceive, that in following this course, I have paid about \$600 more of the old indebtedness than was reported by the legislative committee; and I feel quite confident that all claims against the state on account of the Prison for the year 1853, are paid in full.

The following statement will show the indebtedness of the Prison for the current year. (1854.)

Am't of indebtedness of the Prison for the current year, 1854	\$17,138 72
Of which amount there is due on officers' labor	5,984 81
On outstanding orders given for labor, provisions, building fence &c.	3,423 31
do Prison Physician's account	279 37
do Chaplain's do	98
do Sewing done for Prison	17 29
do Block stone delivered in Prison yard on contract	1,135 31
do Wood and provisions	1,444 59
do Lumber	37 10
do Glass, paints, &c.	15 80
do Leather	438 89
do Oil, lamps, &c.	149 50
do Work with man and team	939
do Pump pipe	30 02
Preparing pumps	4
Solder	15 58
Stone coal	106 28
Merchandise, including hardware, clothing, books, stationery, &c.	3,000 50
Patterns for new Prison and stove plates	19 37

17,138 72

The following statements will show the improvements which have been made within the prison yard by convict labor, and the earnings of the convicts in the various shops, as also the property now on hand, which has been purchased during the year. All of which is presented as offsets to the indebtedness of the current year.

New building for carpenter, shoe, tin, tailor and barber shops	\$1,000
Finishing roof to stone shop and wire to screen stone shop window frames for same and glass	50
Addition to blacksmith shop and building 3 chimneys and cut stone forge	200
Gate keeper's house	200
Repairing warden's and matron's apartments, paint shop, guard houses, out houses, cow stable, vaults, drains, &c.	100
Work made to order in carpenter's shop	657 59
do done for contractor Reinhard in carpenter's shop	333 26
do do do Proudfit do do	84 85
do do to order in paint shop	63 95
do do for contractor Taylor in paint shop	77 77
do made to order in tin shop	84 57
do done for contractor Taylor in tin shop	84 08
do do do Starkweather & Co. do do	37 57
do made to order in shoe shop	491 42
Work made in blacksmith shop to order,	137 15
do done for contractor Proudfit in same,	231 96
do do do Ackerman in same	721 47
do do do Proudfit, in stone shop and on building	3,236 05
do do do Taylor, on artesian well	15 17
Boots, shoes, leather and shoe findings on hand	150
Pork, flour, corn meal and other provisions on hand	350
Clothing, cloth and new bedding	300

Tinner's stock and tin				50
Wood, lumber and prepared work in carpenter shop				125 00
Stove and pipe for new prison, carpenter, shoemaker, tin shop and office				410
Carpenter's, tinner's, blacksmith's, shoemakers, tailor's, painter's, barber's tools and farming utensils, purchased within the year				800
Book case for prison library				20
Five cows				150
Hogs, large and small				35
Block stone				1,135 31
Oil and lamps, &c.,				149 50
Books of account, for Prison				30
do for prison library				100
Work benches for the various shops				40
Four iron doors for old prison				100
Cauldron kettle				10
Scrap iron on hand.				60
Lard, do				20
Raised on the prison farm,	600 bush. potatoes,	2s		150
do do	200 do ears of corn	1s6d		3 50
do do	10 tons of fodder,	\$10, oats		150
do do	garden vegetables			125
				<hr/>
				\$12,244 17
Indebtedness brought forward,				17,138 72
Offsets deducted,				122,44 17
				<hr/>
				\$4,894 55

It will be seen by the above that the cost of supporting the prisoners and prison establishment over and above the earnings of the Prison the past year is \$4,894 55

It is safe to say, that at least from twenty to thirty per cent. of the above would have been saved if the contractors, when they put in their proposals, could have been sure that they would get their pay according to the conditions of their contracts, and if we had had money to pay for those articles not contracted for, and that we could not contract for, nor do without when we bought them. Another fatal consequence arising from the unavoidable want of punctuality on the part of the Commissioner, in granting payments as they became due, by the conditions of contracts entered into, results in the fact, that none who know the lack of finance in the prison will put in proposals for furnishing, except such as are pecuniarily able to wait the slow pay day which is most sure to come. While many good men would venture to put in bids for such furnishing, if they could be sure of their pay quarterly. Under the circumstances, the few with ready capital alone bid, and make the idea of general competition in the matter a mere farce; and, consequently, almost all articles purchased under contract, are paid as highly for, and, perhaps, in many instances, more highly than if bought on private bargain.

I would, therefore, most earnestly but respectfully ask, that the funds necessary for defraying the expenses of the prison be kept on hand, in order that the Commissioner may be able to fulfil any condition of the contracts entered into on the part of the state, and also to purchase such other articles as we must have, and that we are unable to contract for under existing circumstances, or else repeal that part of the law that requires the Commissioner to advertise for proposals, and let the contracts for supplying the Prison to the lowest and best bidder.

As the law now stands, the Commissioner has no right to purchase a single article for the Prison without first advertising for proposals, and obtain the articles required upon contract, and under existing circumstances with a full knowledge on the part of the people, that there is no money in the treasury, or in the hands of the Commissioner to pay them for what they would contract to furnish, and altogether uncertain when there will be, they will

not, in many cases propose at all. In such case the law requires the Commissioner to advertise again. In the mean time, many of the articles needed, and for which the Commissioner advertises for proposals to furnish, must be had without delay.

And, again, the strongest propability is, that no one will propose at all, for the reason that there is no money to pay them if they should enter into contract.

Again, if they do propose and they get the contract, the day conditioned for payment arrives, and unless their demand is satisfied, they are of course disappointed, and depending, as in most cases they are necessitated to do, upon the means that accrue from the business they are engaged in, to progress with the fulfilment of their contract, they in turn must necessarily disappoint the party contracted with, and when complaints or threats are made to them, they will say the "state has not fulfilled;" and when it does, it will be time enough for you to find fault. In the mean time, dinner hour arrives, and seventy-five or eighty prisoners are not apt fully to appreciate the financial trouble that prevents them getting it.

I would, therefore, most respectfully recommend in the event of there being no money in the treasury, that that part of the law which requires the Commissioner to advertise for proposals and let the contract for supplying the Prison to the lowest bidder under all circumstances, be repealed, because the Commissioner cannot live up to it, and must needs violate it, for without money, one half of the articles needed at the Prison will not be proposed for at all, and those that are, will be at high prices.

SOUTH WING.

The south wing of the new Prison is nearly completed, and will be ready for use and occupancy in the course of two or three weeks.

This building was commenced from the foundation on the 14th day of April, and was prosecuted with unceasing vigor by all the contractors engaged in its erection; and, taken in itself, separate

from the main building and other wing, as laid down in the plan of building the whole Prison, it is a most beautiful structure, and a credit to the builder and the state; indeed, I am constrained to say, that there is not a better building for its purpose in the whole Union. Its foundation is laid upon the solid rock, ten feet below the surface of the earth, and it is built after the enlarged plan contemplated by the legislature at its last session—two hundred feet in length, by fifty feet in width in the clear, and contains two hundred and eighty-eight cells.

I cannot let the occasion pass, without awarding to the various contractors who have been employed upon the building, the justly deserved credit of having unsparingly exerted themselves to do justice to the state as well as to themselves in the prosecution of the work.

The contract for furnishing the stone, brick, &c., and all material for laying the same, was entered into, on the part of the state, by my immediate predecessor, Ex-Commissioner Brown, with Andrew Proudfit, Esq., conditioned to pay as follows:

For furnishing cut stone and laying the same, per perch,	\$13 95
“ rough “ “	2 92½
“ brick “ “ per 1000	9 75
For placing all iron in the building, per pound,	0 03

As early in the past spring as practicable, I entered into contracts on the part of State, for doing all the other work necessary to the completion of the building, with different individuals, as follows:

With John N. Ackerman, Esq., for making and preparing all the iron work, at the rate of 3 4-10 cents per pound,	\$	03 4-10
With John Taylor, Esq., for furnishing all cast iron necessary at the rate of 6½ cents per pound,		06½
do do for making sheet iron ventilators at 3 cents per pound,		03
do do for doing all painting and glazing, and furn'ing materials, including glass,		695 00

With John Taylor, Esq., for tinning roof, and furnishing material, per square,	11 95
do do for making conductor from roof, and furnishing material, per foot,	40
With Wm. Reinhard, Esq., for doing all the carpenter and joiner's work, and furnishing all material, except lumber,	1,000 00
do do for doing all lathing and plastering and furnishing all material, per square yard,	25
The iron was furnished by J. S. Sherwood, Esq., under contract made with Commissioner Brown, at an average rate per lb of	06
The lumber was mostly furnished by James K. Smith, Esq., under contract also made with Commissioner Brown, at an average rate per thousand of	17 00
The locks were furnished by A. Proudfit, Esq., under contract made with myself, for cell locks at the rate of	3 87½
For all larger locks, at the rate of	6 50

The following abstract of the estimates made out for the various contractors, will show the expense of building the South Wing of the Prison, up to the 28th day of last November.

ABSTRACT of Estimates made out for the Contractors engaged in building the South Wing of the new prison, showing the cost of erecting and finishing the same:

Names of Contractors.	Full credit on Estimates.	Deductions on Estimates.	Due Convicts for overwork.	Liability of State on Estimates.
First Estimate of Andrew Proudfit	\$13,875 52	\$ 4,426 77	597 12	\$8,851 63
Second do do	14,014 41	3,135 90	1,094 41	9,784 10
Third do do	29,923 34	9,118 74	1,220 23	19,854 37
Fourth do do	33,969 92	2,726 49	984 57	30,258 86
Fifth do do	10,770 18	1,080 91	241 04	9,448 23
First Estimate of Locks	756 38	....	....	756 38
	103,209 75	20,488 81	4,137 37	78,953 57
First Estimate of J. S. Sherwood,	516 89	....	....	516 89
Second do do	5,851 60	....	....	5,851 60
Third do do	1,733 57	....	....	1,733 57
Fourth do do	193 15	....	....	193 15
	8,295 21	....	....	8,295 21
First Estimate of John Taylor...	782 31	....	....	782 31
Second do do	297 63	14 65	12 20	270 77
Third do do	929 12	72 02	46 19	810 91
Fourth do do	1,997 11	114 89	74 79	1,807 50
	4,006 17	201 56	133 18	3,671 49
First Estimate of John Ackerman	212 12	92 72	69 08	50 22
Second do do	884 92	223 00	124 33	537 59
Third do do	827 22	261 78	172 80	392 64
	1,924 26	577 60	366 21	980 45
First Estimate of James K. Smith	970 75	....	....	970 75
Second do do	292 38	....	....	292 38
Third do do	142 97	....	....	142 97
	1,406 10	....	....	1,406 10
First Estimate of Wm. Reinhard,	330 00	59 26	41 37	229 37
Second do do	140 63	33 01	25 12	82 50
Third do do	400 00	103 24	50 00	246 77
	870 63	195 50	116 49	558 64
Total amounts.....	119,712 12	21,463 47	4,753 23	93,865 46
Total amount of State Liability up to Nov. 28, 1854, overwork for convicts being added.....				98,618 69

So far as I have been able to make an estimate, the cost for furnishing the building from the 28th of November last to its final completion will not vary much from \$5000.

I wish here to impress upon your mind, and through you, upon the attention of the legislature, the imperative necessity of proceeding immediately with the erection of the main building of the prison. The offices, guard rooms, chapel, hospital and cook room should be in immediate communication with the building occupied by the prisoners. As it is, all these necessary conveniences being in the old prison are situate some ten or fifteen rods from the new, and when the fact is taken in consideration, that the victuals of the prisoners must be cooked in the old prison and carried those ten or fifteen rods in all kinds of weather, that the detached position of the offices and guard rooms, render the vigilance of the night watch less effective, that marching the prisoners from the new building to the old, for the purpose of attending divine worship on the Sabbath, is fraught with imminent danger of escape. I cannot but think, that the amount which must be appropriated for the building will have no weight in comparison with the importance and necessity of its erection.

I have asked the opinion of competent mechanics, as to what the probable cost of the main building would be and am convinced that the expense is pretty accurately shown by the following estimate.

Length of main building of the new prison, eighty feet,

Width of main building of the new prison, fifty-two feet.

Height above the basement story, fifty feet.

97 cords of cut stone, including laying of, same, \$60,	\$5,820 00
186 cords of rough stone,	1,316 00
Laying rough stone and brick,	2,868 00
300,000 brick,	1,500 00
Lathing and plastering, including lath,	1,730 00
1,100 barrels of lime,	825 00
40,000 bushels sand, 6d,	2,600 00

Carpenter work and building roof, as on south wing, including material,	4,500 00
Glass, paint, nails, locks, door hangings, and hanging doors,	800 00
Iron and iron work,	1,600 00
Painting and glazing,	700 00
Excavation for foundation, complete,	1,200 00
	<hr/>
	\$25,459 00

I am fully confident that the building can be erected by convict labor for one-half of what it would if put under contract, and with the above amount appropriated and placed at the disposal of the Commissioner, I am sure, beyond a doubt, that it would cover amply every cent of expense which the building would be to the State, exclusive of convict labor.

In recurring to the law organizing the prison, there is another provision in it, the repeal of which, I think, is demanded by the best interests of the state. I allude to that which prohibits the commissioner from permitting prisoners to be taken outside the prison yard under any circumstances whatever, and from reliable information, I am inclined to believe it is contrary to the well established precedent of older established prisons:

There are always confined in every state prison a greater or less number of convicts who are well disposed, and whose term of imprisonment is nearly expired, that can safely be trusted in charge of an officer to work in the stone quarry's for the state, or to be let to contractors to work as they may direct—or, situated as we have been, during the past summer, without water in the yard, they might be advantageously occupied in carrying water for the use of the prison.

Circumstances have transpired during the year under which I have deemed it a matter of no harm, but rather a matter of duty, to require prisoners to engage in business for the state outside the prison yard, under the direct guard of an officer, except in one or two instances, when, during the past sickly season the officers and

help in and about the prison were unable to attend to any call aside from what their duty imposed.

Another provision of the law ought to be so amended as to allow the commissioner to engage the services of practical mechanics as overseers in the various departments of mechanical labor, with the power to pay them the wages of mechanics, say one dollar and a half or one dollar seventy-five cents per day. The present per diem for overseers, (\$1.25 per day) is not sufficient to induce them to leave outside labor for a position within the prison yard. I am of the opinion that if the services of good mechanics could be obtained, to be used in instructing, directing and laying out work for the convicts, the state would be profited much more than the mere amount it would require to engage such assistance.

Since I have been connected with the prison, I have, under the direction of the prison physician, furnished convicts with weak tea once a day, and in case of sickness oftener, if necessary, and also to such as have been in the habit of using tobacco three chews a day, believing, under all the circumstances, its moderate use would be more beneficial to the convict than otherwise.

As will be seen by the report of the prison physician herewith sent, you will find that, although the season has been very unhealthy, yet the prisoners have suffered but very little sickness of any kind—indeed I may say that the state has not been deprived of the labor of any one convict for more than a day at a time, and that only by reason of cold or ordinary diarrhoea. I may be allowed to say that no pains have been spared or precautions neglected to prevent sickness or disease. And I am credibly informed that although the number of prisoners has been much larger, and the past season far more unhealthy than the preceding one, yet we have not had one half the sickness as the year previous, and were it not for fear of needing the services of a physician we might dispense with engaging one at all.

Under the privilege extended by the law of last winter all the convicts who have been engaged in work for contractors on the new building, have been enabled by overwork, to lay up for themselves, a handsome sum of money for their present or future use, many of them who have families, have with commendable fidelity appropriated their energies to their comfort and support, those of the younger class have used it in procuring usefull books, and in subscribing for newspapers, which they are allowed to use under the direction and supervision of the officers.

I must do myself the justice to say that I believe that there is no retrograde movement in the morals of the convicts, they are all, with a few exceptions, willing and anxious to attend divine service in the chapel every Sabbath, where they seem to listen with devout attention to the excellent preaching and advice of the Rev. Samuel Smith, the faithful and devoted chaplain of the prison.

We have as far as practicable, endeavored to administer the discipline of the prison upon the "silent system," enforcing as much as possible, perfect non-intercourse, among the prisoners.— During the past season, the circumstances connected with the building of the new prison, made it a matter of impossibility to enforce as rigidly as we otherwise should a strict observance of all the regulations incident to such a system of discipline. There was necessarily more or less intermingling of the prisoners, with such citizens as were engaged in work upon the building and scattered about the yard, as they were, under the direction of the contractors to whom they were hired, in groups of two, three or a half a dozen, it was entirely out of the question to guard them as narrowly in the exercises of their duty and requirements, as if those circumstances did not exist.

I must say, however, that during the whole season I have seen but very little of conduct so flagitious as to demand severe punishment of my hands. There has been no open attempt to escape, and I feel confident that but very little, if any at all, of secret

plotting has been going on for that purpose. I have ever felt it to be the duty of any person having the administration of the government and discipline of a prison in charge, to execute his trust, that the criminal, will be made morally better under the punishment, which he is made to suffer, and while he makes that punishment, sure by its certainty, still so far as may be consistent with his position, he should feel and act as though he were dealing with men, fallen to be sure, but yet not beyond redemption.

When I entered on my official duties as commissioner of the Prison, its library was altogether inadequate to the wants of the prisoners. I have added to it by purchase, about ninety dollars worth of books, many of which are Bibles, both German and English, singing books, school books, and also a dozen slates.— Besides the above we are under especial obligation to the Fond du Lac county Bible Society, for a quantity of religious books; also, to Prof. E. Daniels, late State Geologist, and Messrs. W. H. Watson, George Bowman, Archibald Wilson, Henry Dillecker and ——— Buck, of Milwaukee, for a large and valuable contribution of books for the prison Library.

Before concluding this report, I wish to mention a subject upon which I think the legislature should act and act promptly. We have confined here some three or four small boys, from the city of Milwaukee, from nine to fifteen years of age. A prison is no place for them. Connected with some more aged and hardened criminals whom perhaps no punishment can reform, and no persuasion deter, it cannot, I fear, be even hoped that there case will be much bettered; and I sincerely hope that humanity will dictate, that a house of refuge be prepared for such young offenders, where they can, at least for a while, be secure from the evil associations of bad company, and be taught to lead the life of virtue and honesty.

I cannot neglect in this report to acknowledge the obligations which I am under to all the officers of the prison for the faithful and valuable services I have received from them during the past year. Their duties have been arduous and responsible, and they

are entitled to my sincere thanks for the faithful manner in which they have discharged them.

In conclusion allow me to say, that if what we have done meets the approbation of your Excellency, and through you the approbation of the Honorable the Legislature, and the people generally, we shall be amply rewarded for all the care, anxiety and responsibility, we have incurred the past year, and if not, we shall still have the satisfaction of knowing that we have endeavored to do right.

All of which is respectfully submitted.

A. W. STARKS.

STATE OF WISCONSIN, }
DODGE COUNTY, } ss.

ARGALUS W. STARKS, being duly sworn, says that the matters and things set forth in the foregoing report, are true to the best of his knowledge and belief.

A. W. STARKS.

Subscribed and sworn before me the 31st. day of Dec. 1854.

JOHN LOWTH,

Notary Public, Dodge County, Wis.

REPORT OF CHAPLAIN.

TO HIS EXCELLENCY WM. A. BARSTOW,

Governor of Wisconsin:

SIR: The following brief report of the Chaplain of the Wisconsin State Prison, and of his efforts to improve the moral and intellectual condition of its inmates, I sincerely hope will meet with the approbation of your Excellency.

For more than three years I have had the honor to officiate as Chaplain of this Prison, and by the blessing of Heaven, have been able to attend to the duties of my station every Sabbath but four during the whole of that time.

During the past year, our meetings in the Chapel of the Prison have been attended by all the inmates of the Prison, when their health would permit, and the result has been that some of our prisoners who appeared scarcely to fear God or regard man, at the time of their entrance into the Prison, have been constrained to confess their sins to God, and implore his pardoning favor. I am in the habit of visiting them from cell to cell, and talking with them individually and collectively; and have often been deeply moved at witnessing their apparent contrition, for violating the sacred laws of God, and the laws of the State, thereby bringing disgrace upon themselves, their families, and friends. I am satisfied from what they tell me, that more than two-thirds of them committed the crime that sent them here, under the influence of strong drink. They promise, however, most solemnly on their discharge from prison never to resort to a like crime again.

It may be gratifying to your Excellency to know, that some of the prisoners, when they first entered the prison and who could neither read nor write, have devoted their leisure hours to learning, and who now are able to do both. Many of them seem to be delighted with the holy scriptures, and promise hereafter to be governed by its precepts.

All our prisoners are reading men, and it would be extremely gratifying to myself and them if a larger assortment of good and useful books could be put in their hands, in order to make them good and useful members of community, when their term shall have expired here.

A singing school has been in successful operation in the Prison the past year, and has been attended by a large number of its inmates. I think their singing excellent, under all the circumstances, and would do credit to any society. Indeed all the officers of the prison seem to be indefatigable in improving the moral and intellectual condition of the prisoners, and many of them on their discharge, have called upon me at my residence to thank me for attempting to do them good, and to express their gratitude to all the Officers of the prison, for their kindness and for the excellent advice they had received, promising at the same time to follow it.

Respectfully submitted.

SAMUEL SMITH,

Chaplain.

DECEMBER 31, 1854.

PHYSICIANS' REPORT.

The health of the prisoners during the past year has been remarkably good. They have been entirely exempt from the prevailing epidemics such as Diarrhoea, Dysentery, Fevers, &c., which have prevailed to considerable extent in the community at large. Even during the hottest part of the summer Diarrhoea among the inmates was of rare occurrence and Dysentery entirely unknown, although common in the vicinity and among the laborers, employed in constructing the new prison building.

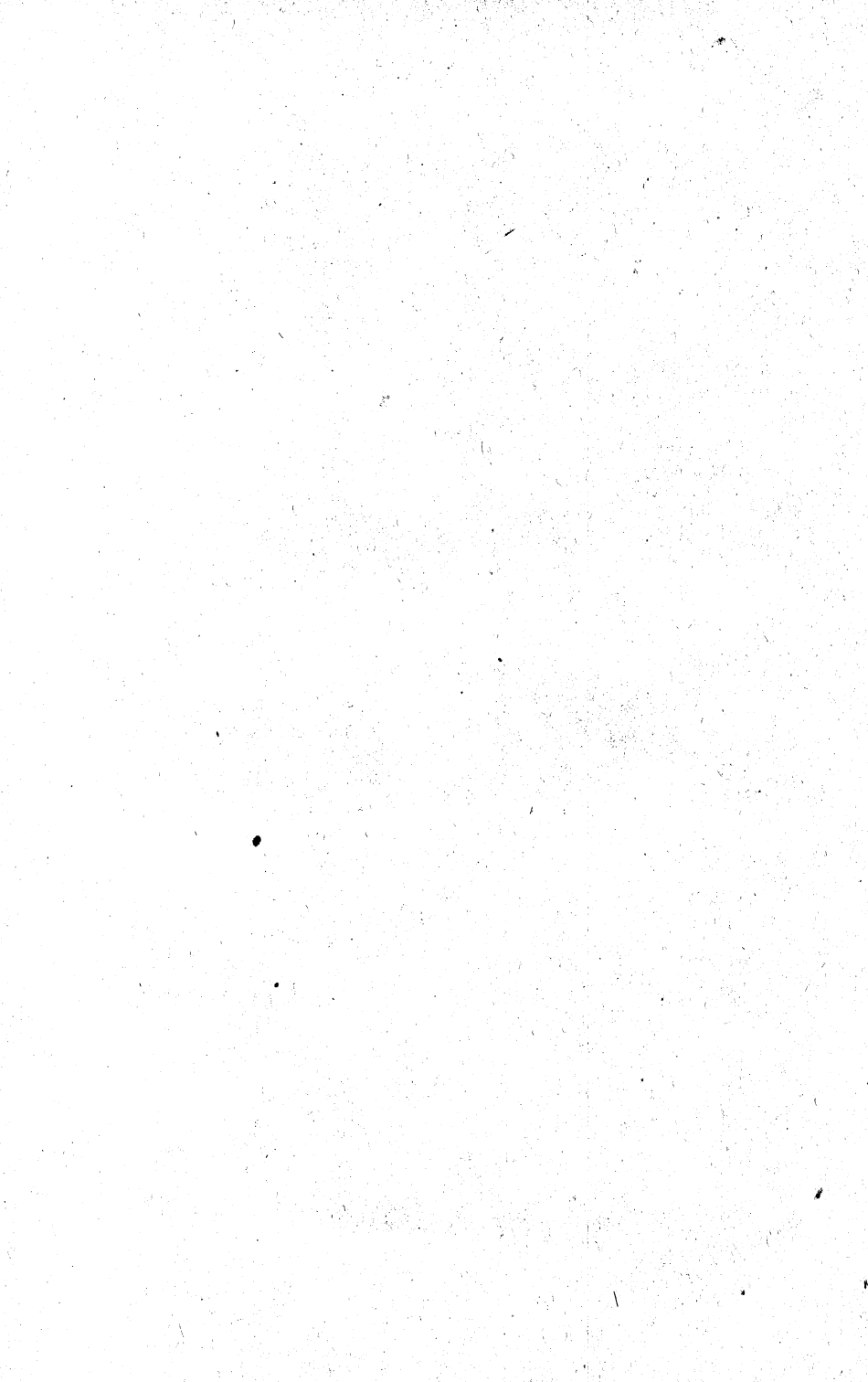
This exemption from sickness must be mainly attributed to the judicious management of the commissioner in enforcing rigidly the salutary discipline of personal cleanliness and regimen in all the apartments connected with the prison.

BROWN & BUTTERFIELD,

WAUPUN, Dec. 31, 1854.

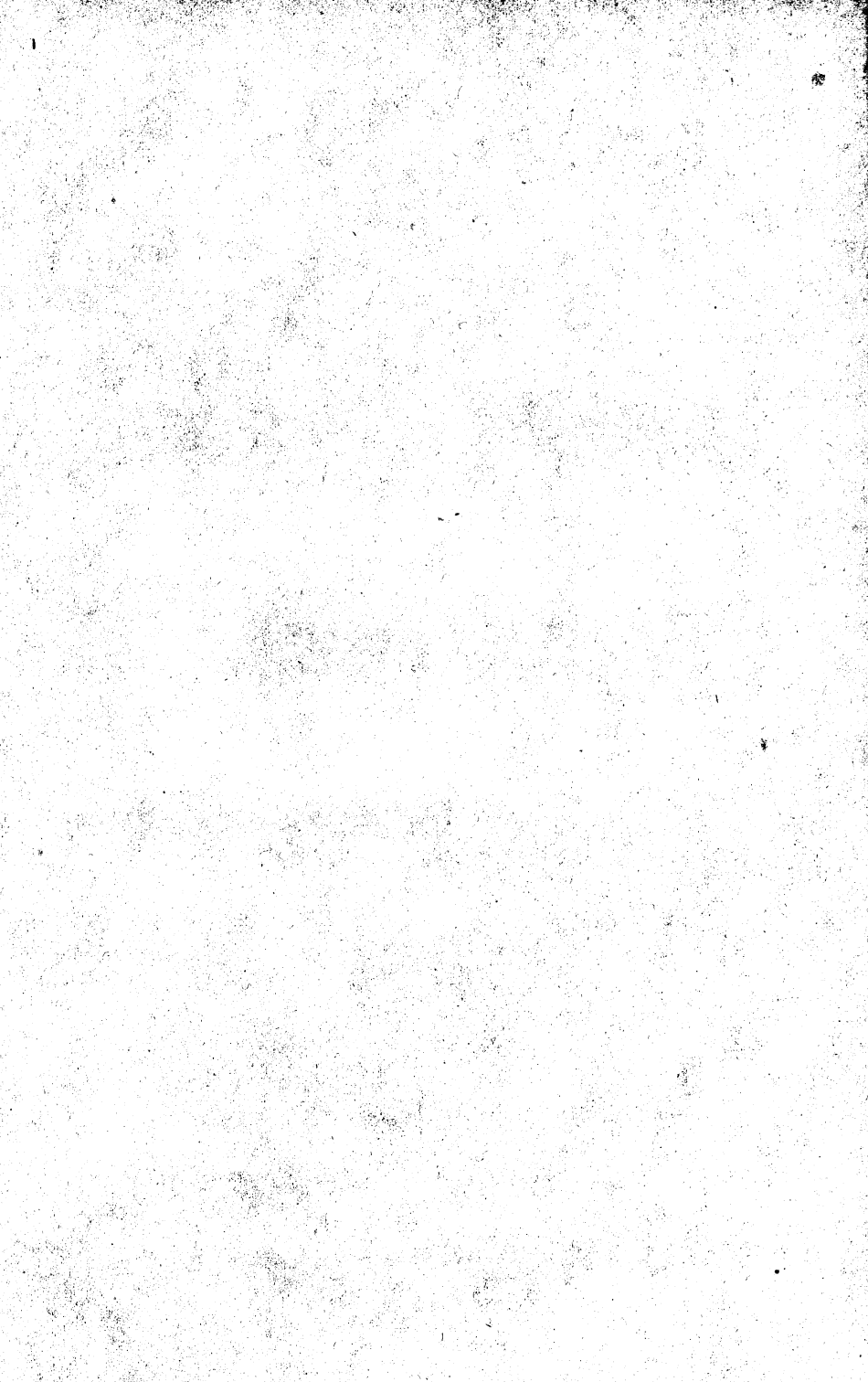
Attending Physicians.













ANNUAL REPORT

ON THE

GEOLOGICAL SURVEY

OF THE

STATE OF WISCONSIN.

By JAMES G. PERCIVAL.

MADISON:
BERIAH BROWN, PRINTER,

1855.

THE UNIVERSITY OF CHICAGO

1910

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GEOLOGICAL REPORT.

TO HIS EXCELLENCY, WM. A. BARSTOW,

Governor of the State of Wisconsin:

In presenting this report on the Geology of Wisconsin, it is proper that I should state the circumstances under which the materials for it have been collected. On receiving my commission as State Geologist (Aug. 12, 1854,) I proceeded, agreeably to your instructions, to examine the mineral district, included in the southwestern counties of the State. It was my intention, in this examination, to make a preliminary reconnoissance of the entire district, so as to enable me to present, in my first report, a general view of the arrangement, both as exhibited on the surface and in the interior. In previous examinations of the same kind, I had found the great advantage of such general views, in preparing for a more just appreciation of particular facts, and of their mutual relations. One of the most important objects of a Geological Survey, indeed the most important, is to determine the system of arrangement, and the principles connected therewith, which may serve as a guide through what would be otherwise an inextricable labyrinth. This cannot be done satisfactorily without a minute and thorough investigation of particulars, but this should be made throughout with a view to the entire arrangement, and for this purpose a preliminary reconnoissance is required. Although I lost no time in pursuing this object, yet I found it impossible to visit the entire district, this season, and November 23, I returned to Madison, and after a brief examination of the country between that place and

Janesville, in reference to the strata, I applied myself to the preparation of my report.

I have visited, during this season, all the considerable diggings from the south line of the State to a line drawn from east to west, north of Cassville, Beetown, Potosi, Platteville, Mineral Point, Yellow Stone, and Exeter, and from the Mississippi to the east part of Green county. Some of the less important diggings, within these limits, may have escaped my notice, but I have endeavored to make such an examination of those I have visited, as my limited time would allow. I have also employed, in preparing this report, such facts as I had collected the former year, in the employment of the American Mining Company (N. Y.) in exploring different localities in the same district, and particularly in examining the different strata, in reference to the probable descent of the mineral through them. On this point, of so much importance to the mining interest, I had then ascertained a series of facts, which seemed to prove that all the limestones, from the surface of the upper magnesian to a considerable depth, at least, in the lower magnesian, were good lead-bearing rocks. My researches, this year, have enabled me to add many convincing proofs to what I had before ascertained, the whole showing a regular descent of the mineral through all the rocks, within the limits above indicated, except the upper sandstone. I have had no opportunity, this season, of extending my researches in the lower magnesian, its outcrop occurring chiefly in the northern part of the district, which I have not yet visited. I had, the former year, also applied myself to the investigation of other points of much economical interest, and have made them, this season, leading objects in my survey. Such are the surface arrangement of the ranges, by which they are combined into different groups, which are themselves also arranged in connected series, showing a regular system of arrangement, apparently pervading the whole district, so far as I have yet examined it; the vein character of the different deposits of mineral, recognizable in all their varied modifications; and the different character of the openings in the different limestone strata, show-

ing that while all of these are lead-bearing, yet that each presents some peculiarities in the arrangement and character of its mineral deposits. The facts, which I have thus far collected, on these points, appear not a little encouraging, as exhibiting regularity and order in arrangement, and striking analogies to the best mines in corresponding situations in Europe. The opportunities for examining the interior of mines, are not now as frequent as I could have wished, but I have improved every opportunity which has presented, and have been able, during the two seasons, to examine the interior of more than two hundred different mines, of varied extent from the smallest to the greatest.

From the short time that I have been employed by the State, it cannot be expected that I should prepare a complete report. In this, I have had in view the immediate interests of the mineral district, and I have endeavored to give it a practical bearing. My object has been to give general views of more immediate importance, and rather to point out the method I design to pursue than to give the results of a survey. Local details, and such as have no direct bearing on my present object, are reserved to another occasion.

I have confined myself, in preparing this report, chiefly to my own observations, and have proceeded no farther than the facts, which I have myself collected, would seem to warrant. Although I have not yet been able to explore the whole mineral district, and may therefore have failed to ascertain some facts, which may have an important bearing in determining the entire arrangement, yet I have felt warranted, from what I have already ascertained, in stating, with some confidence, the conclusions to which I have already alluded.

The mineral district is of such relative extent; its resources, mineral and agricultural, are so great, that whatever interests that must largely interest the whole State. The act, making the appropriation for this survey, requires that that district should be first surveyed; but occasional opportunities may, in the meanwhile, be taken to examine such other points as may be of immediate im-

portance. The survey of the whole State must be the work of time; to be valuable, it should be made deliberately, and as far as possible, in a connected order. As long as I am entrusted with this object, I shall endeavor to give it such a direction, and particularly to make it contribute to develop the great resources of the State.

Herewith I have the honor of submitting the following report:

Very respectfully,

JAMES G. PERCIVAL,
State Geologist.

REPORT.

The Mineral District in Wisconsin, so far as I have examined it, includes all that part of the State between the Mississippi, on the west, and the valley of Sugar river, on the east, south of the line already indicated. Small quantities of lead ore are reported to have been found farther east, between Sugar and Rock rivers, and even in the quarry at Janesville, on the east bank of Rock river. In general, the diggings are more frequent and more extensive towards the west, and become more detached and lighter towards the east, but with some important exceptions. These will be noticed, hereafter, more in detail.

STRATIFICATION.

The rocks, in this district, form a series of strata, overlying each other nearly horizontally, already noticed in preceding reports. In describing them, I shall point out such characters and distinctions as I have myself observed, and which have appeared of practical importance. It has been noticed in other mining countries, that different rocks have different relations to particular minerals; that a given metallic vein, in one stratum, will yield more abundantly than in another, and will present peculiar characters in traversing each stratum. Such appears to be the case in this mineral district, and it hence becomes important to mark, as far as possible, all the different modifications in the strata.

The surface of the mineral district may be regarded in general as a plain, traversed in different directions by valleys and ravines, radiating from the principal water-courses. Seen from a distance,

these are less obvious, the higher points of the surface, themselves on nearly a common level, commanding the view, and giving to the whole the appearance of a vast plain. Above this plain rise a number of elevations, called mounds; some isolated, such as the Blue Mounds, the Platte Mounds, and the Sinsinawa Mound, in Wisconsin, and others forming connected chains of highlands, such as the range east of Galena, in Illinois, and the Highlands along the west side of the Mississippi, in Iowa. These mounds are composed of strata, overlying the strata occupying the general plain.

The strata, in this district, appear nearly horizontal, but have slight dips in different directions. A general dip to the west of south has been recognized in former reports. A general dip to the south appears obvious, even if the part of the district examined by me be alone considered. Such a dip to the south would, in a general plane surface, bring the lower strata to that surface successively towards the north, and such, in the whole, appears to be the fact in this district. A general dip to the west has appeared to me less obvious, though favored by many facts, particularly the great extent of the mound rocks, in the Highlands of Iowa, and the greater thickness of the upper strata generally towards the west.

Besides this general dip, local inequalities in the stratification may be observed at various points, indicating extraordinary elevations of the strata at those points. These appear to be rather detached elevations at different centres, than along extended lines of anticlinal axes. They occur generally in connexion with the deeper valleys, where there has been a considerable degree of denudation, and at such points the lower strata are brought to the surface at extraordinary elevations, and exhibit striking inequalities within short distances. Such points of elevation may be observed on Fever (Galena) river, between Benton and Shullsburg; on the West Pecatonica, near Mineral Point; on the East Pecatonica, near Argyle; on the waters of Sugar river, near the line of Dane and Green counties, and on the Platte river, between Platte-

ville and Potosi. From these centres of elevation the strata dip in different directions, by which the higher strata are found successively overlying the lower on the north as well as on the south. Thus the extraordinary dip to the north from the centre of elevation on Fever river presents the overlying strata on the surface to the north of the outcrop of the lower strata, and has given place for the occurrence of the mound strata at the Platte Mounds. In the same manner, there is at Dodgeville, though six to seven miles north of Mineral Point, a greater thickness of strata than at the latter, near which the lower magnesian is even brought to view.—The details respecting these elevations will be given after the description of the different strata.

The series of strata, which I have had an opportunity of examining, may be thus arranged. 1. The Mound Strata, consisting of three distinct beds of limestone; the upper, middle and lower. 2. A bed of Blue Shale, separating the mound strata from the next lower limestone series. 3. The Upper Magnesian of Owen, also consisting of three distinct beds. 4. The Blue Limestone, including the Blue and the Buff Limestones of Owen (1st Rep.,) also presenting three distinct beds. 5. The Upper Sandstone. 6. The Lower Magnesian of Owen. This last I have not yet had an opportunity of examining through its whole depth, but I have observed, in its upper portion, two distinct beds, well characterized. 7. The Lower Sandstone. This I have not yet had an opportunity of examining in connexion. The arrangement of each of the limestone series, at least of the three upper, in three distinct beds, is worthy of attention. Other minor distinctions may be noticed, and have in different places attracted the attention of miners, as of practical importance. These I have endeavored to ascertain, and shall mention, so far as I have been able to determine them; but from their nature, they can be fully determined only by a more complete survey than I have yet made.

MOUND STRATA.

The Mound Strata, within the limits of the mineral district in Wisconsin, occupy only a few detached points, considerably ele-

vated above the general surface. These are: the Sinsinawa Mound, a detached summit near the south line of the State and on the limit of the towns of Hazel Green and Jamestown; the Platte Mounds, two detached summits, one east, the other west of Belmont, with a smaller elevation of the same character between them; the Blue Mounds, two summits forming part of a connected range, near the line of Dane and Iowa counties; and the north-east point of a range of mounds, extending from near Galena towards Shullsburg.

The three distinct beds, above mentioned, are most complete in the southern mounds, and are apparently partly denuded in the northern. They may all be distinguished in the Sinsinawa Mound, but the upper appears there less complete than in the Table Mound, an outlier of the Highlands, south-west of Dubuque. The entire series is composed chiefly of a thick-bedded limestone, fine-grained and nearly white, when unstained, and well adapted for building. The upper bed is characterized by a great abundance of corals, of which the *Catenipora** is the most distinctive. The middle bed abounds more or less in hornstone (flint,) arranged conformably to the stratification. This, in the southern mounds, is less abundant, and more in detached nodules, while in the northern mounds, it is more abundant, and even, in the Blue Mounds, almost replaces the limestone. In the northern mounds particularly, it is distinguished by a reddish-brown colour. It may thus have given origin to the layer of red flint in clay, which immediately overlies the rock on the general surface throughout the mineral district. The lower bed contains little flint, and is less abundant in fossils, particularly corals, than the upper. It appears, however, thicker bedded, and is more important for lime and building. The mound limestone has never been found to contain any considerable deposit of lead ore. Traces of mineral are reported to have been found in it, and some fruitless excavations have been made, one of which I have examined on the top of the Sinsinawa Mound, but have observed there no appearance of lead ore.

* *C. escharoides*.

BLUE SHALE.

The Blue Shale, wherever I have had an opportunity of observing, underlies the limestone of the mounds, and separates it from the Upper Magnesian limestone. It is composed of a thin even argillaceous slate, quite hard in its natural state, but more or less subject to decomposition into a soft clay, sometimes retaining its original blue color, but more usually stained yellow, and forming then what is called by the miners, a pipe clay. Its surface, from its tendency to decomposition, is always concealed by earth, unless exposed in ravines or by excavation. It extends to a greater or less distance around the mounds, and graduates by decomposition into the pipe clay, which overlies its undecomposed part, when thickest, and replaces it entirely on its outskirts. Thus at the Jamestown Mine, near the Sinsinawa Mound, it was found, in the engine shaft, immediately overlying the upper magnesian, unchanged, and itself overlaid by the pipe clay, while in shafts more remote from the mound, it was found entirely converted into the pipe clay. This bed is less open and pervious than the limestones, and consequently the water from the mounds issues in springs above it, marking the line of its upper surface.

The shale itself contains few, if any fossils, but at its junction with the upper magnesian, there is a very thin bed, (two to three inches thick,) composed almost entirely of very small fossils and concretions, usually firmly cemented by iron, and therefore called hard-pan by the miners, but sometimes softer and with a more calcareous cement. Usually one or more thinner layers (about one inch thick) of the same character are found interposed in the blue shale, within the first 2—4 feet above the upper magnesian. These fossiliferous and concretionary layers are important as serving to determine the formation of the pipe clay, overlying the upper magnesian, from the blue shale. In the shafts, at the Jamestown Mine, where the pipe clay immediately overlies the upper magnesian, these layers are found precisely of the same character and in the same position, as where the unaltered blue shale meets the same rock. In different places on the higher points, where the upper

magnesian is most complete, that rock is found overlaid by pipe clay, in which the same fossiliferous and concretionary layers are found, in the same position as I have already stated. This I have observed very perfectly at the Muddy Diggings, on high ground, north of Cassville, at the distance of several miles from the mound rocks; the nearest position of these being in the Highlands of Iowa, beyond the Mississippi. In other places, the peculiar fossils and concretions of these layers are observed on the surface of the upper magnesian, where the pipe clay is less obvious. This I have noticed in different places on the higher grounds in Hazel Green, six miles from the Sinsinawa Mound, and still farther from any other locality of the mound strata. These facts seem to indicate a former general extension at least of the blue shale, over the surface of the upper magnesian.

UPPER MAGNESIAN.

The Upper Magnesian* consists of a series of limestone beds, of great thickness, in which the greater part of the lead ore, raised in the mineral district, has been found, and from that circumstance, it has been sometimes called the mineral rock. But the other beds of limestone, underlying it, (the blue limestone and the lower magnesian,) have been found to be good lead-bearing rocks, and consequently this latter term can no longer be regarded as distinctive. The prevailing character of the rock in this series, is that of a light grey thick-bedded limestone; sometimes uniformly fine-grained and even compact, but more often partly fine-grained and compact, and partly coarser grained and more distinctly crystalline, or even with small geodic cavities. This latter structure occurs more particularly in connexion with mineral deposits, or in what is called the opening rock. In such instances, either the compact or the more crystalline portion may be the ground, through which the other is disseminated; the former as nodules or concretions; the latter as geodes or approaching such.

* This term, introduced by Owen in his first report, has been generally adopted in the mineral district, and for that reason I have preferred to retain it.

The rock of this series is generally more or less subject to decomposition, and the coarser grained portions most so, which often gives to it a peculiar cavernous character. This circumstance renders it less valuable for building, although occasionally fine-grained or compact beds occur of superior quality for that purpose. The quarry from which the Catholic Church at Benton has been erected is one of that character. This rock too, in the openings, is often found decomposed in part to a fine sand, retaining its structure unchanged, in which the harder compact concretions lie loose in their original position, and are called tumbling rock by the miners. It has been called, from this circumstance, sand-stone and sand-rock, by the miners, but as these names are liable to confound it with the proper silicious sandstone, they should be rejected.

There is generally a thin bed of a thinly schistose subargillaceous limestone at the upper surface of the upper magnesian, called shingle-rock by some miners. Layers of shale occur occasionally through the whole extent of the series; sometimes distinct; sometimes firmly attached as a coating to the layers of the limestone. The original color of these is generally blue, but they are often stained green or yellow. They are usually found decomposed to clay in the openings, and are then called, in some places, clay randoms, and are regarded as useful guides in determining the position of the miner. In the lower bed of this rock, layers occur of a very thin black or dark brown shale, more or less bituminous, accompanying particularly the green and brown rock openings at Mineral Point and between Benton and Shullsburg. Thin fossiliferous layers are also met with throughout the series, but most frequently in the lower part. The thicker bedded rock usually contains but very few fossils, and those of large size comparatively, while the thin fossiliferous layers abound in them, and those of small size and usually delicate texture. Some layers are found chiefly composed of minute fossils and concretions. The distinctive fossil of the entire series is the coral, called honey-comb or sun-flower, (*Coscinopora*.) I have observed it in all the beds of this series, but in none of the other limestones.

The upper bed of this series contains few or no flints, and is usually much thicker than either of the lower beds, and indeed, where it has suffered no denudation, is at least equal in thickness to the two lower combined. The middle bed abounds in flints, arranged in regular layers of nodules, usually white or light grey, but sometimes dark grey or black. The lower bed usually contains but few flints, but these are sometimes more abundant, particularly in the openings.

The character of the lower bed has not appeared as uniform as that of the two higher beds. Like the upper bed, it sometimes is light grey or bluish and compact, and is then valuable for building, when not too much jointed; but it is more often much traversed by argillaceous seams, separating or marking the surface of the layers. This bed is farther characterized by two peculiar rocks, known as the brown or black rock and the green rock, which occupy corresponding positions, but are usually found in different sections of the mineral district. On the Mississippi and Fever river, the brown rock is generally found connected with the openings in the lower bed, and contains more or less calcareous spar (*tuff*) disseminated through it. The green rock is found in a similar position in the northern and north-eastern diggings. The original color of these rocks is bluish, but they have derived their present tint from the decomposition of iron pyrites disseminated through them. The brown rock is of a more or less deep red brown color, usually pervading it uniformly, and from its peculiar tint, was called the chocolate-brown rock by Locke (Owen's 1st Rep.) The green rock is usually less uniformly stained, sometimes only on its seams, and apparently derives its color from the green hydrate of iron. Thin layers often occur in this bed, composed chiefly of flattened fucoidal concretions, but rarely containing any fossils. Similar layers are occasionally found in the higher beds.

Bars of a hard blue limestone often traverse the upper magnesian, in its different portions, more usually in a horizontal position, like beds, but sometimes in a vertical position, like veins. They are more or less intersected by iron pyrites, and are appa-

rently connected with mineral deposits, to which they have an important relation. They often interrupt the progress of mineral veins, and are then said, by the miners, to cut off the mineral; whence the opinion has prevailed that the blue limestone cuts off the mineral, an opinion erroneously transferred to the blue limestone of Owen, to which it has properly no reference. This subject will be farther discussed in connexion with that of mineral deposits and veins.

BLUE LIMESTONE.

The Blue Limestone series includes the blue limestone and the buff limestone of Owen's first report. These both evidently belong to the same series; the first including the two upper beds, the second the lower bed, already indicated. The three beds, of which the series is composed, are of nearly equal thickness.

The upper bed is chiefly composed of thinner more fossiliferous layers, between which are interposed some thicker and less fossiliferous. Some of the layers are almost entirely composed of fossils, and in some instances are subject to decomposition, leaving the fossils loose and entire. Thin layers of bluish shale alternate with the layers of limestone, and are often found decomposed to a soft clay, usually stained yellow or green, particularly in the openings. The layers of limestone are marked by a peculiar parallel or laminated structure, distinct from that of the upper magnesian, and are partly light grey and compact, furnishing the best lime, and partly blue and more distinctly parallel in their structure, and apparently subargillaceous. Some of the latter kind have been found to furnish a good hydraulic cement. This bed is usually overlaid by a bed of brown rock, in thin layers, and breaking in small jointed fragments, with more or less calcareous spar disseminated, but with few or no fossils. It is interposed, in the northern districts, between the green rock and the blue limestone, and may be considered as the lowest member of the upper magnesian. In some instances, a bed of blue shale, decomposing into a soft clay in the openings, is interposed between the upper magnesian and the blue limestone.

The middle bed of the blue limestone is composed of more uniform and thicker bedded very even layers, less abundant in fossils, but presenting some which have not occurred to me in the upper bed, such as trilobites, and the acorn (*Streptelasma*.) In the western districts, where most distinctly developed, this bed may be divided into three distinct portions: an upper, of a very fine crystalline grain, and of a light grey color, subject to a brown stain in connection with openings; a middle, of a dark grey color, hard and compact, breaking with a smooth conchoidal fracture, and called glass rock, in most of the diggings where it occurs; and a lower, forming a transition to the lower bed, and consisting of alternations of grey compact and bluish parallel seams, firmly connected, the former resembling the glass rock, the latter the prevailing rock of the lower bed. This lower portion is more fossiliferous than the two others, particularly on the surfaces of its layers. This distinction is well marked in Quinby's quarry on the Shullsburg Branch, north of New Diggings. In the most eastern districts, yet examined, this distinction appears less marked, nearly the whole bed being composed of a uniform fine-grained light grey rock, resembling the upper portion. The glass rock is there hardly represented. Nodules of flint occasionally but rarely are found in this middle bed, particularly in its upper fine-grained portion.

The lower bed, corresponding to the buff limestone of Owen, consists chiefly of a thick-bedded even rock, marked by a distinct parallel arrangement, and composed in a great measure of flattened vermiform and fucoidal concretions, most strongly marked on the surfaces of the layers. That these are merely concretions and not organic, appears to me very evident. The same structure is equally remarkable in certain thin subargillaceous layers, observed in the upper magnesian, particularly in its lower bed. The same appearance is observable in the transition from the sandstones to the lower magnesian, particularly on the surface of the layers, where marked by argillaceous seams. It would seem to be common wherever there is a combination of lime and alumine. This lower bed furnishes a brown lime, and in some portions of it, a good hydraulic

cement, which alone indicates its subargillaceous character. The natural color of this bed is a light blue, but it is very much subject to stain, buff or yellow,* from disseminated iron pyrites. Indeed in some districts, particularly the eastern, the whole series is generally found, at least near the surface, of a yellow color, only a few portions retaining their original blue color. The rock of this lower bed is easily dressed, particularly the middle portion of it, and in some instances is capable of a fine polish, forming, by its concretionary structure, a beautifully clouded marble. Quinby's quarry, above noticed, furnishes fine specimens. The same bed, in the quarry at Monterey (Janesville,) has been used for that purpose, but its effect is injured by small geodic cavities. This lower bed contains comparatively few fossils, particularly in its middle portion. Trilobites have been found in it, as well as in the middle bed. At its junction with the upper sandstone, there is usually a transition from one rock to the other; a number of subsilicious and subargillaceous layers intervening, the former of which are more or less oolitic in their structure.

UPPER SANDSTONE.

The Upper Sandstone forms a bed of a generally uniform character, and of no great thickness, composed usually of fine grains of quartzose sand, very slightly cemented, and consequently very little coherent, often in the interior in the state of loose sand. The surface is generally more or less indurated, but often this harder coat is of very little thickness. The natural color of this rock is white, but it is very subject to stain yellow, red, and sometimes green, from the decomposition of disseminated iron pyrites. These stains are most remarkable on the surface and near the seams, and particularly near the junction of the rock with the adjoining limestones. At the junction of this rock with the blue limestone above, it is usually coarser grained, and often contains concretions of quartz, sometimes geodic, which have been evidently formed.

* It has been called, from this circumstance, the buff limestone, but might, with more propriety, be called the blue and buff limestone.

by chemical action. In this position too, concretions of iron pyrites, or of hematite resulting from its decomposition, are frequent; the latter often including a portion of the pyrites unchanged. Small nodules or seams of hematite, sometimes with iron pyrites, occur also in this part, filled with grains of quartz of a hyalitic appearance. This layer, which has been apparently so subject to chemical action, is usually of a dark red brown, or of a deep green color, (the latter from the green hydrate of iron,) and occasionally the adjoining sandstone, to a considerable depth beneath, is more or less stained green from the same cause. This rock is usually too incoherent to answer well for building, although generally sufficiently fine grained and thick-bedded for that purpose. It furnishes, however, a superior sand for mortar, and sometimes so hardens by exposure, as to be useful for building. In some districts, particularly on some of the eastern branches of the East Pecatonica, near the line of Green and Lafayette counties, this rock is composed of thin nearly schistose layers, and its lower part is then more or less filled with minute white calcareous grains, giving it a firmer texture.

LOWER MAGNESIAN.

This rock I have not yet examined through its entire depth, having had an opportunity of viewing it only in its southern and eastern outcrops, on the Platte, Blue, Pecatonica and Sugar rivers, and in a ridge 2—3 miles S. W. of Madison. The greatest depth to which I have yet seen it exposed, is nearly 100 feet, on the Big Platte, in Ellenborough. A thickness of more than 200 feet has been given it, on the Mississippi, by Owen, in his reports.* Wherever I have seen it, this rock has presented peculiar external characters, by which it can be readily distinguished from the preceding limestones. Among the distinctive marks which I have observed, the most striking are a peculiar concretionary nodular structure, and the occurrence of geodes lined with minute crystals of quartz, and of layers of flint less inter-

* Two hundred and twenty-five feet. (Report 1852.)

rupted and nodular than in the preceding limestones, either white and abounding in geodes of quartz, or striped red-brown and yellow, resembling a striped jasper, and then more rarely geodic. Fossils are very rare, nor have I yet observed them in this formation.

Where I have had an opportunity of observing it continuously underlying the upper sandstone, on the Blue and Platte rivers, it has presented two distinct beds, an upper and a lower. The first is composed of a series of alternations of subargillaceous and subsilicious limestones, more or less decomposable, with occasional interposed layers or beds of a purer and harder limestone. The subargillaceous layers sometimes form a marly shale, decomposing into a soft clay, and the subsilicious layers have often a remarkable concretionary structure, and resemble, in their grain at least, the silicious limestone of Fontainebleau. Sometimes layers of nearly pure sandstone occur even in the lower part of this bed. Flints, such as I have described, occur in this bed, particularly in the purer limestone, and in connexion with openings; but they have appeared less abundant in this bed than in the lower. From the decomposable character of the greater part of this bed, its surface is generally covered with earth, forming a sloping declivity. The lower bed is composed of a hard and purer thick-bedded grey limestone, resembling in its external appearance the corresponding middle bed of the upper magnesian, but distinguished by its structure, and its peculiar flints already noticed. This lower bed has been seen by me only in its upper portion. It appears, both on the Blue and Platte rivers, only as a low bluff (10—20 feet high) sinking below the surface. From its character, and particularly the great abundance of flints, it is apparently the middle bed of the entire series; a lower bed underlying it, corresponding in some degree to the upper bed already described. This, however, I offer only as a conjecture.

LOWER SANDSTONE.

This formation I have not yet had an opportunity of observing in immediate connexion with the overlying stratum (the Lower

Magnesian.) The sandstone in the quarries west of Madison, from which that town is supplied with its material for building, is quite different in its character from the upper sandstone, and is apparently less purely silicious, and consequently less incoherent in its texture. It is overlaid in the quarries, particularly in those on the south (Larkin's,) by subcalcareous and subargillaceous layers, resembling not a little those which occur at the junction of the upper sandstone and the lower magnesian. Concretions of a flinty quartz are found in some of these, resembling similar concretions in the latter situation. From these circumstances, I should rather regard the sandstone in those quarries as belonging to the Lower Sandstone. This is farther rendered probable by the occurrence of those quarries on the north of a ridge, extending along the south side of Dead Lake, occupied by the lower magnesian, while the country to the south of that ridge is occupied by the blue limestone and the underlying upper sandstone.

It is worthy of remark that each of the limestone series admits of a three-fold division, distinct in the three upper series, and at least probable in the lower magnesian. A general character, independent of its fossils, pervades the whole of each series, by which it may be distinguished from the others, while each subdivision or distinct bed has its own distinctive characters. The middle bed in each is distinguished by an abundance of flint or hornstone, arranged in layers conformable to the stratification, either in detached nodules, or more connected. This is less obvious in the middle bed of the blue limestone; still nodules of flint are there of occasional occurrence, particularly in the upper fine-grained portion.

Estimates of the thickness of the different strata have been given in former reports; but such can be considered only as approximate, the strata apparently varying considerably in thickness in different localities. It may be considered a moderate estimate to reckon the thickness of the Upper Magnesian at 240 feet (120 feet for the upper, and 60 feet for each of the lower beds;) that of the

Blue Limestone and Upper Sandstone each at 60 feet ; and that of the Lower Magnesian at 220 feet.

EXTENT OF THE STRATA ON THE SURFACE.

The extent of the mound strata has already been indicated. The mound limestone is immediately confined to the mounds themselves. The underlying blue shale extends but to a limited distance around the mounds, although traces of the pipe clay, formed from its decomposition, have been found in different places very remote from them, as already stated. The upper magnesian occupies the remaining surface of the mineral district, so far as I have examined it, from the Mississippi to the valley of Sugar river, except at the points of extraordinary elevation already indicated. Viewing the surface of the mineral district as a general level, the upper magnesian has been subject to denudation by the general rise of the strata towards the north, and by the extraordinary elevations above referred to. The valleys and ravines have farther caused a removal of the upper strata, and an exposure of the lower, and this to a greater degree towards the north, and at the points of extraordinary elevation. The rock occupying the surface is thus subject to frequent variation, and can only be determined exactly by long continued observation. I can only, at present, make some more general statements, leaving the particular determination to a farther opportunity. This is, however, a question of no little practical importance in mining. By determining precisely the stratum occupying the surface at any given point, the miner will know what depth of mineral-bearing rock he may there expect ; how many openings and of what character he may reasonably expect to meet. Where the whole thickness of the upper magnesian is known to be present, and this can be very satisfactorily determined by the occurrence of a bed of pipe clay with the accompanying fossil layers at its junction with the upper magnesian, and hardly less so by an abundance of the fossils of those layers lying loose on the surface of that rock, the extent of mining ground, other things equal, is of course greatest, and this

will be diminished in proportion to the number of beds which are found to be denuded. Still where a great amount of the upper beds has been removed, particular localities, from the great richness of the deposits in the strata remaining, have been among the most productive in the district. Mineral Point is a remarkable instance of this, where most of the mining has been in the lower part of the upper magnesian, and in the blue limestone.

The effects resulting from the general rise to the north are so much involved with those caused by the extraordinary elevations that the subject will be best presented by first detailing the latter. The first of these elevations, which I shall notice, is that along Fever (Galena) river. The point of greatest elevation is on that river, about three miles north of Benton, and about E. S. E. of Buzzard's Roost (Meeker's Grove,) where the upper sandstone rises about twenty feet above the surface of the river. In the ravine descending north from Meeker's Grove to that river, the blue limestone is elevated at least thirty feet above the bottom of the ravine, on its east side, while immediately on the west side of the ravine, the brown rock (lower bed of the upper magnesian) sinks below the bottom, the strata on both sides remaining nearly horizontal; thus indicating a fault at that point. Proceeding north from that point, the lower strata soon disappear, and the different beds of the upper magnesian successively occupy the surface; first, the lower bed (brown rock;) then the middle flint bed (at Elk Grove village and the Strawberry Diggings;) then the upper bed (at the North Elk Grove Diggings,) and this continues to the base of the Platte Mounds, where it is overlaid by the blue shale and the mound limestone. Proceeding south from the point of greatest elevation, the sandstone soon disappears, but the blue limestone is exposed generally in the bluffs of Fever river, to a point about two miles south of New Diggings. It does not, however, sink uniformly towards the south, but presents a series of undulations, rising and falling, and that sometimes quite abruptly; but no other instance clearly indicating a fault has yet occurred to me. The blue limestone sometimes appears more elevated on

one side of the valley than on the opposite side, but this may have been the result of undulation merely. It also appears along the branches of the river to a greater or less distance from their junction, particularly along the Shullsburg branch, where the same undulations occur as on Fever river. The blue limestone, in its progress south, apparently sinks below the level of Fever river, but again rises, at least twenty feet above its level, at Buncomb, and farther south, alternately sinks below and rises a few feet above the river, to its last appearance near the Galena and Chicago road. There would seem, in this instance, to have been an extraordinary elevation at the point near Meeker's Grove, above mentioned, causing a fault, with a gradual subsidence to the South, modified however by local elevations in its progress. This elevation would seem to have acted along the valley of Fever river, as an axis, throwing up the strata on each side. Thus the higher grounds, for about three miles south of Meeker's Grove, immediately adjoining Fever river on the west, and in the point between that river and the Shullsburg branch, are chiefly occupied by the lower bed of the upper magnesian, and the diggings are there mostly in that bed. Farther south, the higher beds of that rock approach the river, but the diggings there, near the river, are in the flint or lower bed, chiefly in the former, and those in the upper bed only occur in the highest grounds, more remote from the river.

The next point of extraordinary elevation is that along the West Pecatonica, near Mineral Point. The highest point of elevation is apparently in the fork of the Pecatonica and Pedlar's creek, north of the Mineral Point and Platteville road. The lower magnesian there rises above the level of the river, presenting low bluffs (10—12 feet high) along its banks. Its exact junction with the upper sandstone is there concealed; a considerable interval, corresponding to its upper portion, intervening. From that point the strata sink to the north, as well as to the south. The sandstone, towards the south, sinks to the level of the Pecatonica, not far south of Bonner's branch. The bluffs of the same rock ob-

ously decline towards the north, but I have not traced them far in that direction. There are, in this district, the same appearances of sudden local elevation as in the preceding. Thus on the east side of the Pecatonica, opposite Bonner's branch, the sandstone rises but a few feet (5—6) above the river bottoms, while not more than two miles farther north, it occupies two thirds the height of a bluff, about 60 feet high, overlaid by the blue limestone. At Mineral Point village, the blue limestone rises high on the sides of the ridges, leaving only a moderate thickness of the flint bed at their summits, while the mineral openings are principally in the lower bed of the upper magnesian, and in the blue limestone. At the Dreadnought Mine, three miles north of the village, the main body of the flint bed is present, with its peculiar openings, and at Dodgeville, nearly eight miles north, a considerable portion of the upper bed of the upper magnesian is also present. At the Heathcock Mine (Linden,) six miles N. W. of Mineral Point, the blue limestone rises but a few feet (8—10) above the level of Pedlar's creek adjoining. These facts indicate a dip of the strata from the highest point of elevation towards the north. A similar dip is observable to the west, towards the Platte Mounds, and to the east, towards the high prairie ridge, separating the east and west branches of the Pecatonica.

Another point of elevation occurs on the East Pecatonica, at or near Argyle. At that point, there is an extensive basin, in which rise several low ridges, either composed entirely of sandstone, or of sandstone capped with the blue limestone. Different branches of the river here meet, from the north and the east, and along them lines of elevation may be traced, for several miles, in bluffs of sandstone, gradually sinking from the centre, but subject to local elevations, as in the preceding districts. This centre of elevation is bounded on the north by the high ridge extending west from the Blue Mounds, on the east by a range of high prairies extending south-east from the Blue Mounds towards Monroe, and on the west by the ridge separating the east and west branches of the Pecatonica.

Returning towards the west, another point of elevation occurs on the waters of the Platte, the centre of which is apparently on the Big Platte at Bald Bluff in Ellenborough, where the lower magnesian rises nearly a hundred feet above the level of the river. The exact line of junction with the sandstone is there concealed by the earthy slope covering the upper bed of the lower magnesian. The next lower bed of that rock rises in a low bluff from the water's edge. In tracing down the Big Platte, the lower magnesian appears to rise about 30 feet above the river level at the Red Dog bluff, and not more than 10 to 12 feet at the ferry on the Galena and Potosi road. At the latter point, the sandstone forms a low ridge in the valley of the Platte, on the west. This is below the junction of the Big and Little Platte rivers, and in this vicinity, the different strata appear at a higher elevation on the west than on the east side of the river, the upper surface of the blue limestone, on the east, appearing but little higher than that of the sandstone on the west. This point of elevation is connected with that on the Mississippi, by which the sandstone is raised above the water level from Sinipee to some distance above Potosi, and the blue limestone, towards the south, to a point, on the east side, near Gregoire's Ferry (opposite Dubuque,) but on the west side, only to Eagle Point (above Dubuque;) the strata being there apparently most elevated on the east side of the river. On the north, I have not had an opportunity of tracing the limits of this centre of elevation. On the east, it extends to the vicinity of Platteville, and is limited by the country adjoining the Platte Mounds, and on the south, it is confined by the high prairie between the Mississippi and Fever river, near the centre of which rises the Sinsinawa Mound.

Another centre of elevation apparently occurs on Grant river, south-east of Beetown, near the junction of Pigeon creek. At that point the sandstone is elevated 30—40 feet above the river, while lower down on the same river, at Waterloo, it is not exposed. The same is true on Rattlesnake creek, towards the west, and on the Beetown branch, towards the northwest; only the

blue limestone appearing there at the surface. On Boyce's creek, south-east, towards Potosi, the blue limestone appears more elevated than in the vicinity of Potosi, as if within the limits of this centre of elevation. These limits are apparently the ridge of Boyce's prairie on the east, the high ridge between Grant river and Cassville on the south-west, and Blake's prairie on the north-west.

The excavations in the mines, in the vicinity of these extraordinary outcrops of the lower strata, are a farther proof of sudden elevations of the strata; the shafts being often sunk in the upper strata to a greater depth than would be sufficient to reach the lower, if the range of the latter from their outcrop was horizontal.

From the details of the above arrangement, some idea may be formed of the manner in which the different strata occupy the surface in the mineral district. On the higher portion of the ridges and prairies bounding the centres of elevation, the upper bed of the upper magnesian occupies the surface; most so towards the south, conformably with the general dip to the south. On some of the higher points, even remains of the pipe clay, with its fossiliferous layers, are observable, as already stated. These I have observed most distinctly at different points on the high prairie between the Mississippi and Fever river, both in Wisconsin and Illinois; on the higher grounds at the Blackleg Diggings, on the line of the two States; and on the high ridge east of the Mississippi, north of Cassville. Throughout these higher districts, the diggings are in the upper bed of the upper magnesian. On approaching the centres of elevation, or the general northern outcrop, a zone occurs, where the flint bed occupies the surface, sometimes quite narrow, and at other times, particularly in the forks of rivers, more extensive; the upper bed either thinning off gradually, or terminating more abruptly. In the former case, the diggings are often both in the upper and flint bed, near the outcrop of the latter. Still nearer the centres of elevation or the general northern outcrop, the lower bed of the upper magnesian occupies a similar zone of the surface, and here the same remarks are appli-

cable as in the former instance. The blue limestone, and the strata underlying it, are generally exposed, in these centres, only along the sides of valleys and ravines, and rarely occupy any extent of surface. It would require long continued observation to collect the facts necessary for a map exactly exhibiting the extent of the different strata occupying the surface. Such a map would be very useful, not only in determining the mineral value of property to some extent, but also the probable character of soils, from the underlying rock.

In the north-eastern part of the country examined by me, along the valley of Sugar river, and west of Rock river between Madison and Janesville (south of the outcrop of the lower magnesian,) there has been obviously an extensive removal of the upper strata, but not accompanied, as far as I have observed, with such remarkable evidences of local elevation as in the mineral district. In the valley of the west fork of Sugar river, south east of the Blue Mounds (in the town of Primrose,) the lower magnesian rises, however, near 30 feet above the bottom of the valley, while the surrounding high prairie ridges are covered by the upper bed of the upper magnesian. From the valley of Sugar river, north east of Exeter to Rock river, north of Janesville, I have observed no appearance of the upper magnesian. It may occupy the surface of the high prairie, extending west from Rock river, at and south of Janesville, but I have not yet had an opportunity of determining it. It however occupies the surface farther west, at least to the east of Monroe. The country north of that prairie, to within 5—6 miles of Madison, is traversed by numerous ridges, more or less isolated, with intervening basins; the higher ridges, so far as I have examined them, overlaid or capped by the blue limestone, and underlaid by the upper sandstone; the lower swells sometimes formed entirely of the upper sandstone. I have observed the lower magnesian in only one instance in this district, where it was reached in an excavation for a well, at sixteen feet, in the plain on the east side of Sugar river, near the foot of an isolated tabular ridge, formed of the upper sandstone overlaid by the blue lime-

stone. The blue limestone, in this district, sometimes presents all its beds distinctly, as in Donaldson's quarry, near Stoner's prairie, south-west of Madison, and in the Monterey quarry at Janesville, and sometimes only the middle and lower beds, or the lower bed only, according to the degree of denudation. In this district, the middle bed of the blue limestone has presented only a uniform fine-grained rock, resembling the upper portion of that bed in the mineral district. The compact glass rock has not occurred distinctly. Along the northern border of this district of the blue limestone and upper sandstone, extends a narrow ridge, occupied by the lower magnesian, presenting the peculiar characters of its middle bed, as observed in the mineral district. This ridge ranges E. S. E. along the south side of Dead Lake, and in an E. S. E. direction, by the map, from the Wisconsin near Arena. The sandstone quarries, west of Madison, lie 2—3 miles north of it, in a parallel range, as if in the position of the lower sandstone.

I have made these statements in order to correct an error in former reports, which presents a singular anomaly in the outcrop of the strata, and might lead to embarrassment, particularly in examining the eastern border of the mineral district. It has been stated by Mr. Lapham, in a communication in Foster and Whitney's Report (P. II, 1851, p. 169,) that the limestone at Janesville is the lower magnesian, underlaid by the lower sandstone. This has been adopted by Owen, in the map accompanying his last Report (1852,) in which the outcrop of the lower magnesian is drawn from a point near the Wisconsin river, north of the Blue Mounds, along the east side of Sugar river, south-east to Janesville. The limestone at Janesville is clearly the blue limestone, presenting its three beds with their distinctive characters and their peculiar fossils. The underlying sandstone has as strictly the characters of the upper sandstone, particularly at its junction with the blue limestone. The same is true at Donaldson's quarry, where all the beds of the blue limestone are present, well characterized, and the sandstone underlying that and the other more northern localities of the blue limestone is equally marked as the upper sandstone.

SURFACE DEPOSITS.

The rocks, in the mineral district, are overlaid by a deposit of earthy materials of greater or less thickness, in some places to a depth of more than thirty feet. This consists generally of a strong clayey loam, called surface clay, of a light brown color, forming a subsoil at once free and retentive, and itself fertile. Formed apparently by subsidence from still water, from the decomposition of the upper rocks of the district, in which limestones, alternating more or less with shales, predominated, it has at once the characters of a calcareous and argillaceous soil, mixed with sufficient silicious matter to render it easy of tillage. It is only in very wet seasons that its adhesive quality is found inconvenient. In dry seasons, when other parts of the country, where the soil is lighter or more entirely clayey, have suffered from drought, this district has not been affected by it, and has yielded abundantly. It thus offers the rare combination of agricultural capabilities of the first order, united with mineral resources fully equal. Wherever the limestones form the surface rock, this clayey subsoil prevails. Where the upper sandstone is brought to the surface, there is a greater predominance of silicious matter; but this occurs to a small extent in the mineral district. In the valley of Sugar river, and in the country extending east from that to Rock river, north of the parallel of Janesville, where the upper sandstone is exposed to a larger extent, more sandy soils are frequent, but still fertile, and wherever the blue limestone extends in the swells and ridges, more loamy soils are observable.

Beneath the brown surface clay, there is usually found a layer of red clay, more or less filled with red or yellow flints, immediately overlying the rock, and often found extending to a greater or less depth into the open crevices. It is different from the clays occupying the openings and immediately investing the mineral, and has been apparently formed by subsidence, like the overlying surface clay.

The mineral district does not appear to have been invaded to any extent by the gravel and boulder drift, which has covered so extensively other parts of the surface in this and the adjoining states. Apparently the bold escarpment, backed by the high ridges and prairies, along the south side of the Wisconsin river from a point not far east of the Blue Mounds, has obstructed the course of the drift current, and turned it east and south around the east point of the ridge at those mounds. An opening near the source of Sugar river seems to have given passage to that current, by which large accumulations of gravel drift have been formed along the west side of the valley of that river, near Exeter, and of boulder and gravel drift farther east, while scattered bowlders, usually of no great size, are found in the side valleys, and on the slopes of the adjoining ridges and prairies, towards the west, as far south at least as the vicinity of Monroe. In the tract of country occupied by the blue limestone and upper sandstone, between the high prairie, west of Janesville, and the ridge of the lower magnesian, south of Madison, accumulations of such diluvial drift are comparatively small and unfrequent, but with occasional exceptions, while on the north of that ridge they are large and extensive; that ridge having also acted apparently as an obstruction to their progress. My observations in that part of the country, covered more or less by this diluvial drift, have been very limited, and a farther consideration of its extent must be deferred to a future occasion. The bowlders and smaller rock fragments, composing this drift, are chiefly derived from primary and trap rocks, though partly from the flints (hornstones and quartz) accompanying the limestones, particularly the lower magnesian. Small nodules of hematite, and of iron pyrites partly converted into hematite, such as occur at the junction of the blue limestone and upper sandstone, are frequently found in this drift and scattered on the adjoining surface.

In the immediate vicinity of the Mississippi, on the surface of the higher ridges and prairies adjacent, accumulations of drift are occasionally found, in some instances quite extensive, composed of

a fine sand, usually yellow or light brown, as if formed from the sandstone adjoining that river towards the north. These are generally arranged in hillocks, with intervening round hollows or basins, such as are common in drift districts. This sand, on the surface, is mixed more or less with mould, forming a light soil, but at a small depth is sufficiently pure for mortar. A tract of 2—3 square miles, covered with such drift, and remarkable for its hillocks and hollows, extends from the bluffs of the Mississippi to the valley of the Great Menominee, S. W. of Jamestown village, and similar accumulations are met with on the high lands, adjoining the Mississippi, between Potosi and Cassville. On the summits of the river bluffs, particularly in the vicinity of Cassville, small rolled fragments of the same materials as those composing the gravel drift, above noticed, are often profusely scattered. These facts indicate the passage of a peculiar drift current along the course of the Mississippi, and it is worthy of remark, that the points where those accumulations are most remarkable are a little below two large bends in that river, namely, that from south to south-east just above Cassville, and that to the south between Dubuque and Potosi. Such a deflection would naturally cause an eddy, and thus lead to those accumulations.

MINERAL DEPOSITS.

The first object of the present survey is the investigation of the Lead Mines of the mineral district, and of the different useful minerals connected with them. The previous description of the strata is important, as fixing definite limits in mining, and from their peculiar connexions with the mineral deposits.

The metallic ores found in the mineral district are chiefly the sulphurets of lead, zinc, iron and copper. Other ores of these metals are also found, formed apparently by recombination from the decomposed sulphurets. Such are the sulphate and carbonate of lead, the carbonate and silicate of zinc, the sulphate and hydrated oxyd of iron, and the carbonate of copper. The black oxyd of

manganese also frequently accompanies the mineral deposits. Of these ores, the sulphuret of lead (galena) is the most important, and that which has been hitherto the sole object of mining in the mineral district, except in one instance (that of the copper, at Mineral Point.) I shall therefore make it the first object of my attention, and notice the others only as far as they have an immediate connexion with it. The term *mineral*, in the mining district, is restricted to the ores of lead, and without addition to the sulphuret, and is the term generally used there for the latter. I shall for convenience use it in that sense, in what follows.

The first subject to be considered, is the manner in which the mineral is deposited. It is a matter of great interest to determine, whether the mineral is arranged in continued veins, or in detached and casual deposits. The prospects of mining must be much greater, if the former arrangement prevails, than if the latter. During the whole course of my examination of the mines, I have made this a particular object of attention, and although interruptions in the deposit of the mineral are general, as I believe is the case in all veins, yet the characters of a vein arrangement have appeared every-where to predominate.

The mineral deposits, whatever may be their character, are usually arranged along continued lines, having a certain direction, thus forming ranges or leads (lodes.) These ranges are mostly combined, in a certain systematic order, into different groups, called diggings, between which there is a greater or less extent of country in which little or no mineral has been discovered. These groups are also connected, in a corresponding order, in more extensive series, showing the general prevalence of systematic arrangement. As little has been done in deep mining, and the deepest shafts yet sunk have been abandoned, I have had fewer opportunities than I could wish, of tracing the mineral, at the same point, through different strata. Still in several instances I have followed it without interruption, or with only such minor interruptions as are common in veins, through different strata. The mineral deposits exhibit too, in the different strata, peculiar arrange-

ments, which are common to each throughout the mineral district, subject only to local modifications; thus showing the prevalence of arrangement in a vertical as well as horizontal order.

The ranges or leads have different directions, which preserve a great degree of regularity in the different groups or even more extended series. Three different classes of ranges are recognized, according to their direction, namely, East and West, North and South, and quartering; the last intermediate between the two former. Of these, the East and West are the most important, and apparently have had a leading influence in the arrangement. The term East and West is not limited to such as are due east and west, or nearly so, but in different groups is applied to the predominant ranges having a general east and west bearing, although in some instances they may deviate even 45° from a due east and west course. The term North and South is also applied to ranges which deviate considerably from a due north and south course, but rarely to those which deviate more than one sixteenth. Quartering ranges (called by the miners *swithers* and *contras*) include all such in a group as do not belong to either of the preceding divisions. They are such ranges as meet a leading range, particularly an East and West, at an oblique angle; consequently when the leading East and West ranges deviate from a due east and west course, a due East and West range would be considered quartering.

In general, the space in which the mineral is deposited, or through which it is distributed, if of much extent, is called an opening. This is sometimes filled with loose materials, and these by settling often leave a void between them and the roof, usually of no great extent; but in some instances larger cavities, or caves, have been so formed. In other instances, the opening is merely a certain extent of the rock, more [or less] modified, through which the mineral is distributed. Indeed, in nearly all those instances in which the openings are filled with loose materials, these appear obviously to have been derived from the decomposition of the rock, and not from materials deposited subsequently. Such open-

ings differ from those in which the rock is only modified, by the greater degree of decomposition the rock has undergone. The rock immediately adjoining the openings is usually harder and more compact than the rock in general. That included in the openings is generally softer and more decomposed, and more or less stained with oxyd of iron. Different substances are also deposited in it, besides the mineral, such as other metallic ores, clay, calcareous spar and sulphate of barytes.* Openings, according to their direction and the manner in which the mineral is arranged in them, are vertical, flat (horizontal,) or pitching (oblique). The two first mark an important distinction in the arrangement in the different strata; the vertical openings predominating in the upper part of the upper magnesian; the flat openings in the middle and lower portions of the same, and in the blue limestone.

Although there are certain general principles which seem to have governed the arrangement of the mineral, yet numerous modifications occur, the details of which may be first given, before stating the former. In this detail, I shall commence with the arrangements observed in the upper part of the upper magnesian. The first and simplest form is that of the crevice. This may be either a joint in the rock, marked by an iron stain, or a fissure of little width, occupied by a seam of clay, or of ochre and iron rust (hematite); the two latter derived from the decomposition of iron pyrites, which sometimes, though rarely, is found in their place. Though the walls of the fissure are nearly parallel, yet it is usually marked by enlargements and contractions of little extent. In such a fissure, the mineral occurs as a sheet, either closely wedged in the rock, or separated from it by a thin seam of clay or iron. Such sheets usually conform on their surface to the adjoining sub-

* Silix, in the form of quartz or otherwise segregated, except as flint, rarely accompanies the mineral, or is disseminated in the opening rock. In one of the North and Souths, at Skidmore's Diggings, a fine-grained silicious grit accompanied the sheet of mineral, as a matrix, arranged in sheet form between it and the rock; and in a brown rock opening, on the west side of Coon Branch, near Benton village, crystalline quartz was found disseminated through the opening rock, in place of the calcareous spar usually disseminated.

stance, but occasionally present a more or less regular form, where the fissure is somewhat enlarged and the sheet is imbedded in clay. They are usually less interrupted than other forms of arrangement; in some instances, very little interrupted; in others, more so, when they are called broken sheets. When interrupted, they are replaced by clay or iron ore, and sometimes by calcareous spar, sulphate of barytes or zinc ore; but very rarely by the three latter in the upper part of the upper magnesian. Calcareous spar not unfrequently interrupts the vertical sheets in the lower part of that rock, and the mineral, when in contact with it, shows the same tendency to regular forms, as when imbedded in clay.* These sheets vary in thickness from a mere seam or film to a foot or more, and when even less than an inch in thickness, are generally profitable, from their little interruption, and when of great thickness, are, from the same circumstance, of extraordinary value. They may be either vertical, pitching or flat (horizontal;) but the flat sheets are rather parts of a more complex arrangement, while the vertical and pitching sheets may occur separately. These last are found with all the different bearings above specified; but the North and South sheets are the most common and the most important. Not unfrequently two or more sheets are connected; the rock between them being softer and more jointed, and forming properly an opening. In such instances, more clay and iron are usually present than where a single sheet only occurs. Such sheets often unite, in their course, in a single sheet, which again divides, or are connected by cross sheets, usually in a quartering direction. In such instances, there is generally an enlargement at the junction of the sheets, where the mineral often assumes its more regular forms, and even loses its sheet character, and takes that more peculiar to the wider openings.

Vertical sheets have been sometimes worked to a great extent and with little interruption, vertically as well as horizontally, and

* The calcareous spar in such instances is sometimes distinctly crystallized, particularly in the form of dog-tooth spar.

have been traced through different beds in the same instance, and in different localities have been observed traversing some of all the limestone strata above the upper sandstone. I have observed such sheets followed to the depth of 80—90 feet through different beds of the upper magnesian, and at the lowest depth still continued, sometimes increasing in thickness. Others are reported to have been followed to the depth of considerably more than 100 feet and left still going down.*

When the crevice is of much width, and its walls are nearly parallel, it is called a crevice opening. The space, traversed by two or more connected sheets, might be called such; but the term is usually applied to an opening of a foot or more in width, in which the mineral occurs in some other form than that of a sheet. Such openings are nearly always quite vertical, but occasionally local pitches occur. The walls of such openings are rarely strictly parallel, but there is usually a series of enlargements and contractions. This tendency to enlargement and contraction is common, and is accompanied more or less by lateral cavities of different size and form. Indeed it may be said that those openings, which continue with little variation in width to a great extent, vertically or in the direction of their course, are one extreme, and that a series of isolated openings or cavities (called pockets,) connected by mineral seams, such as have been mentioned, are the other, between which almost every degree of alternate enlargement and contraction may be found. Openings are more rarely found of much extent vertically than in the direction of their course. Thus in sinking on a crevice, different openings will be found, one beneath another, little interrupted in the direction of their course, but generally separated from each other by close rock, traversed only by a mineral seam, yet occasionally connected in part by long narrow crevices, or by shorter and wider passages; the last sometimes rising to a greater or less height above the

* The largest North and South sheet at the East Blackleg Diggings is said to have been followed down to the depth of 140 feet, at the engine shaft, and left still going down, although with diminished thickness.

upper opening, and then called chimneys. In some instances, instead of this series of openings, one beneath the other, separated by close rock, there is only a series of enlargements, corresponding to the openings, separated by alternate contractions; the crevice remaining open throughout the descent. Different ranges in the same group occasionally differ in this respect; one being marked by distinct openings, and another adjacent, only by enlargements and contractions. Different ranges are also distinguished in the same manner, in the direction of their course; the openings in one presenting a series of isolated cavities or pockets, in that direction, separated by close rock, marked by a mineral seam, and in another, only alternate enlargements and contractions. Whenever, in such cases, the pockets or enlargements rise to a considerable height above the range of the opening, they are also called chimneys.

These are the most usual forms assumed by the vertical openings in the upper part of the upper magnesian. They commence at different depths in the rock, sometimes near or at its upper surface, sometimes at the depth of many feet. Where the whole thickness of the upper magnesian is present, together with the overlying blue shale or pipe clay, I have never seen the crevices or openings penetrate the latter, or even the thin bed of schistose limestone, called shingle rock, sometimes overlying the thicker layers of the upper magnesian. But often the crevice is struck immediately on entering the thicker layers of that rock, and the opening soon after, and in some instances, I have observed the openings rise to its upper surface, and immediately overlaid by the pipe clay or blue shale. Where these or the upper part of the upper magnesian have been denuded, such openings reach to the surface of the rock, and are called open crevices. More generally, although the crevice may at times be struck at little depth in the rock, the opening is not reached till at a greater depth, which in each group is usually common to all the ranges. This may be called the level of the openings, and it is at this depth,

known by experience in the different localities, that openings are expected.*

The openings sometimes gradually expand from a narrow crevice, but more usually terminate above in a low arch, or are flat-roofed. The rock immediately above the opening is called the cap, and when one opening lies below another, the rock separating them is the cap of the lower. It has been already stated, that the rock immediately adjoining the openings is harder than the rock generally. This is particularly true of the cap, and when in sinking on a crevice, the rock becomes unusually hard, an opening is expected.

The openings, now under consideration, are usually filled with soft and loose materials, which seem to have been formed by the decomposition of the rock originally occupying them. These are usually what are called sand, clay and tumbling rock; the sand derived from the decomposition of the limestone; the clay, from that of shale or claystone; while the tumbling rock is but the harder and more compact portion of the limestone, which has resisted decomposition. In examining these materials, I have almost invariably found the sand and tumbling rock conforming distinctly, in their arrangement, to the stratification of the limestone, and the clay either arranged as distinctly in the same order, or appearing as an original matrix of the mineral.

I have already stated that the term opening is also applied to

* The crevices are not only interrupted above by the blue shale and shingle rock, but often by many feet of the upper magnesian, and are sometimes struck only at a short distance above the opening. A mineral crevice usually first shows an iron stain on its walls, and lower down a seam of clay or hematite (iron rust,) and often still nearer the opening, a sheet of mineral, or detached pieces of the same in a sheet or vein position, leading to the opening. Often a seam of black ochre (oxyd of manganese) precedes the mineral, indicating its near approach, and the latter, when first met, is usually more or less coated with the carbonate. Not only is it common to find a seam of clay bordering sheets and veins, or otherwise investing the mineral as a matrix, but I have observed flat-roofed or low-arched vertical openings lined by a smooth unbroken seam of joint clay, more or less completely investing them, and yet the materials inclosed, except the mineral and its immediate matrix, arranged conformably to the stratification, and apparently altered or modified portions of the rock.

limited portions of the rock, less disintegrated, marked by certain peculiar characters, and traversed by the mineral, or through which it is disseminated. In such instances, other substances, besides the mineral, may traverse the rock, or be disseminated through it, such as other metallic ores, clay, calcareous spar and sulphate of barytes. Iron pyrites is always originally present in such portions of rock, and has generally suffered more or less decomposition, leading to the disintegration of the rock, and to the ferruginous stain common to all openings. The limestone, in such openings, even when least altered, appears to be made up of hard compact concretions, little or not at all subject to stain or disintegrate, imbedded in a ground of more granular structure, more or less subject to stain and disintegrate from disseminated pyrites. When this part of the rock is stained, as is usual, the rock of the opening has a peculiar mottled appearance, and is called calico rock, in some localities. This is peculiarly characteristic of the flat openings in the lower beds of the upper magnesian, particularly in the flint bed. In the vertical openings in the upper part of the upper magnesian, the tumbling rock corresponds to the harder unstained nodules or concretions in the calico rock, but usually of a much larger size, and the sand to the stained and softened ground of the latter.

In the vertical openings in the upper part of the upper magnesian, the mineral, in general, is arranged vertically. In these openings, it shows a greater or less tendency to assume its regular cubic form. When its form is more regular, it is called square mineral; and when a number of cubes are combined, particularly in a sheet, it is called cog mineral. When its form is more irregular, showing only an approach to its regular cubic form, but in more or less detached masses, it is called chunk mineral.

The cubes or more irregular forms are arranged, in the vertical openings, in a certain order, more or less distinct, which may be called the *Vein order*. This is most distinct in the East and West ranges, but may be traced more or less even in the North and South sheets, where an approach to the cubic form is observable, and

may be also recognized in the arrangement of the mineral in the flat openings. In this order, the cubes or masses deviate from a direct line, alternately to the right and left, forming a zig-zag, but in such a manner as to continue the general direction. When a crevice is of little width, it is usually traversed by a single vein, or course of mineral in vein order, usually accompanied by clay as its matrix. But if this be examined strictly, it will be generally found double, or divided by a middle seam into two series of cubes or less regular forms, and the same is equally true of the sheets, which, as I have observed, occasionally in the wider parts of their crevices approach the regular form of the mineral. This too is often observed where the sheets are met by cross crevices. When a narrow crevice widens, the single vein divides, each of its symmetrical parts being continued along its wall, or sometimes only one of them, the other being interrupted. The surface of the mineral next the wall is then less regular, and conforms in general to the surface to which it adheres; that towards the middle of the crevice, which is usually occupied by clay, is more regular; the whole vein, in this instance, forming a more or less perfect geode. Where the crevice alternately widens and contracts, the same alternation will be observed in the arrangement of the vein. Such geodes or more irregular deposits, in the enlarged portions of the vein, are called bunches. In some veins there is a greater tendency to form bunches than in others, and in such cases the intervening portion of the vein is usually diminished or even interrupted. The arrangement of the vein thus corresponds to that of the openings.

Where the opening is wide, and includes considerable masses of tumbling rock, it may contain several such veins or courses of mineral, separated by the masses of rock, which may either unite, or be connected by smaller cross veins. Sometimes the wider vertical openings are traversed longitudinally, to a greater or less extent, by one or more vertical masses of rock, called key-rocks; but these rarely divide the openings completely, but are more or less insulated, corresponding to the horses of English

miners. These are particularly connected with an important arrangement observed, in several instances, in the upper part of the upper magnesian. This occurs, when, in a wide opening, with a flat or slightly arched roof or cap, the lower part is chiefly occupied by one or more key-rocks, rising towards the roof, but leaving an interval of greater or less width above. Veins of mineral rise in the intervals between the walls and key-rocks, or between the key-rocks themselves, and pass over the top of the key-rocks in the manner of a flat sheet; the whole being thus connected. Some of the heaviest bodies of mineral have been found thus arranged. The lead struck about a year since, at Turner's Diggings, east of the Sinsinawa Mound, and one of the most productive for the time it has been worked, is of that kind. In some few instances, large bodies of mineral have been found on the surface of the rock, where it had suffered denudation, lying between two vertical veins in the rock; apparently resulting from such an arrangement. A remarkable instance of this kind occurred at Selkirk's Grove, west of Benton village, and a similar body of mineral was found in a ravine, near the lead at Turner's, lying on the surface of the rock, on one side of which at least a vertical vein was seen entering the latter.

An analogous arrangement is observed in the wide openings, called caves, remarkable instances of which occur in the Dubuque district. Veins rise there along the sides, and are continued upwards into the sides of the roof, and at the same time send flat sheets along the roof, the two from the opposite sides meeting at a middle crevice in the roof, and sending up through it a vertical vein, which often presents a geode as it enters the crevice, as if formed by the junction of the two. In one instance, where a cross section of the roof was exhibited, (at Stewart's cave,) the lateral vertical veins sent across other flat sheets through seams in the cap-rock to the middle vertical vein. The flat sheets, crossing under the roof and in the rock above, are generally thinner and more interrupted near the middle point between the side and middle vertical veins; a fact generally observable in flat sheets interposed

between vertical veins, as if the formative action proceeded from the latter.

In some instances, in wide openings, where no key-rocks are present, an arrangement similar to that in the roof of Stewart's cave is observed in the soft ground of the opening itself; flat sheets not only extending across under the roof, but at intervals below; the opening being then occupied by decomposed rock, arranged conformably to the stratification. Sometimes the flat sheets extend only a short distance from the side veins, and in other instances, the side veins rise only partly towards the roof, and terminate in flat sheets extending but partly across the opening. In one instance, in such a wide opening (at the east end of Hughlett's lead, north of Gale-na,) a layer of hard rock was interposed in the soft ground in the lower part of the opening, as if dividing it into an upper and lower, below which a flat sheet extended across the opening, while the lateral vertical veins were continued uninterruptedly on its sides.

The same vertical opening sometimes presents different arrangements in different parts of its course; in one part, only a single vertical vein, occasionally enlarging into bunches or geodes; and in another part, arrangements such as have been last described; the opening enlarging and varying in form correspondingly. Thus a wide cave opening will sometimes pass at no great distance into a narrow crevice opening, and the arrangement of the mineral will change from that of lateral vertical veins, meeting by cross flat sheets in the roof or below in the opening, to that of a single vertical sheet or vein. This latter will, in some parts of its course, form a proper sheet; in others, a vein marked by cubes, more or less distinct, in regular vein order; and in others, geodes or bunches, and these last either connected by intervening sheets or veins, or more or less detached and interrupted. In the latter case, however, the connexion may be traced by a mineral seam, more or less distinctly marked.

I have already observed that the same crevice sometimes includes distinct sheets or veins, occasionally uniting in one, or con-

nected by cross sheets or veins. In like manner, distinct crevices, with their veins, sometimes unite or are connected by cross crevices and veins. At such points of junction, there is usually an extraordinary increase of the mineral, and the smaller vein is then regarded as a feeder of the larger. The East and West veins are usually the leading veins, and the North and South and quartering veins are then subordinate and regarded as feeders. But usually where cross veins meet a leading vein at such an accumulation or bunch of mineral, they extend only a limited distance from it, and are rather lines proceeding from it as a centre than feeders contributing to form it. When a quartering vein meets a leading vein, on entering the crevice of the latter it often runs parallel to it for some distance, the two connected by a net-work of cross veins, and at last uniting in one common vein. In some instances, two parallel leading veins are connected by such quartering veins, and in others, one leading vein will leave its regular course, and pursue a quartering direction till it unites with a leading vein adjoining. Cross veins are differently affected on meeting a leading vein. Sometimes they pursue the same course, without interruption, on the opposite side, but more usually they are interrupted (cut off) or else shifted to a greater or less distance. In the latter case, I have sometimes observed particles of mineral disseminated in the rock opposite the vein at its junction with the leading vein, apparently indicating that the shift was not caused by any shift in the rock, of which there were besides no indications. Not unfrequently a leading vein, on meeting a cross vein, will be interrupted or cut off, with its crevice, and apparently shifted by the cross vein to another parallel vein. In one instance, I observed an East and West vein, from which a quartering vein had proceeded at some distance, interrupted in this manner by a North and South, and apparently shifted by it to the quartering vein, when the latter became the leading East and West vein. In other instances an East and West vein will terminate less abruptly, and be shifted to another east and west line, commencing there in the same manner it had terminated; the two overlapping each other to some

extent, and sometimes connected by a cross vein or seam near their termination. Usually the cross vein, in such cases, is small, and serves only as a leader from one East and West vein to the other, or the connexion is formed only by a seam of ochre or clay. These arrangements have an important relation to the grouping of veins, and will be farther noticed under that head.

Another mode of lateral shifting is sometimes observed in East and West vertical veins, where the mineral is arranged in a series of more or less detached deposits or bunches. These last range in a direction oblique to the general course of the vein, and usually thin out at each extremity. Each succeeding bunch overlaps the preceding in such a manner that the general course of the vein is continued.

The mineral in the vertical openings is sometimes found only near their cap or roof, and sometimes only in their lower part; sometimes both above and below, but not between; and at other times, more uniformly throughout their whole depth. Not unfrequently it rises and falls alternately in its course, occupying only a moderate extent vertically at any one point, but rising and falling to a much greater. The opening, when it is low and capped over with hard rock, rises and falls, in such cases, with the mineral. This rising and falling is usually by a succession of flats and pitches, or steps, rather than on an uniform line. A similar arrangement occurs in the flat openings in the lower beds. Often the mineral rises above the common level of the openings in the chimneys already described (p. 36-7); in such cases forming bunches at the intersection of the chimney with the horizontal opening, extending upward into the former.

Flat (horizontal) sheets or veins have been already noticed in connexion with the wider openings, both in the soft ground of the opening, and in seams in the cap rock. In some instances, such flat sheets have been observed, of considerable extent, overlying a number of parallel crevices traversed by vertical veins, and in others, of less width, overlying only a single opening or vein. When such a sheet is struck in the upper part of the upper mag-

nesian, it is considered as indicating the near approach of an opening or vein.

More usually, in the upper part of the upper magnesian, the East and West ranges present vertical openings of some width, traversed by veins composed chiefly of square (cubic) or chunk mineral, arranged in the vein order above indicated, while the North and South ranges are only narrow crevices traversed by sheets, marked only rarely by an approach to regular forms. But in some instances, similar sheets traverse East and West crevices, and these are often combined in groups, intervening between or appended to the larger East and West openings. Sometimes a considerable width of rock is found traversed, at short intervals, by such vertical East and West sheets, connected throughout by cross sheets, both vertical and horizontal. These cross sheets, in such cases, are usually thinner and more broken, or even quite interrupted, at the middle point between the East and West vertical sheets, indicating that the latter are the leading veins, to which the former are subordinate. The rock thus traversed is usually softer and more stained, at least towards its seams, and may be considered as forming one common opening.*

In the upper part of the upper magnesian, the crevices and openings are usually of less width and more detached than below, and the leading veins arranged vertically, the flat sheets being only appendages to them. The openings, even when widest, such as the large cave openings, are also more generally occupied with looser materials, from a greater decomposition of the rock and matrix. As we descend to the lower part of the upper bed, the openings become wider, although in most instances the vertical arrangement continues to prevail. In this part of the upper bed, very wide openings are found, occupied by portions of the limestone rock, either decomposed to sand, or in detached harder masses (tumbling rock,) and intersected throughout in different directions by mineral veins, usually accompanied with seams of clay and iron; the East and West vertical veins predominating.

* An example of this occurs in one of the ranges of Norris & Haskins, at Vinegar Hill.

The mineral in these veins is usually in more or less detached masses (square and chunk mineral,) but sometimes in thinner sheet forms, usually broken. In some instances at least, those remarkable bodies of mineral, called patches, found directly beneath the surface clay, appear to have been such openings exposed by denudation. Those to which I here refer are no longer worked, but are found in the same position in the strata, and in some instances, in the vicinity of such openings, and from the description I have received, corresponded to them in character.*

Another class of wide flat openings, called flat sheet mines, are found in this lower part of the upper bed. Here the horizontal arrangement predominates; the mineral having a sheet form, similar to that of the vertical sheets, and closely wedged in the rock, or more usually in a narrow flat crevice, in which it is bordered by seams of clay or iron, and occasionally interrupted by the same, or by calcareous spar. These flat sheets appear more subject to interruption than the vertical sheets, and then often form a series of lenticular masses, thickest at their centre and thinning off towards their edges. They vary, like the vertical, in thickness, from a fraction of an inch to several inches, and are connected by cross vertical sheets, in different directions, which are small and subordinate; but occasionally the flat sheet gives out as it approaches a vertical sheet, and the latter assumes the place and direction of the former. Two and sometimes three such flat sheets are connected together in this manner, the rock between them being softer and more stained than that immediately above and below, forming properly a flat opening, but not marked by the peculiar characters of the opening rock in the flint bed below.†

In some instances, when from the vicinity of valleys or ravines, or in deep mining, shafts have been sunk through the upper bed in-

* The Finney Patch, in the S. W. Platteville Diggings, and Jones' range, N. of Elk Grove, may be referred to as examples,

† Examples: Harris' flat sheet mine, S. W. of Galena, and Jackson's, on Bull Branch (Benton.)

to the flint bed, as at Shullsburg, vertical crevices have been traced down through the former into the flat openings in the latter. In such cases, in the lower part of the upper bed the vertical openings spread out laterally, and at the same time that they carry down a vertical vein, in the middle line, from the crevice above, present flat deposits of mineral, similar to those in the flat openings of the flint bed, but less extensive; thus marking a transition from the vertical openings above to the flat openings in the lower beds.

The flat openings in the flint bed are remarkable for their horizontal extent and their arrangement. They vary in width from less than ten to 40—50 feet, and are wider in some localities than in others. Generally they are traversed by vertical crevices, marked by seams and sometimes by openings in the roof, but these are sometimes wanting, and the vertical crevices are then found traversing the hard rock between the flat openings. Thus it is common at Benton, to find narrow vertical crevices between the wide flat openings, and these last are sometimes arranged in pairs with a vertical crevice between; the interval separating the two being much less than that separating them from the flat openings adjoining. The two thus combined, with their intermediate crevice, are considered as forming one range. In one instance (at Shaw's Hollow, S. W. of Benton,) a wide flat opening, without a vertical crevice, adjoined on the north a number of narrower flat openings, each with its vertical crevice; but in this instance, the whole extent, at least of the latter, might be regarded as one common opening or soft ground. The rock in these flat openings usually presents a peculiar mottled appearance, whence it is called *calico rock* in some localities. The cause of this I have already referred to. This rock appears to have resulted from the decomposition of a hard blue or grey rock, intersected more or less completely by seams of iron pyrites, or rather of rock more or less filled with disseminated pyrites, dividing it into small rounded nodules, more compact than the intervening seams. This structure can not have been derived from the fracture of the rock and the injection of the seams, but has been the result of a process of se-

gregation, by which the more compact limestone was formed at centres, around and between which the more crystalline portion with the pyrites was arranged. The strong tendency of iron pyrites to decompose, under certain circumstances, particularly when minutely disseminated, has caused the disintegration of the limestone in which it was dispersed, and its own conversion into oxyd of iron, giving the stain to that part of the limestone. This hard blue pyritiferous rock is still found unchanged, in some of the flat openings in the flint bed, as in Champion's level (New Diggings,) where it occupies the position of the opening or calico rock, and like that is more or less productive in mineral similarly arranged.

The mineral in the flat openings is generally arranged in horizontal courses adjoining the roof or the floor, but sometimes in intermediate positions. Sometimes it forms a connected sheet of some extent, but more usually occurs in larger or smaller detached masses. These are generally more or less convex on one side and concave on the other, and are so arranged that the convex side is directed downwards. The concave side usually embraces a portion of the limestone harder and less stained, and sometimes the mineral is observed more or less completely surrounding the latter, but much thicker below than above. In this case, the mineral appears to have been formed around the nucleus of limestone in the same manner as the iron pyrites, as above explained. The courses of mineral are very often if not generally accompanied with a layer of flints, usually above the mineral, sometimes below, and occasionally the mineral is interposed between two layers of them. Sometimes the mineral, when detached and isolated, is associated with flint in the same manner. Though the mineral is chiefly arranged in flat courses, yet it is often found detached in every part of the opening, but is then arranged horizontally.

Vertical seams of mineral occasionally pass from one course to another, or traverse the opening as cross sheets, and at the crossing of these or even of a barren seam only, there is usually an increase of mineral in the flat courses, sometimes enlarging them so as to form geodes lined with regular cubes. When vertical East and

West crevices traverse these openings, they usually carry a vein of mineral arranged in vertical order, intersecting the flat courses; but in some instances I have observed such vertical veins on the sides of the openings, inflected under the roof into the horizontal course, with an enlargement of the mineral at the turn, sometimes forming there a geode. In some instances, the vertical crevices, which have been traced from the rock above into or between the flat openings, have been found to carry mineral more or less through their whole extent; but in other instances, the mineral extends in them little or not at all above or below the opening.

The lateral limits of these flat openings are generally marked by a slight turn in the courses of mineral from a horizontal to a vertical position at the sides of the opening, beyond which the rock soon loses its opening character; thus showing the definite extent of these horizontal deposits.

Some peculiarities, worthy of notice, are observed in different localities. In the flat openings at Benton, particularly at Swindler's ridge, a layer of hard rock, 1—2 feet thick, called the false cap, immediately overlies the openings, above which is a layer of flints, usually accompanied with a flat sheet or course of mineral, often of workable value. This layer requires support, and when such support is withdrawn, after the opening is worked out beneath, soon falls and exposes the mineral above it. The rock above, called the true cap, usually remains firm, even in the widest openings. In the flat openings at New Diggings, a layer or bed of hard rock with flints, about three feet thick, overlies the opening rock, and is overlaid by a thin subargillaceous layer, called the grey shale, apparently of a concretionary structure, and interrupted by mineral, arranged in a horizontal sheet form, detached or more connected. The rock above this contains very few flints; the proper flint stratum commencing in the bed immediately below it. A layer closely resembling the grey shale in character occurred at the Dry Grove Diggings, west of Benton, in sinking on a vertical sheet, at the upper surface of the flint bed.

The flat openings of the flint bed, occupied by the calico rock, are found throughout a large portion of the mineral district, where openings have been worked in that bed, and are the most general and characteristic of those in that bed. I have observed them, well marked, at Beetown, Potosi, Brushhill, Platteville, Elkgrove, Benton, New Diggings, Shullsburg, and the Dreadnought mine near Mineral Point. In some of these openings, the rock is much more disintegrated than in others; its ground, in such cases, being reduced to the state of loose sand, with more or less tumbling rock; while in others, although distinctly marked, the rock is so hard as to require blasting. Openings of the former kind are called sand openings, and are common at Benton, while at Shullsburg openings of the latter kind are more frequent.

Occasionally in the localities above mentioned, and more so in the more eastern diggings, the mineral is collected more in bunches, particularly along the line of vertical crevices, and is then more accompanied with clay and iron, and more disposed to assume regular cubic forms, approaching in these respects the arrangement in the vertical openings in the upper bed. But in such instances, the intervening rock is more or less altered and stained, the whole forming a common opening. In some cases, as at Chenaworth's mine, near the Dreadnought (above noticed,) this arrangement in bunches, along the lines of crevices, appears to have arisen from masses of rock, intersected throughout, as in the calico rock, by distinct seams of iron pyrites, accompanied with more or less mineral, which by their decomposition form masses of ochry earth and hematite, including the mineral as in the rock. These masses are sometimes so rich in mineral as to be very productive. Sometimes they will be found entirely decomposed; at other times, only partly so; and even in some instances, entirely unchanged; thus showing satisfactorily the origin of the former from the latter, and their relation to the calico rock. It might indeed be expected that where the pyrites is so concentrated as in these instances, it would be less extensively diffused through the rock, and more segregated in bunches, whereas the calico rock, in

which the pyrites is more disseminated, would be found characteristic of larger and more uniform openings. This arrangement in bunches is more peculiar to the flat openings, east of the parallel of Shullsburg and Mineral Point; but these openings form ranges as regular in their course as the more uniform flat openings farther west.

Calcareous spar is generally very rare in the flint openings; but occasionally it is found, either disseminated through the opening rock, or more frequently accompanying the layers of flint and mineral; the regular order from above downwards, being then calcareous spar, flint and mineral. Even in some instances where there are no traces of a mineral opening, calcareous spar is found accompanying the layers of flint in the same order. I have observed, in one instance, in Stephens' mine (Shullsburg,) a mass chiefly composed of calcareous spar (*tiff*), occupying a large extent of an opening, and arranged like the masses of hard blue pyritiferous rock in some openings, as in Champion's level (New Diggings.) These masses rise sloping inwards from the bottom of the opening to a ridge near the roof, and apparently extend downwards in the manner of a lode, but have not been proved in that direction, and terminate abruptly or taper out at the extremities. The mass of *tiff*, in Stephens' mine, terminates abruptly towards the west, and apparently tapers out towards the east. At its west end, it is bordered by a thin layer of hard rock, in nearly a vertical position, as if out of place, but more probably formed in its present position by segregation. This layer is traversed by small vertical veins of mineral, and in the calcareous spar adjoining, which is there more massive, the mineral is found accumulated, usually in very regular cubic forms, although closely imbedded in its matrix. In some other parts of the mass, similar accumulations of mineral were found, but in general the mineral is only sparsely disseminated. The entire mass appears to be a portion of the rock arranged conformably to the stratification, the greater part of it composed of the calcareous spar, disposed in segregative order through a base of the granular limestone, through which iron

pyrites and more or less of copper pyrites are disseminated; the latter also collected at particular points in small bunches.

The flat openings in the flint bed are usually not more than four to six feet in height, particularly the wider and more uniform openings, and two openings are generally found, one above the other, separated by a layer of hard rock, about two feet thick, forming the cap of the lower. In a few instances, a third opening has been found. These may all be considered as one common deposit, with which the flat sheet above the false cap is connected. These openings, like the vertical openings in the upper bed, sometimes rise and fall in their course, by a succession of flats and pitches; or this rising and falling, as in the latter, is only confined to the mineral, the opening remaining unchanged. The most uniform flat openings are more or less subject to interruption in their course by transverse bars of rock, and in some instances, the detached portions have a form more or less rhomboidal, analogous to the form of the bunches observed in some vertical East and West ranges in the upper bed (p. 44,) and also succeed each other in a corresponding order. This is observable in the flat openings at Swindler's ridge (Benton,) where the longest diameter is from north-west to south-east, corresponding to the general direction of the ranges (E. S. E.)

In the lower bed of the upper magnesian, flat openings are the most general, and even more extensive than those in the flint bed. In some instances, such openings have been worked across more than a hundred feet, without reaching their limits. In one instance (at A. Looney's level, north of New Diggings,) a side drift was carried from the middle crevice near fifty feet before reaching the limit of the opening ground. This limit was very distinctly marked by a vertical line, the adjoining rock losing at once the peculiar characters of that of the opening. I have already observed that the rock in the lower bed is less uniform than that in the flint bed, and the same is true of the openings. The black or brown rock and the green rock, in their different districts, have important connexions with these openings, gene-

rally overlying and including them, whence they are usually called the black or green rock openings. In some instances, however, the rock in these openings resembles that of the flat openings in the flint bed, or the calico rock, and is then more or less accompanied with layers or nodules of flint, which seem to be confined to the opening rock, or are at least most abundant in it. But even then this opening rock is distinguished from that of the flint bed by the great abundance of calcareous spar (*tiff*) disseminated through it, as is common in the brown rock, and usually more or less of it has, by its stain, the character of that rock. When the opening rock resembles the calico rock of the flint bed, the adjoining rock is usually very hard and compact, and of a light grey color, resembling the hard nodules found in the opening rock, particularly of the flint bed, and the more compact layers of the upper bed of the blue limestone. This adjoining rock is destitute of the ferruginous stain and the disseminated tiff, characteristic of the openings.

In this lower bed the mineral is usually found more accompanied with the sulphurets of zinc and iron than in the two upper beds. The sulphuret of iron, or the result of its decomposition, is always present more or less in the openings in the upper beds. Usually the sulphuret has been there converted into the oxyd, causing the ferruginous stain and the deposits of ochre and hematite (iron rust) found in those openings. The sulphuret of zinc (black-jack) and the carbonate (dry-bone,) the result of its decomposition, are more rare in the upper openings, but are occasionally found there, more frequently, so far as I have observed, in the vertical openings in the upper bed than in the flint openings. But there is a class of veins (the flat and pitching sheet veins,) which have been traced through all the beds of the upper magnesian into the blue limestone, in which zinc ores are usually found more or less accompanying the mineral. Not only in these, and in those instances where the zinc ores accompany the veins in the upper vertical openings, but also in those where they accompany the mineral in the flat openings of the lower bed and the blue

limestone, there is an order of arrangement which I have found invariable. When the ores of lead, zinc and iron are all present, the iron ores are arranged in a sheet or layer next the rock, then the zinc, and then the lead, in succession, towards the interior of the opening. In the Marsden lead, below Galena, (a flat and pitching sheet mine,) where the mineral is usually accompanied with zinc and iron, this order is distinctly observed, and in different geodes, processes, like nipples, are observed projecting into the cavities or geodes between the cubes of the mineral, which are found occupied in the centre by a square process from the sheet of iron pyrites, like an elongated cube, surrounded with a coating from the black-jack, sometimes with points of mineral adhering to the surface. The flat and pitching sheet veins with zinc and iron, usually called flat and pitching dry-bone sheets, have been found to commence in the upper bed of the upper magnesian, and have been traced down through the different beds of that rock and of the blue limestone to the upper sandstone. At the west end of the Heathcock range (Linden,) the same sheet has been followed down from the flint bed to at least ten feet in the upper bed of the blue limestone, and is there found large and productive, and without any sign of interruption. These veins appear indeed to be the most uninterrupted, and in some instances have been worked more than twenty years without exhaustion, and with a very uniform product.*

The ores of zinc are rare in some of these flat and pitching veins, the mineral being then connected immediately with the ores of iron. But where the zinc ores are more abundant, they are sometimes nearly or quite wanting in parts of the vein, and then usually the lead ore is increased in proportion, while in other parts of the vein the zinc ores predominate. Thus in one part, the vein will be found narrow or divided in the rock of the opening, and the mineral more or less disseminated in the zinc ore, so as to require separation by crushing and washing; then, where the vein

* This is reported of the Heathcock range (Linden) and the Dry-bone mine on Bull Branch (Benton,) both of which are still worked to advantage.

is wider, the mineral will form a middle sheet, detached from the zinc ore, and where still wider, a geode will be formed and the mineral be arranged in cubes on the interior surface of the zinc ore. Still farther in its course, the zinc ore will disappear, and a thick and solid sheet of mineral be found, separated from the rock only by a seam of iron. Such thick and solid sheets are usually found on the flats, and the geodes at the turn from a flat to a pitch, extending more or less along the latter. These flat and pitching veins sometimes pitch in opposite directions from the same flat, forming what is called a saddle-back. In some instances, such a flat is apparently at the highest part of the vein, forming a longitudinal ridge along its middle, from which it pitches on each side, either in one uniform slope, or by alternate flats and pitches. Such is the arrangement of the sheet in the Heathcock range, where it forms a flat, at its summit, in the flint bed, from which it pitches on each side into the lower strata; on the south, at least into the upper bed of the blue limestone. This flat is much wider towards the west, where the sheet pitches on each side more uniformly, but narrows out towards the east, where the sheet pitches uniformly on the north, but on the south, descends more in alternate flats and pitches, and apparently divides into 4—5 smaller sheets, connected in a common opening. In some instances, such flats are only on the general pitch of the vein; the vein rising, then turning over a flat, and then pitching again in its regular course. I have not yet had an opportunity of tracing such a vein lower than the upper bed of the blue limestone; but I have been informed by J. Bracken, Esq., that such a vein, in the Victoria range (Mineral Point,) was followed down to the base of the blue limestone, and that the accompanying zinc and iron ores were even traced into the upper sandstone. These veins, like the vertical sheets, thus appear to have an extensive range through the strata, and are not confined to one particular bed, like the flat openings in the lower strata, and the more limited vertical openings in the upper bed of the upper magnesian.

The flat openings in the lower bed may be divided into three

classes: Sand, ochre and dry-bone openings. The first class includes those, where the opening rock resembles the calico rock of the flint openings, and is usually accompanied with more or less flint, like the latter. The mineral is here arranged in flat courses, or disseminated horizontally through the rock, as in the flat flint openings. These openings too are traversed by vertical crevices, (either of more uniform width or forming a series of pockets,) usually occupied by loose materials, and adjoining which the rock is more decomposed than in the remoter parts of the opening. The mineral is most abundant in the loose ground of these crevices, and in the adjoining parts of the opening, where the rock is most altered. Generally, in the loose ground of these crevices, a much greater quantity of iron is found, in the form of unaltered pyrites, or recomposed into ochre and hematite, than in the openings or crevices in the upper beds. In some such instances, the iron pyrites appears to have replaced the mineral, and extensive bars occur in the course of the crevice, in which the mineral is wanting, but the iron ores are proportionally more abundant. Such a bar, at the west end of A. Looney's level, in the middle crevice of the opening, replaced the mineral, after it had continued productive for 800—900 feet, and in this the ores of iron were found in every stage from the original pyrites to the ochre and hematite, exhibiting, in their change, fine specimens of green copperas, and small pockets of alum, where clay was more abundant, and also, though more rarely, of native sulphur. This mass is now partly worked out, the former character of the opening being resumed beyond it. The loose materials in these crevices are arranged conformably to the stratification; the layers of flints crossing them regularly in the line of those in the adjoining rock, only sometimes slightly lowered by the settling of the materials. This loose ground differs from the adjoining rock only by a greater proportion of clay, sometimes forming layers, or segregations investing the mineral as a matrix, and by the quantity of iron intersecting it in the manner already described (p. 47-8.) The more altered rock adjoining resembles the corresponding rock in the flint openings, and is more or less disintegrated in the state of loose sand.

The ochre openings are characterized by the great abundance of iron ore (iron pyrites and the results of its decomposition) accompanying them throughout their extent. Clay also abounds in them, in layers and pockets conformable to the stratification, and in seams corresponding to the outline of the opening. This clay is strongly marked by the smooth joints common to the clay of openings, particularly to the seams of clay which traverse and line them, and is called joint clay and soap clay, by the miners. The latter term is more particularly applied to a bluish clay, breaking in small jointed fragments, which usually invests the mineral when imbedded in clay. The mineral, in these openings, is either arranged in uniform horizontal courses, or in a series of flats and pitches, limited to the openings. In the former case, it resembles, in its arrangement, the mineral in the flat flint openings, but is more connected with clay and iron. In the latter case, it is arranged more in sheet form, bordered by a sheet of iron, and replaced by the same, when interrupted. Usually the mineral is largest and most uninterrupted on the flats, or on the turn from a flat to a pitch, and is smaller and more interrupted, and often entirely wanting, in the pitches, resembling, in this respect, that in the flat and pitching veins already noticed. A remarkable instance of this occurs in a very productive mine, worked by Earnest and Spenceley, on the Shullsburg branch, north of New Diggings.*

The zinc or dry-bone openings are, on the whole, the most frequent in the lower bed, though in some instances more rare, particularly in the eastern districts. In these the mineral is arranged in sheets, with the ores of zinc and iron, in nearly or quite the same manner as in the flat and pitching dry-bone sheets already noted. The same order is observed in the arrangement of the different ores in relation to the rock, and the same arrangement of the mineral in the sheet, sometimes disseminated in the zinc ore, and sometimes forming a separate sheet, between the

*I have observed in some of the ochre openings, layers or more detached masses of a white limestone, usually much disintegrated in the state of sand. A similar rock also occurs in the Upper Pipe-clay openings in the blue limestone.

lateral sheets of zinc, but more usually, in these openings, the former. The sheets, in these openings, are sometimes regularly horizontal, but more usually uneven, presenting a series of flats and pitches or undulations, sometimes along slopes of large extent and in different directions, but still limited by the extent of the opening, both in a vertical and horizontal direction. In some instances, although these sheets have been worked to the width of a hundred feet, their lateral limits have not been reached, their sides thinning out so as not to repay the expense of working. In these dry-bone openings different sheets are found, as well as different courses in the flat flint openings; usually one near the roof, and another near the floor, and sometimes others intermediate, the whole more or less connected by cross veins or seams. The opening rock is usually very much decomposed and stained, and more or less accompanied with seams and pockets of clay, as in the ochre openings. Both the ochre and dry-bone openings are traversed by vertical crevices, in which the mineral is arranged in vertical vein order, and is more regular in its form, as in the upper vertical openings. The mineral in these crevices, when they traverse the dry-bone openings, is not accompanied with zinc ores, but resembles that in the crevices in the ochre openings. Usually the mineral in the flat openings is larger and more abundant adjoining the crevices, and in the dry-bone openings, the sheet is enlarged, and the mineral more distinct from the zinc ore, sometimes even forming geodes. The dry-bone and ochre openings generally alternate, either one by one, or in successive groups. In some instances, the same range will in one part of its course be an ochre opening, and in another, a dry-bone opening. I have known the same range commence on the west with a mass of iron ore, then become a productive ochre opening, and terminate towards the east in a dry-bone opening.

The great quantity of calcareous spar (*tuff*) disseminated in the opening rock, and even in the rock generally, in the lower bed, particularly in the brown rock, has been already noticed. In some of the openings in this bed, large masses of calcareous spar are found, usually in horizontal courses, with more or less of a geodic

arrangement, the crystals aggregated so as to present the appearance of rounded bosses of a peculiar form. These masses usually occur along the lines of vertical crevices, and are sometimes found, in such cases, in small caves; the opening being only partly filled with the spar and the loose materials accompanying it. The latter are usually derived from the decomposition of subargillaceous layers, more or less accompanied with iron pyrites, and sometimes with the black oxyd of manganese (black ochre.)

Beds or bars of pyritiferous rock also occur in the openings of the lower bed, more remarkable even than those in the openings of the flint bed. They either underlie the opening rock near the base of the upper magnesian, or rise in the openings, as has been noticed of the bars in the flint openings, and consist of regular beds of the limestone, nearly filled with seams and bunches of iron pyrites, accompanied with more or less calcareous spar;* the whole forming by its decomposition a bed of ochry earth and hematite, and presenting during the process of decomposition the same appearances as have been noticed in the bar at the west end of A. Looney's level. In one instance (at Blinkiron's mine, north of New Diggings,) I observed such a bed underlying the opening, and overlaid by a bed of bluish grey limestone largely filled with bunches and geodes of calcareous spar, in small and often very perfect tabular crystals of great clearness and beauty.

The openings in the lower bed, particularly in the eastern districts, sometimes present a succession of pockets or bunches traversing the general opening rock, corresponding to a similar arrangement in the flint openings. In some instances, I have observed such an arrangement in smaller upper openings immediately overlying the large and uniform flat openings in this bed. The brown or black rock generally accompanies the openings in the lower bed in the south-western districts, and the green rock in the north-eastern districts; whence at Mineral Point and in its vicinity, the

* The calcareous spar generally forms segregations invested by the iron pyrites, and on the decomposition of the latter is sometimes found changed to the sulphate of lime (selenite.)

openings in this bed are known as the green rock openings, while in the south-western districts they are called the black rock openings.

In some instances, detached vertical crevice openings are found in the lower bed, traversed by a vertical vein, from which flat courses of small extent (2—3 feet) enter pockets in the sides of the crevice, showing a tendency to the formation of a wide flat opening, traversed by a vertical crevice and vein. These resemble the openings of an intermediate character between the vertical and flat openings, already noticed in the lower part of the upper bed.

Small quantities of copper pyrites have been observed, in different instances, in the openings in the lower bed, particularly in the vicinity of Fever river, accompanying iron pyrites or calcareous spar. Frequent traces of it occur in the masses of iron pyrites in the openings of the lower bed at W. Gillet's diggings (Buncomb,) and in connexion with the large masses of calcareous spar in openings in the same bed, above noticed, in different ranges between Fever river and the Shullsburg branch, east of Benton. In the latter case, the copper ore occurs near the junction of the spar with the rock, where the two are more or less blended, much in the same manner as it occurs in the large mass of tuff in Stephens' mine (Shullsburg.) The copper pyrites is always accompanied, in these instances, with more or less of the green and more rarely with the blue carbonate. The copper ranges at Mineral Point have also been worked chiefly in the lower bed.

It has been a common opinion that the blue limestone cuts off the mineral, and this has been understood of the blue limestone of Owen, or the formation immediately underlying the upper magnesian. This opinion has properly no reference to that rock, but to beds of hard blue rock found in different positions in the upper magnesian, which in many instances have been known to interrupt the mineral in its descent, both in sheets and in wider openings. This rock is usually more or less intersected with iron pyrites, and has been found at the bottom of openings in all the beds of the

upper magnesian, and sometimes rising into the openings and forming obstructions in their course, or intervening as a bar between contiguous openings. It may be considered as properly an opening rock, and when cutting off the mineral, as playing the same part as the masses of loose ferruginous materials which interrupt the mineral in the course of openings or veins, particularly in the lower bed of the upper magnesian. I have described the different openings, in their descent, as forming series at different levels; two in the upper bed (the upper and lower,) the flat openings in the flint bed, and those in the lower bed (the brown and green rock openings.) These beds or bars of pyritiferous rock appear to underlie occasionally all of these openings. In sinking on a vertical sheet traversing different beds, it is found liable to interruption on meeting such bars, but not always so; instances having occurred in which the sheet has traversed them, but usually more or less diminished in its passage. When such a bar underlies an opening, or interrupts a vertical sheet, usually for a certain distance beneath more or less of the mineral is disseminated through it in particles or seams. I was informed by Mr. Haskins of Dodgeville, that in one instance a vertical sheet, on which he was employed, was cut off clean by a floor of blue limestone, only small particles and seams of mineral being found in it for a short distance below the sheet. On examining the rock, I found it was only a modified portion of the common rock of the locality (the flint bed of the upper magnesian,) forming such a bar as I have described.*

The Blue Limestone of Owen is a good mineral-bearing rock, and like the upper magnesian, not only has its openings in each of its three beds, but is traversed by vertical and pitching sheets or

* These bars have been met in sinking below the different openings, and in following down vertical sheets, and from their great hardness have discouraged from further pursuing the mineral downward. From observation it has appeared to me evident that they are parts of a mineral range, in which iron pyrites replaces the mineral, and are of limited extent, and need not obstruct the progress of mining. Before attempting to work through them, it would be well to determine their extent by boring, which might be effected with comparatively little expense.

veins, which in some instances are said to have been traced through it to the upper sandstone. I have myself traced pitching sheets from the upper magnesian into the upper bed, and vertical sheets to the lower bed or buff limestone. The regular openings in the blue limestone are wide and flat, like those in the two lower beds of the upper magnesian.

The openings in the upper shell bed are called the pipe clay or brown rock openings. The former name is taken from layers of clay which traverse the openings, derived from the decomposition of the layers of shale which are interposed in the upper bed; the latter, from a bed of brown rock, already noticed, immediately overlying the upper bed, and forming a more or less immediate cap to the openings. These openings are merely a certain extent of the rock, which has suffered more or less decomposition, and through which the mineral is disseminated in flat courses, usually imbedded in the layers of clay above noticed. The rock in these openings is, on the whole, less stained than in the openings in the upper magnesian, and the mineral is less accompanied with iron. It is also more regular in its form, sometimes in very perfect cubes, but more often tabular, varying in size from very small, called dice mineral, to very large; the latter usually adjoining a vertical crevice. The mineral, whether large or small, is imbedded in the clay or shale, in the same manner as iron pyrites in pyritiferous shales, and is either quite isolated, or a series of cubes or tables is arranged in horizontal vein order, sometimes forming sheets of considerable extent. These openings are usually wide, sometimes equalling in width those in the lower bed of the upper magnesian, but in such cases the mineral is more confined to the vicinity of vertical crevices, although the intermediate rock is much decomposed, and contains more or less mineral disseminated. In some instances, I have found this change in the rock, with the accompanying mineral, extending only a few feet (6—8) on each side of a vertical crevice; the adjoining rock having the usual characters of the unaltered blue limestone and abounding in fossils, while in the altered rock of the opening the fossils are so decomposed as to be

hardly distinguishable. In some instances, as in the Irish Diggings near Mineral Point, the openings in this bed are very ferruginous, and the mineral is then sometimes accompanied with zinc ores, forming flat sheets similar to those in the lower bed of the upper magnesian. In some instances too, masses or bars of hard compact rock are found in these openings, intersected by very thin seams of mineral, and with small points of it disseminated, analogous to the hard blue bars in the upper magnesian. The openings in the upper bed have been worked at Mineral Point and Platteville, north of New Diggings, on the Yellow Stone, and in other localities in the eastern districts. In some instances, these openings have been very productive, particularly at Mineral Point, in the McKnight range, and in Bracken and Murrish's range on the Mineral Point branch, south of the village. Near Platteville, at the Back-bone (a narrow ridge between the Little Platte and the Rountree branch;) the occurrence of dice mineral (in the upper bed of the blue limestone) has been long known, and openings in that bed are now worked there to advantage.

The openings in the middle bed of the blue limestone are usually called the glass rock openings. They are situated either in the lower more compact parts of that bed, the upper fine-grained portion overlying them as a cap; and more or less stained of a brown color, as it approaches the opening, or beneath the middle part or proper glass rock, in the lowest division of the bed; adjoining the buff limestone. In the glass rock openings, more variety has been observed than in the pipe-clay openings above mentioned. In some instances, they are dry-bone openings; the mineral being accompanied with zinc ores, forming sheets, arranged as in the corresponding instances in the upper magnesian. These sheets are generally quite horizontal, though irregularities in their course are sometimes observed, particularly where crossed by vertical crevices. The same alternations of enlargement and contraction are observed in the sheets, as already noticed; the mineral, in the latter case, being disseminated through the zinc ore mostly in the middle line of the sheet, and in the former, usually forming a

distinct middle sheet, and sometimes a geode. These geodes are sometimes occupied in the centre by calcareous spar or sulphate of barytes, or by the two in distinct segregations. At the crossing of vertical crevices, there is usually an increase of the mineral, in larger and more regular forms. In some of these dry-bone openings, the sulphuret of zinc (the original ore) has been very little changed; in others, it has been chiefly converted into the carbonate or silicate (dry-bone.) The former is the case at Haswell's mine, west of Mineral Point village, and the latter at the Falling Spring mine, south of the village. The cause of such a difference is not very obvious. The finest specimens of the carbonate of zinc yet seen by me, were found in the dry-bone sheets in the openings in the blue limestone near Mineral Point, particularly at the Irish Diggings. In other instances, the glass rock openings are without zinc ores; the mineral being found under circumstances similar to those under which it is found in the pipe-clay openings. The greater part of the openings in the South Forked-Deer Diggings, on Wood's branch, are glass rock openings of this character. Only one dry-bone range (Woffal's) occurs in those diggings, parallel in its direction to the other ranges. In these openings, there are usually two courses of mineral; a lower, in a layer of grey shale, similar in its character to the grey shale in the flint openings at New Diggings, in which the mineral is of the same cubic or tabular form and imbedded in the same manner as in the layers of clay in the pipe-clay openings; and an upper, in which the mineral forms a flat sheet, more or less interrupted or broken by interposed clay and calcareous spar. These openings are of great width, but low, and the rock between the courses of mineral is generally hard, which renders it difficult to work them by drifting.

In a few instances, flat openings of no great width have been found in the middle bed, chiefly occupied by masses of calcareous spar, arranged horizontally between layers of clay with more or less iron and sometimes with large quantities of black oxyd of manganese (black ochre.) These closely resemble in structure similar

masses of calcareous spar, already described as occurring in the lower bed of the upper magnesian. From the settling of the loose materials accompanying the spar, there is usually a small vacuity below the cap, forming a cave. A remarkable instance of this kind occurs in the middle bed of the blue limestone, just north of *Quinby's quarry*, already referred to. Such openings with calcareous spar have not yet been found productive in mineral. An opening of a similar kind, but of greater width, has recently been found at *Meeker's Grove (Buzzard's Roost)* in the glass rock, chiefly occupied by similar horizontal masses or beds of sulphate of barytes, accompanied laterally with small quantities of calcareous spar. There are two such beds of sulphate of barytes, one above, another below, separated by a bed of clay with small points of calcareous spar, barytes and iron disseminated. In these beds of sulphate of barytes, mineral is found firmly imbedded, and in such quantity as to be worked to good advantage; usually of a regular form and brilliant surface; a series of larger more detached pieces arranged along the middle of each bed, and a more connected series or sheet of smaller pieces along the sides, above and below. This is the only instance of the kind I have yet observed; but mineral has been found imbedded in sulphate of barytes, in openings in the lower bed of the upper magnesian in that vicinity. The glass rock openings have been worked most extensively at *Mineral Point*, where some of them have been very productive.

Openings have been found in the lower part of the lower bed or buff limestone, generally wide and flat, and strongly resembling good mineral openings in other beds, but have not yet been fairly proved. They are sometimes traversed by layers of clay, derived from the subargillaceous layers of the rock, and in such cases resemble much the upper pipe-clay openings, from which circumstance they have been called the lower pipe clay openings. In other instances, they are found to contain large quantities of calcareous spar, in masses similar to those in some of the glass rock openings, with more or less mineral and some zinc ore connected. Large openings of this kind, in the lower bed, have been reached

by sinking below the glass rock opening, at the south Forked-Deer Diggings, and at Haswell's mine near Mineral Point. In a few instances, near the latter place, considerable quantities of mineral are reported to have been taken from openings in the lower bed near its outcrops.

A remarkable opening in the blue limestone occurs at the Aspen Grove mine (Shook's Prairie, Green Co.,) apparently traversing different beds of the rock, and in its character, unlike any other which I have examined. It forms a very wide vertical East and West crevice, with regular walls, occupied by an opening rock, more or less traversed by seams of mineral and iron pyrites, distinct or combined, intersecting the rock in a manner similar to the arrangement noticed in some of the flint openings (p. 50.) The mineral in these seams is composed of small cubes, more or less regular, grouped in sheets or small bunches, and is accompanied by more or less of crystallized carbonate of lead, often very distinct and regular. This is sometimes in large quantity, but has appeared to me only subordinate to the sulphuret. The opening is divided towards the west by a large key-rock, running out in a point towards the east, adjoining which the mineral is said to have been most abundant.

The Upper Sandstone, so far as I have been able to ascertain, has not yet been found to contain mineral either in crevices or openings; but a sheet of zinc ore and iron pyrites at Mineral Point, already referred to (p. 55,) is said to have been traced 2—3 feet into that rock, in the line of a crevice bearing mineral to the base of the blue limestone. Copper ore is also said to have been found in the sandstone at the depth of several feet, in the same vicinity. It is thus not improbable that if the mineral is interrupted in the sandstone, ores of zinc and copper may be found there in its place.*

If the mineral is interrupted in the upper sandstone, it reap-

*The Ulster lead mine (N. Y.) is in a bed of sandstone, interposed between two beds of limestone. This fact offers some encouragement to expect that mineral may yet be found in the upper sandstone.

pears in the Lower Magnesian. Numerous instances are stated of the occurrence of mineral in the lower magnesian in Owen's reports (1847, 1852,) and several other localities have been mentioned to me by different individuals, near the Mississippi, and in the country between it and the Kickapoo, north of the Wisconsin. I shall however confine myself here to my own observations. I have not yet had time to explore the country occupied by the lower magnesian to any extent, and have visited no other diggings in that rock, but those in the vicinity of Blue river, known as Oleking's Diggings. These however furnish satisfactory evidence that the mineral occurs in that rock, in as proper openings, in as large masses, and arranged as regularly as in the upper magnesian. These diggings are in the sides of a ravine, 60—70 feet deep, leading to the Blue river, about three miles west of Franklin village. The lower magnesian occupies the sides of the ravine nearly to the summit, where it is overlaid by a low bluff of the upper sandstone. About three fourths of the descent below the sandstone is occupied by a steep slope, formed by the softer upper bed of the lower magnesian, below which is another low bluff formed by the harder middle portion of the same rock. Three successive openings, one above the other, appear to occur here in the lower magnesian; one 8—10 feet below the sandstone, another just above the harder middle bed, and a third below the bottom of the ravine, in the latter bed, and at the depth of about 70 feet in the lower magnesian. The openings appeared partly narrow and vertical, partly wide and flat, with appearances of decomposition and stain in the rock, deposits of clay and ochre, and arrangements of the mineral, similar to those in the upper magnesian. Flint, such as is peculiar to the lower magnesian, is found in the openings, and is connected with the mineral in the same manner as has been noticed in the flint openings in the upper magnesian. The mineral in these openings generally appeared in more or less detached masses (chunk mineral,) often very large, weighing more than 100 lbs; a few even more than 500 lbs.* It was what is

*One mass was reported to have been found weighing 3000 lbs.

called pure mineral, free from iron and zinc ores, and strongly resembled that found in the upper vertical openings in the upper magnesian. After examining this locality, I could not doubt that the lower magnesian is a good mineral-bearing rock.

I have thus been able to trace the mineral in a series of crevices and openings from the summit of the upper magnesian to the depth of 60—70 feet in the lower magnesian, and have found all the different beds of limestone good mineral-bearing rocks, each with one or more openings, besides vertical or pitching sheets or veins. The small depth to which mining has been extended does not allow one to trace the mineral through the whole of the extent downward in any one instance, but wherever circumstances permit of examination, the order of succession in the openings is found to be regular, and in multiplied instances vertical crevices and veins have been found passing down from one opening to another. It is then probable that the series is generally continued through the whole downward extent indicated, subject only to such interruptions as are more or less common in all veins. The arrangement appears most analogous to that of the lead mines in the North of England, where the veins traverse different beds of limestone, separated by beds of other rock (sandstone or grit, shale, and toadstone or amygdaloid,) but the mineral is chiefly confined to the limestone, the other beds being generally considered barren, and where there is a similar combination of vertical crevices and veins with more or less extensive flats, corresponding to the flat sheets and openings in the mineral district.

In resuming the statements in relation to the openings in the different strata, it will be seen that at least seven well ascertained openings, not reckoning their subdivisions, have been found in the upper magnesian and blue limestone, namely, two in the upper bed, and one in each of the two lower beds of the former, and one in each of the beds of the latter. The lower magnesian apparently presents three in the instance above specified: two in its upper bed (an upper and a lower,) corresponding to the two in the upper bed of the upper magnesian, and one in the lower bed

at that locality, which is apparently the middle bed of the whole. Admitting a third lower bed with its opening, the whole number of openings in the lower magnesian would be four, and in the whole series of mineral-bearing limestones (upper magnesian, blue limestone and lower magnesian,) eleven.

SURFACE ARRANGEMENT.*

In exploring the different diggings, it will soon be evident that there is a great degree of order in the surface arrangement. The East and West as well as the North and South ranges will be found combined in groups, the different ranges in which are almost invariably parallel. The East and West ranges are obviously the leading ranges, to which the North and South and quar-tering ranges are appended, but the two latter, particularly when arranged in groups, play an important part in the arrangement, and either interrupt the East and West ranges, or shift them laterally to a greater or less distance. But groups of North and South ranges are sometimes interrupted and even shifted by a single East and West range. The bearing of the leading ranges, known as the East and West ranges, it has already been stated, is rarely, if ever, due east and west, even deviating from that course as much as 45° in some instances; but this bearing is uniform in each group, and often in an extensive series of groups. In a single group of East and West ranges, it will be generally found that the ranges have a common limit towards the east and west, but this limit is rarely at right angles to the direction of the ranges; each range successively receding so as to throw the limit into a direction more or less oblique to that of the ranges. The whole group of ranges will thus take a rhombic form, and if we begin at the most western point of the group, will bear either north-easterly or south-easterly, according as the ranges recede from that point

* My views in regard to the surface arrangement were first formed soon after I commenced my examinations for the American Mining Company in May, 1853, and were stated in reports communicated to the Company in July and August of that year.

on the north or the south. This is called, by observing miners, the direction of the body or weight of the mineral. A remarkable instance of this occurs in the three large ranges, adjoining the village of Platteville, on the Galena road, (Flynn's, Bevins' and the Rountree range.) The north range (Flynn's) extends farthest west, and terminates towards the east nearly opposite the middle of the next range (Bevins'), which again terminates towards the east nearly opposite the middle of the south (the Rountree) range; the body of mineral thus bearing south-easterly. In this instance, the successive ranges recede much more strongly than is usually the case in such groups. In other instances, such strong recessions take place by groups rather than by single ranges; the particular ranges in each group receding but slightly, while the groups recede in the manner above indicated, or even more strongly. An instance of this kind, where the groups succeed each other so as to overlap the adjoining but about half the length of the ranges, occurs in the body of mineral extending from Vinegar Hill (Ill.) to South Buncomb (Wisc.) near the State line. In this instance, the groups of East and West ranges are limited on one side by groups of North and South sheets, which shift apparently by pairs from the east to the west side of those groups. The bearing is to the north-east, but that of the whole body more oblique than that of any single group.

The bearing of the body of mineral may be either north-easterly or south-easterly according as the ranges or groups recede to the east on the north or south side of the most western point. In the instance at Platteville, the bearing is south-easterly; in that at Vinegar Hill, north-easterly. In some instances, there is a combination of both, the ranges or groups receding eastward from a given point, both on the north and south sides of it. This is apparently the case in the body of mineral at Vinegar Hill, which, from a point not far south of that locality, recedes eastward both on the north and the south; the whole body making a bend or curve at that point from north-west to north-east in proceeding from the south.

The groups, in some instances, are not marked by a recession in the direction of the ranges, but are shifted (heaved) transversely, at or near their extremity, the entire width of the group, or only partly so. A remarkable instance of this occurs in a body of mineral traversing the South Hazel Green Diggings, where the bearing in each group is N. N. Easterly, but the successive groups shift to the north to a greater or less extent, and are connected at each shift by quartering ranges bearing north-easterly. In this instance, the bearing of the entire body is very oblique to that of each group, and the groups appear shifted successively to the north by the passage of the quartering ranges. But though in this instance the successive groups are shifted to the side on which the ranges recede eastward, namely, to the north, yet they may be shifted in like manner to the opposite side or the south. This occurs at the Hoss Diggings, at the northern extremity of the Hazel Green Diggings, where the body of mineral appears to fall back and curve around from the north-east towards the east and south. In some instances, the groups shift alternately to the north and the south, preserving in the whole the same general direction, and in these instances also, North and South or quartering ranges mark the points of shifting. This may be observed in an extensive body of mineral bearing E. S. Easterly (the direction of the individual ranges,) through Swindler's ridge (Benton.) This may be traced more or less distinctly along a line of 2—3 miles, showing a succession of groups shifted alternately to the north and south, and in some instances marked distinctly by cross ranges at the points of shifting. Thus the eastern group (D. Murphy's) is limited on the west by two cross sheets bearing north by west, and is succeeded, after an interval traversed only by a quartering range bearing north-westerly, by another group (Ellis') shifted to the north, and this by another (J. Edwards') shifted to the south by a cross range bearing south by west. The same succession may be traced still farther west, but less distinctly. In other instances, a series of successive groups or ranges will be shifted to the north for a certain distance, and then to the south, so as to give to the whole a curved outline, like a bow. An instance of this occurs

at Shullsburg, in the ranges on the hill south of the village, more particularly in the south range, where the shift is to the north on the west, and to the south on the east, in proceeding eastward. Other instances of curvilinear arrangement appear to arise from successive changes in the direction of the ranges, marked, in some instances at least, by the passage of ravines. Ranges or groups with such curved outlines are called horse-shoes by the miners. The Heathcock range at Linden, and the body of mineral at Dodgeville, on which Washburn & Woodman's engine is placed, have such an arrangement.

I have thus far traced the arrangement of ranges into groups, and of groups into larger bodies of mineral. But even the latter appear connected in more extensive series, traversing a greater or less extent of the mineral district. In such cases, the different orders of succession, above noticed, may be combined; in one part of the series, the groups merely receding to the east, like the ranges, and in another, shifting to the north or south across the ranges; the direction, in the former instance, approaching north and south; in the latter, east and west. The different series also appear conformable to a certain extent in their outline; thus showing a tendency to a general systematic arrangement throughout the whole. This more general arrangement will be best pointed out in connexion with the detail of the local arrangement, and by the aid of the map representing that arrangement.

The relation of the North and South and quartering ranges to the East and West ranges is a subject of much interest and importance. It has already been observed that the East and West ranges are apparently the leading ranges, those which predominate and give the prevailing direction to the mineral. When the North and South or quartering ranges are small and insulated, they are often cut off or shifted by the East and West ranges. They are then considered as feeders of the East and Wests, but are rather only offshoots or branches of the latter. North and Souths and quartering ranges, when larger or grouped, frequently either entirely interrupt or cut off the East and Wests, or cause them to shift.

to the right or left a greater or less distance. Groups of cross ranges are frequently placed at the termination of groups of East and West ranges, in one or both directions. When the direction of the body of mineral approaches north and south, and the successive groups only recede, or slip by each other, I have sometimes observed these groups of cross ranges only at one extremity of the East and Wests, and alternately, singly or in pairs, on the east and the west. In such cases, they seem to mark the limits of the East and Wests, as well on the side where they are placed, as on the opposite; the ranges being limited in the last direction by the line drawn between the successive groups on that side. This arrangement is observed in the body of mineral extending from Vinegar Hill to Buncomb. In this instance, it is worthy of note that large quartering ranges extend from one group towards another, apparently governed in their direction by the arrangement of the North and South groups; bearing E. N. Easterly, where the North and South groups succeed each other from west to east, and W. N. Westerly, where they succeed each other from east to west.

When the groups of East and Wests are shifted to the north or south, at or near their extremity, the groups of cross ranges serve to connect the contiguous East and West groups at the point of shifting. A series of these may be traced, more or less distinctly, along the whole course of the body of mineral traversing the South Hazel Green Diggings.

In some instances, extensive series of North and South groups occur, traversing a body of mineral in the direction of its bearing, and in these cases, the successive groups are shifted by the passage of one or more East and West ranges. The entire series may be considered as one body of North and South mineral, successively interrupted and shifted by the East and Wests. Two lines of such groups of North and Souths occur in the east part of the North Hazel Green (Jefferson) Diggings, where the North and Souths are shifted to the east towards the south, and to the west towards the north, by the passage of the East and Wests. In one instance, I observed there a North and South sheet apparently

rising as it approached the opening in the East and West range, as if to pass above it. In other instances, a group of North and Souths will be interposed between two corresponding groups of East and Wests, generally towards one extremity of the latter; the North and Souths stopping short of the East and Wests, and even of short North and Souths leading towards them from the East and Wests, and the space between the latter, not included in the group of North and Souths, presenting but slight indications of mineral. The group of North and Souths, at South Hazel Green, known as the Phelps lot, is such an instance.

Generally, when ranges having different directions meet each other, one will predominate, and the other be cut off entirely, or if continued, be diminished and soon run out. At the same time, there will be usually an increase of mineral at the point of junction. But in some instances, the two apparently interrupt each other, leaving a space, at their passage, in which little or no mineral is deposited. In such cases, the different ranges appear slightly to affect each other and soon resume their former course. Such instances occurred at the crossing of East and Wests and North and Souths, in the West Diggings at Shullsburg.

The most extended bodies of mineral are usually formed by the groups of East and West ranges, whether arranged in a series bearing north-easterly or south-easterly, or more directly east and west; but in some instances, North and Souths form very extended series. Thus a line of North and Souths may be traced at intervals from the large North and Souths at the East Blackleg Diggings, which cross the eastern extremity of a large group of East and Wests (the West Blackleg,) to the western extremity of the Shullsburg Diggings, at S. Townsend's, where the mineral again takes an easterly direction. The series is apparently continued in another body of North and Souths, extending from the East and Wests at Shullsburg, 3—4 miles N. N. Easterly, through the Irish Diggings, to the Stump Grove Diggings, where the East and West direction is again resumed.

The East and Wests generally form wider openings in which the

mineral is in larger and more detached masses, and in more regular forms, while the North and Souths usually present only narrow crevices, traversed by more even and uniform sheets; but East and Wests not unfrequently take the character of the North and Souths and carry sheets, while North and Souths, but much more rarely, present wide crevices (carrying large and square mineral, like that of the East and West openings,) and even flat openings in the lower strata.* Wide North and South crevice openings, with well marked East and West mineral, have been observed by me, at B. Coe's, on the west side of Fever river (north of Benton,) in the lower bed of the upper magnesian, and at the Irish Diggings, north of Shullsburg, in the upper bed of the same rock, and a North and South flat opening, crossing one of the regular East and West flat openings, at the Brushhill Diggings, in the flint bed. East and West sheets are very rare in some districts, but very frequent in others. Thus, at Dubuque and Fairplay, the East and Wests are generally crevice openings or wider vertical openings, while at Hazel Green, East and West sheets are very frequent, grouped with wide openings, as if appendages of the latter. At Vinegar Hill, a large group of East and West sheets (8—10 in number) is interposed between two of the wide openings. These instances all occur in the upper bed of the upper magnesian. It is a question with the miners, whether these groups of East and West sheets may not lead to large openings beneath. This has been shown to be true at Shullsburg, where mining has been continued from the openings in the upper bed of the upper magnesian into the flint bed, and where different crevices above, bearing mineral, have been found to enter a common flat opening below. Generally, in the wide flat openings in the lower strata, several crevices will be found to traverse the roof, often carrying sheets of mineral.

In the different groups of ranges, whether East and Wests or North and Souths, there will usually be found some one range

*In one instance (at Shaw's Hollow,) I observed a North and South sheet terminating at a certain depth (in the flint bed,) in a small cave opening, filled, except near the roof, with loose materials containing much of the black oxyd of manganese (black ochre.)

larger than the rest, called the champion or master range. But in some groups, particularly where the openings are generally large, this distinction is less obvious.

I have already observed that the term East and West is applied to the leading ranges, although they may deviate even 45° from a due east and west course. On comparing the different diggings, it will be found that a certain order prevails in the bearing of the leading East and West ranges; the different ranges in each usually having a common bearing, and a number of different diggings being found combined into a more extended series by the common bearing of their ranges. Thus the general bearing of the leading East and West ranges is, by the compass, $E. 8^{\circ} N.$ in the Hazel Green, Fairplay and Lower Menominee Diggings, and in those in the adjacent parts of Illinois and Iowa (at Vinegar Hill, north of Galena, and at Dubuque;) $E. 5^{\circ} N.$ in the Brushhill, Whig and Platteville Diggings; $E. 20^{\circ} S.$ in the Potosi, Upper Menominee, Patch and Benton Diggings; also in the Shullsburg and Mineral Point Diggings, and in a large extent of the eastern diggings, chiefly in the northern part of Green county; $E. 10^{\circ} S.$ in the Cassville and Beetown Diggings; also in the S. E. Platteville and Elk Grove Diggings; $E. 5^{\circ} S.$ at North Buncomb, Shaw's Hollow and New Diggings; and S. E. in the range of diggings near Fever river, extending from Buzzard's Roost to the Shullsburg branch at Quinby's mill. The bearing of the ranges has thus an important connexion with the systematic arrangement. It should be viewed in this connected manner to give it interest both in a scientific and practical point of view.

On looking at the map, in which I have attempted to give the local arrangement of the diggings, so far as I have examined them, a systematic order presents itself, pervading the whole district, which indicates that the mineral deposits are not casual, but regularly arranged. This may be regarded as an important confirmation of the facts already stated in relation to the arrangement of the mineral in veins. My object, in this map, is not to

give all the particular ranges, but only the mode of arrangement, and the relative extent of the diggings. It includes only that part of the mineral district in Wisconsin, already examined, with some of the connected diggings in the adjoining part of Illinois. Had I been able to make a reconnoissance of the whole of the mineral district, the arrangement would have been more complete, and some of the series better filled than they now are; but such as it is, it will serve to illustrate the view I have taken of the subject, and the mode in which I should proceed to investigate it.

The first point to which I would direct attention is the occurrence of several extensive connected series of ranges between which little or no mineral has yet been discovered. These series exhibit a general conformity in their arrangement. Beginning at the south-west, they first bear northerly, then easterly, and then south easterly; thus forming an extensive curve. I have already observed that one of these series (that at Vinegar Hill, Ill.) first bears north-westerly (N. N. W.) and then north-easterly. This course may also be traced in the series next west (that at Hazel Green,) and the observations which I have thus far made in other series would seem to indicate this as the general arrangement.

The different series, which I have been able to trace, are the following, beginning at the north-west: 1. That commencing at the Muddy Diggings, north of Cassville, then passing N. N. E. to the North Diggings, and then east to the Beetown Diggings, where it expands particularly towards the north, and towards the east shows a bearing to the south-east. This is probably connected with the Pigeon Diggings and other diggings farther east, north of the line of my present exploration. On the south-west, it may be connected with the diggings in Iowa opposite Cassville. 2. That extending from near the mouth of Grant river through the different groups of the Potosi Diggings to the Red-Dog Diggings in a north-easterly (N. N. E.) direction; then east by the Brushhill and Whig Diggings to the Platteville Diggings, where it expands towards the north; and then in an E. S. E. direction through the South-East Platteville and Elk Grove Diggings to the Strawberry

Diggings, where it is interrupted by a wide extent of prairie farther east, in which no ranges have yet been traced. This is probably connected in range with the diggings west of the Mississippi, in a direction south from Potosi, (the Macoqueta and Dubuque Diggings,) which would farther complete it on that side. 3. That commencing near the south line of the State in the Fairplay Diggings, and extending northerly (first N. N. E. then N. N. W.) through the Lower Menominee to the Upper Menominee (Jamestown) Diggings; then bearing E. N. E. through the latter, then shifting north-easterly to the Patch Diggings, then passing E. S. E. to the Buzzard's Roost Diggings, and then bearing south-east to the Shullsburg branch, north of New Diggings. This is probably connected with the Lower Galena Diggings, in the forks of Fever river and the Mississippi, S. S. E. of the Fairplay Diggings. 4. That including the Hazel Green Diggings, which may be traced from those diggings into Illinois, first S. S. W. then S. S. E. to the Upper Galena Diggings (north of Galena.) On its western border, in the Hazel Green Diggings, it bears N. N. E. to the Hoss Diggings, and then curves around to the E. S. E. through the Benton Diggings to Fever river at Benton. 5. That including the Vinegar Hill Diggings, bearing N. N. W. to Vinegar Hill, then north-easterly to Buncomb and Shaw's Hollow, and then easterly through the New Diggings. 6. East of the south-east point of series 3, the E. S. E. direction of series 4 (at Benton) is resumed at Earnest and Spenceley's Diggings on the Shullsburg branch, and continued through the Shullsburg Diggings. These are intersected by the extensive range of North and Souths leading from the East Blackleg (connected with a series of East and Wests on the East Fork of Fever river) through the North and Souths at Townsend's and the Irish Diggings to the East and Wests at Stump Grove, N. N. E. of Shullsburg. 7. A series of small groups may be traced easterly, in a line east from the Strawberry Diggings, through Skidmore's and Halstead's Diggings, by Darlington, to Whiteside's Diggings, whence it bears south-easterly to the Wiota Diggings. 8. Another series, commencing at King's and the

Forked Deer Diggings, west of the West Pecatonica, extends first E. N. Easterly by the Duke's Prairie Diggings to the Yellow Stone Diggings, then through these in a general easterly course to the East Pecatonica, and to Biggs' and the Badger Diggings, and then south-easterly by Shook's Prairie (the Aspen Grove Mine) to Skinner's Diggings and others north and east of Monroe. 9. The diggings at Mineral Point apparently form part of another series, commencing on the south-west at the forks of the West Pecatonica and the Mineral Point branch, and thence bearing N. N. Easterly, but the course of which I have not yet had an opportunity of tracing satisfactorily to the north-east and east. This series perhaps extends by Dodgeville, Ridgeway and the Blue Mounds to Exeter; first bearing N. N. E. to Dodgeville, then east to the Blue Mounds, and then south-east to its termination at the valley of Sugar river.

These series are in some instances connected by intermediate groups. Thus the South-West Platteville Diggings may be considered as intermediate between series 3 at the Patch Diggings and series 2 at the main body of the Platteville Diggings. Other instances will be stated in the details following. In no part of the mineral district examined, have I observed so great a connexion of different series as at Benton and New Diggings, where several seem to concentrate.

The grouping of the East and Wests by their bearings does not correspond strictly with this arrangement in connected series, but has important relations to it. Thus the bearing E. 10° S. prevails through series 1, as far as yet examined, and in the east part of series 2, where it bears E. S. E.; but these two divisions are remote and detached. That of E. 20° S. prevails in the Potosi Diggings in series 2, the Upper Menominee and Patch Diggings in series 3, the Benton Diggings in series 4, and the Shullsburg Diggings in series 6. These extend across the country in a general E. S. E. direction, and include all the diggings in their course, except the south-east point of series 3. The same bearing is observed in the Mineral Point Diggings and in most of the diggings

east of the East Pecatonica in Green Co., including those in the east part of series 8. The bearing E. 8° N. prevails in the southwest part of series 2, 3, 4 and 5, presenting one great body of mineral from west to east, the most remarkable and that which shows best the predominance of the East and West ranges. Different ranges are supposed to be continued through the whole extent from the Dubuque Diggings on the west to the Hazel Green Diggings on the east, and even farther, and some are said to have been traced through by survey. At least it may be affirmed that the series formed in nearly an east and west line, by the Dubuque, Fairplay and Hazel Green Diggings, and continued through those at Benton, New Diggings and Shullsburg, is the most connected and regular and in the whole the most productive of any in the mineral district.

Some series of less extent or more interrupted may be traced, conforming in their arrangement to the more extended series, and perhaps indicating the course of bodies of mineral which have not yet been explored. Thus one such may be traced from a group of ranges S. S. E. of Sinsinawa Mound (Gautier's and others,) N. N. E. by Turner's Diggings to the Findley Diggings on the west fork of the Sinsinawa, and to the source of the east fork of the same. The large bodies of mineral recently found at Turner's Diggings would seem to indicate that farther important discoveries may yet be expected along that line. Slighter indications of another such series may be traced, between the Mississippi and the Great Menominee, from Gilbert's and Henderson's diggings, just south of the State line, by Sinipee to the Wolf Diggings, near Dickeysville (Paris,) west of the Jamestown Diggings. These lines of detached diggings, although they may be as yet of little importance, are worthy of notice, in connexion with farther searches for mineral, or as guides for prospecting.

In tracing the different series, it will be found that the different groups succeed each other in a certain order, variously modified indeed, but yet tending to a general system. The following detail will serve better to illustrate the arrangement of the series.

Thus, following the west border of the first series, it will be found to bear north-easterly from the Muddy Diggings (1 *a*) to the North Diggings (1 *b*), and then east to the south-west point of the Beetown Diggings, which first present a large group of East and West ranges (the Muscoulunge Diggings, 1 *c*.) extending northerly along the east side of Rattlesnake creek. This is marked towards the north by a line of quarterings, bearing north-easterly, at Brown's range, indicating a recession to the north-east. On the south, this group is connected with a group farther east (the Nip and Tuck Diggings, 1 *d*.) in which numerous North and Souths are combined with fewer East and Wests, marking a similar direction to the north. Next succeeds the main body of mineral in this series (the proper Beetown Diggings, 1 *e*.) in the ridge between the Beetown branch and Grant river, and in a position, on the whole, farther north than the two latter groups. The bearing of this is south-easterly; the more northern ranges extending farther west, and the more southern farther east, and this bearing is further marked by quarterings and North and Souths, bearing in the same general direction.* A detached group (Haslett's Diggings, 1 *f*.) N. N. E. of the north-west point of the proper Beetown Diggings, forms the northern limit of this series, and is apparently continued E. S. Easterly in a small group of diggings on the east side of Grant river.†

The series 2 also presents a similar succession of groups. The South Potosi Diggings (2 *a*.) commencing on the east bank of Grant river, near its mouth, extend N. N. E. along the east side of Rigby hollow to the summit between Potosi (Snake) hollow and the waters of the Platte, and from this line bear E. S. Easterly, extending much farther east towards the north than towards the south; the group forming a curve, analogous to that of the entire series, directed towards the Patch and Upper Menominee Diggings. After a considerable interval, another group (Craig's

*The ranges called North and Souths have here a N. W.—S. E. bearing.

† This last group probably forms a connexion between the Beetown and Pigeon Diggings.

Diggings, 2 *b*) commences at Buenavista, where it is marked on the west by a line of North and Souths, bearing around from S. S. E. on the south to N. N. E. on the north, and limiting the East and Wests in this group on the west. The south-east border of this group is also marked by North and Souths bearing N. N. Easterly. This is followed by a series of groups successively receding to the east towards the north (Coyle's, Rockville, Pinhook and Red Dog Diggings,) the last of which (2 *c*) terminates on the east in a bluff on the west side of the Big Platte. This last group is particularly marked by quartering crevices, indicating a change in the direction of the series to the east. In the interval from the Red Dog Diggings to the Platteville Diggings, only two considerable groups, the Brushhill and Whig Diggings (2 *d*—2 *e*), bearing nearly east and west, mark the course of the series. The Platteville Diggings (2 *g*) then form an extensive body of mineral, bearing north-easterly from the South-West Diggings (2 *f*) through the line of diggings along the south side of Platteville village, including the three ranges on the Galena road already noticed, to two large groups north of the village, successively receding east. A line of ranges, east of the village, also bears north-easterly from the east point of the group south of the village, extending east, at its north-east point, in a projection crossed by North and Souths. The series is then continued in a direction E. S. E. from the group south of the village, through the South-East Platteville Diggings (2 *h*) to the north-west point of the Elk Grove Diggings (2 *i*) at J. Phillips' farm. The principal groups in the Elk Grove Diggings extend N. N. E. from their south-west point at Hutchinson's Diggings, along the west side of the west branch of Fever river to their north-west point above indicated, and then bear E. S. Easterly to the North Diggings near the Elk Grove and Mineral Point road. A few more isolated ranges lie south of the latter towards Elk Grove village. Farther in the same E. S. E. direction, is a large detached group (the Strawberry Diggings, 2 *j*), on the east side of the east branch of Fever river, also extending N. N. E.; marked, on the south, by a remarkable change in the direction of

the ranges from a south-east to an E. S. E. bearing (that of the ranges in the main body of the group towards the north.) East of this group, there is a wide interval in which no ranges have been discovered. The series 7 commences at Skidmore's Diggings nearly east from the south point of the Strawberry Diggings, and in the direct interval between these, traces of mineral have been discovered at the Light-House tavern, on the Platteville and Shullsburg road, perhaps indicating the passage of ranges along that line.

The next series (3) commences on the south with a very extensive group (the Fairplay Diggings,) extending, along its western border, from its S. W. point near the State line, in a N. N. E. direction, with a series of recessions to the east, most strongly marked towards the north. This may be divided into two subordinate groups, separated by the east and west hollow at Fairplay village. The South group is divided into two parallel series, bearing northerly, in which the ranges generally correspond, but separated by an interval in which most of the ranges are apparently interrupted or have not been followed. The ranges, however, are more connected towards the north; the two series uniting in the ridge south of Fairplay village. The western series (3a,) along the east side of the Fairplay branch, was discovered and worked five years before the other, along the west side of the Sinsinawa Mound at the Jamestown Mine.* The most northern ranges and the most southern in the eastern series (3b) extend or at least have been worked much farther east than the intermediate ranges. The Northern group (3c) projects slightly to the west at its S. W. point, and then recedes to the east, at first more slightly in a number of extensive ranges, and then largely towards the north, where it forms a subordinate group of less extent from east to west, and terminates in a detached range on A. Taylor's farm. From this point the series projects to the N. W.; its course in that direction being marked by three successive groups of East and Wests, crossed by N. West quartering ranges

* The diggings in the West series were struck in 1841-2; those in the East, in 1846-7.

leading towards the west point of the Upper Menominee Diggings. Of these groups, the second (the Lower Menominee Diggings, 3*d*) is the most considerable. The Upper Menominee (Jamestown) Diggings (3*e*.) present a series of East and Wests (bearing E. S. E.,) the most southern commencing farthest west, and the more northern receding successively to the east in groups overlapping each other more or less, the bearing of the whole body of mineral being E. N. E. On comparing the series subordinate to series 3 on the east, the first group will be found S. S. E. from the S. E. point of the Fairplay Diggings; the second, east of that point; the next (Turner's,) nearly east of the subordinate group at the N. E. point of the Fairplay Diggings; the next (Hindley's,) nearly east of the Lower Menominee Diggings; and the last (at the source of the east fork of the Sinsinawa,) E. N. E. of the east point of the Upper Menominee Diggings and south of the Patch Diggings. The Patch Diggings (3*f*.) the next in succession to the Upper Menominee Diggings, lie considerably to the N. E. of the latter, in a direction towards the Platteville Diggings, and occupy an intermediate position between them. They consist chiefly of a main body of East and Wests, crossed on the west and east by groups of North and Souths, which serve to mark the limits in those directions. In the interval between the Patch Diggings and the Buzzard's Roost Diggings, in an E. S. E. direction, I have observed only a small group, a little S. E. of the forks of the Platteville and Elk Grove roads. The Buzzard's Roost Diggings (3*g*.) are the commencement of a series of diggings (3*h*.) already mentioned, bearing south-easterly across Fever river to the Shullsburg branch. These diggings are in the lower bed of the upper magnesian and in the blue limestone, principally in the former. They include those along the west side of Fever river to the Missouri branch near Benton, and those between Fever river and the Shullsburg branch to the Benton and Shullsburg road. This is the only instance I have yet observed of such a S. E. direction of the leading ranges. That this direction is not derived from the strata in which the diggings are situated is shown by the

different direction of the ranges in the same strata both at Mineral Point and in the immediate vicinity in the dry-bone diggings west of Shullsburg. The Lower Galena Diggings, in the forks of Fever river and the Mississippi, S. W. of Galena, are in a S. S. E. direction from the Fairplay Diggings (conformably to the arrangement observed in series 4 and 5,) but I have not yet traced a direct connexion between them.

Series 4 may be considered as commencing in the Upper Galena Diggings, on the west side of Fever river, adjoining Galena on the N. E. It extends north-westerly from these by Comstock's Diggings to the Camp Ground, west of the Galena and Mineral Point road, whence it bears northerly, west of that road, to the S. W. point of the Hazel Green Diggings, in a series of North and Souths (4a,) combined with East and Wests, particularly towards the south. West of this line of North and Souths are several groups, chiefly of East and Wests, extending towards the Sinsinawa river. The Hazel Green Diggings commence near the north point of the line of North and Souths, just mentioned, in the remarkable body of mineral (4b) traversing them in an E. N. E. direction, already referred to. This presents a series of eight groups, shifting successively to the north, or to the left, and extending about two miles, in an almost uninterrupted series, from the S. W. corner of the diggings to Bull Branch, on their eastern border. Two large groups of North and Souths (the northern known as the Phelps lot,) with East and Wests intervening, extend north from the fourth group to a detached group of East and Wests, nearly west of the eighth group. North of the S. W. point of this body of mineral, a large group of East and Wests (the Purdy lot, 4c) projects to the west, and not far N. E. of this a series of North and Souths commences and extends first along the west border of the main body of the diggings to Culver's group, bearing N. N. E., then crosses towards the east side of the diggings (at 4d,) and is there continued to their northern border, first bearing N. N. E. and then more directly north. East of this line of North and Souths, before its shift to the east, different groups of East and Wests

cross the diggings more or less conformably to the course of the body of mineral on the south. Farther north (at Jefferson village,) a number of large East and Wests, accompanied with smaller, particularly on the east, cross the North and Souths, interrupting and shifting them in their course. Farther north-west, is a series of ranges (Rocky Point and Waterloo Diggings,) bearing more E. N. Easterly, and the whole series is limited in that direction by two detached groups, nearly in line, one of N. N. Easts (the Dutch lot,) west of Culver's group, and the other of E. N. Easts, on the north, (the Hoss Diggings, 4e,) in smaller groups successively shifted to the south, marking the turn of the series from north to east.

The body of mineral along the south border of the Hazel Green Diggings is continued in a series of groups, also shifting to the north, through Langworthy's Diggings to Coon Branch (south-west of Benton,) east of which the series is continued in a direction east by south towards the New Diggings. East of the North and Souths at the north-east point of the Hazel Green Diggings, a large group of East and West sheets (the Sheet lot) extends across the high ridge west of Coon Branch towards the Benton Diggings, and is bordered east by groups of North and South sheets (Selkirk's and the Dry-Grove Diggings.) The northern border of series 4 bears E. N. E. from the Hoss Diggings to a small group of East and Wests* not far east of the Platteville road, whence a series of groups extends E. S. E. to the east point of Swindler's ridge (4f,) north of Benton village; more interrupted towards the west, and more approximated towards the east. These have been referred to (p. 71,) as shifting alternately to the north and the south through their course. Three parallel lines of ranges, with a similar E. S. E. bearing, occur farther south, towards the Sheet lot, the most considerable of which commences on the west in the Pole range and extends with some interruptions to the diggings at the south end of Benton village (4g.)

* These at their commencement on the west bear E. N. E., and then E. S. E. in a direct line towards the ranges at Swindler's ridge.

Series 5 commences on Fever river near the junction of the east fork (in Illinois,) and extends north-westerly to the south-west point of the Vinegar Hill Diggings, and then north-easterly again to Fever river at Buncomb, forming a well marked curve. This part of the series is marked throughout by a succession of groups advancing west to Vinegar Hill and then receding east to Buncomb, almost uninterrupted in the latter direction, forming there the main body of the series (5*a*.) already referred to as showing the direction of bodies of mineral obliquely crossing the bearing of the ranges (p. 70.) It is also characterized throughout the greater part if not the whole of its extent by groups of North and Souths bordering the groups of East and Wests on the east or west. This arrangement is remarkable as the North and Souths border the East and Wests alternately in pairs on the east and the west; quartering ranges, in a corresponding direction, at the same time marking the shifts of the North and Souths. At Buncomb, the series divides; the most connected portion (5*b*) extending north, up Bull Branch, towards the east point of the body of mineral crossing the south part of the Hazel Green Diggings; the other (5*c*) shifting to the east to the west side of Coon Branch, and then continued north through W. Gillet's diggings to the diggings at Shaw's Hollow, where it approaches the east point of Langworthy's Diggings, above noticed. From this point the series is continued easterly to the New Diggings (5*d*.) In this series, at Buncomb, are two important flat and pitching dry-bone (zinc) mines; one (Coxe's) on the west side of Bull Branch; the other (Gillet's) on the east side of Fever river, opposite the north-east point of the main body of the series just mentioned. The bearing of the ranges in this main body is north of east (E. 8° N.;) that on Coon Branch, south of east (E. 5° S.;) and this bearing is continued in a few groups of diggings between Coon Branch and Fever river leading from the diggings at Shaw's Hollow to the New Diggings, and throughout the latter, which terminate the series on the north-east. The series is most largely developed in the main body on the south-west and in the New Diggings, and

even more largely in the latter than in the former. Between the New Diggings and the south point of series 3, there is a large group of East and Wests (the Democrat Diggings, 5e,) between Fever river and the Shullsburg branch, in which the bearing of the ranges is E. 10° S., and in nearly the same East—West line, farther east, is the great Dowd and Maginnis range, with several accompanying East and West ranges, (5f,) limited on the east by a large North and South (the Ellis range.)

The E. S. E. direction of the ranges at Benton is again resumed on the north side of the Shullsburg branch, east of the south part of series 3, in Earnest and Spenceley's Diggings (6a,) in the lower bed of the upper magnesian. This E. S. E. series (6) is continued in the Shullsburg Dry-bone Diggings (6b,) in the same bed, and then shifting south across the branch to Townsend's Diggings (6c,) is farther continued, with little interruption, through the main body of the Shullsburg Diggings (6d,) terminated on the east by numerous North and Souths traversed by a few East and Wests. The diggings in the east part of the series, south of the branch, are in the upper and middle beds of the upper magnesian. They commence, on the west, in large North and Souths, at Townsend's Diggings, which are apparently in the line of the large North and Souths at the East Blackleg Diggings, as already noticed. Then occurs an extensive group of East and Wests, crossed by many North and Souths, some of them extensive, followed by the diggings on the south of Shullsburg village, beyond which are the North and Souths terminating the series. The diggings south of the village have been worked extensively by draining in the middle (flint) bed of the upper magnesian, and have been among the most productive in the whole mineral district. North of the west part of the diggings at Shullsburg village, the Irish Diggings (6e) extend from the Shullsburg branch in a series of groups of North and Souths, crossed by a few East and Wests towards the south, successively shifted to the east or to the west, and continued across the summit between the waters of Fever river and the Pecatonica to a group of East and Wests at

Stump Grove, as already noticed. East of the series 6, there are only a few small detached diggings which I have not yet visited.

The next series (7) is of less importance from the extent of the diggings, but is arranged conformably to the prevailing order. I have already noticed its connexion with the east part of series 2. Skidmore's Diggings (7*a*,) the first towards the west, consists of an extensive North and South range or group of ranges, connected with a few small East and West ranges. Next in the series, are two small groups of North and Souths at the head of a branch of the W. Pecatonica, north of Centre, and then two small groups of East and Wests (Halstead's and Read's,) lower down the branch. The line of the series passes by Darlington, and after a long interval the series is resumed in Whiteside's Diggings (7*b*,) a group of East and Wests crossed towards the west by several North and Souths. There is then an interruption in a south-east direction to the Wiota Diggings (7*c*,) where two extensive lines of East and Wests are closely connected by North and South and quartering ranges. The bearing of the body of mineral is there to the south-east, while the quartering ranges bear north-easterly.

The next series (8) commences on the west in the Forked-Deer Diggings, west of the West Pecatonica. In these diggings, there are at least four parallel lines of East and West ranges, included between Wood's branch on the south, and Bonner's branch on the north. In the south line (8*b*,) along Wood's branch, the diggings are in the blue limestone; in the other lines (8*c*,) in the middle and lower beds of the upper magnesian. The general bearing in these diggings is E. S. E. King's Diggings (8*a*,) on the south side of Wood's branch near the W. Pecatonica, are more detached, and less regular in their bearing; presenting two groups of E. N. E. ranges, one on the north, the other on the south, connected by S. S. E. ranges. The series is continued E. N. E. in the Duke's Prairie Diggings (8*d*,) only a few small and detached diggings intervening, such as Pillins', on the east side of the W. Pecatonica, opposite Bonner's branch, and Scott's, on Otter creek, nearly east of King's Diggings; both in the lower

bed of the upper magnesian. The diggings at Duke's Prairie present two principal lines of East and Wests, receding east towards the north, north-east of which, 1—2 miles distant, are two other lines of East and Wests (White's and Graham's,) apparently receding east towards the south. The series is still farther continued, nearly east from the latter, in the Yellow-Stone Diggings, which extend in a general direction nearly east and west, 5—6 miles, from the Yellow-Stone branch to the E. Peconica. This line of diggings may be divided into three sections; one on the west (8e,) along the north side of the Yellow-Stone, bearing nearly east and west; another extending south-easterly, along the south-west side of McClintock's branch; and a third (8f,) bearing nearly east and west from McClintock's branch to the E. Peconica. The course of the series farther east is marked only by a few detached diggings, at first bearing more east and west, and then more south-easterly to the diggings north and east of Monroe. The line first shifts to the north to the North Grove Diggings, west of the E. Peconica, then to the south to Biggs' Diggings, and again to the north to the Badger Diggings, when it takes a south-easterly direction by the Aspen Grove Mine (8g,) Skinner's Diggings and others of less note to a point east of Monroe. South of this line is a short detached series of three groups, east of Argyle, including H. and J. Scott's Diggings, but apparently in the general line of series 7.

The last series (9) I have only partially traced at its commencement on the south-west in the Mineral Point Diggings. These present a series of East and West ranges, more or less grouped, extending from the West Peconica across the Mineral Point branch to Rocky Branch, and forming a body of mineral bearing N. N. Easterly towards the diggings at and west of Dodgeville. The general bearing of the ranges is E. S. E. (E. 20° S.) A part at least of the ranges in these diggings are lead-bearing on the west and copper-bearing on the east; the general body of mineral being thus divided, in the direction of its bearing, into two parallel sections. I have not yet traced this series farther north than

the Dreadnought Mine, already noticed; but from a hasty view, I have considered it as continued north-easterly to the Dodgeville Diggings, and then in a general easterly direction, through the diggings at Messersburg, Porter's Grove and Ridgeway, to those at the Blue Mounds, when it apparently takes a south-easterly direction to Campbell's Diggings, north of Monticello, and the Sugar River Diggings at Exeter. The last form a group of East and Wests, bearing E. S. E., and at first receding east towards the south, thus forming a body of mineral bearing south-easterly. The most southern ranges, however, appear to recede to the west; the whole body thus forming a curve.

The preceding remarks will serve to show that there is a degree of orderly arrangement in the succession of the diggings, such as to indicate that they are not merely casual deposits, but parts of a connected whole. I have yet been able to make only a general reconnoissance, except in the few localities I had examined before my engagement in the present survey. Farther opportunity would enable me to develope my views in detail.

It may be interesting to notice the different strata in which the mineral has been worked in the diggings examined by me. As the depth to which mining has been carried on has been generally limited by that of the water level, it has rarely exceeded 100 feet, and has been usually much less; in many instances, only 30—40 feet. Consequently only a small depth of rock has been penetrated in any one instance, and it is thus necessary to judge of the probable downward extent of the mineral by a comparison of different localities, where different strata are brought to or near the surface. This has shown that all the beds of limestone have, in such instances, been found good mineral-bearing rocks, and that the openings succeed each other in regular order, and are connected by vertical veins and mineral crevices, passing from one to the other. When the entire thickness of the upper magnesian is pres-

ent, the diggings are confined to its upper bed. As the strata become denuded, they commence in the lower part of the upper bed and extend to the middle bed. When the strata are still more denuded, they commence in the middle bed and extend to the lower or through that to the blue limestone, or they even commence in the lower bed and extend through the blue limestone. It is only towards the northern border of the district, where the lower magnesian is exposed in a deep ravine, that I have observed any diggings in that rock.

In tracing the diggings through the different series, it may be stated generally, that in the Muddy and North Diggings mining has been carried on only in the upper bed of the upper magnesian; in the Beetown Diggings, in the upper and middle beds, and adjoining some valleys and ravines, in the lower bed; in the Potosi Diggings, in the same; in the Brushhill, Whig and Platteville Diggings, in the upper and middle beds, chiefly in the latter; in the Patch, South-East Platteville and North Elkgrove Diggings, in the upper and middle beds, chiefly in the former; in the South Elkgrove and Strawberry Diggings, in the middle bed; in the Menominee, Fairplay and Hazel-Green Diggings, also in the Dubuque, Upper Galena and Vinegar Hill Diggings, in the upper bed; in the Benton and New Diggings, in the upper and middle beds, chiefly in the latter in the wide flint openings; in the south-east part of series 3, from Buzzard's Roost to the Shullsburg branch, in the lower bed and the blue limestone, chiefly in the former; in Earnest and Spenceley's and the Shullsburg Dry-bone Diggings, in the lower bed; in the rest of the Shullsburg Diggings, generally in the upper bed, but in those where depth has been gained by draining, as in those at the village and at Townsend's, also in the middle bed, at the former in the wide flint openings; in the Blackleg Diggings, chiefly in the upper bed, but in the deep shafts on the large North and Souths, also in the middle bed; in the Wiota Diggings, in the upper and middle beds; in the South Forked Deer Diggings, in the blue limestone; in the North Forked Deer and King's Diggings, chiefly in the lower

bed of the upper magnesian; in the Mineral Point Diggings, in the middle and lower beds of the upper magnesian, and in the blue limestone (in the upper and middle beds.) The blue limestone is there reached only in those diggings where the rocks are most denuded, namely, towards the south-west, and adjoining the valleys and ravines; in the more northern diggings (at the Dreadnought Mine,) mining is chiefly confined to the middle bed of the upper magnesian. At Dodgeville, adjoining the village, the diggings are in the upper and middle beds of the upper magnesian; at Duke's Prairie, in the same; at the Yellow-stone Diggings, in the two lower beds of the upper magnesian, and in the blue limestone, chiefly in its upper bed; at J. Scott's Diggings, east of Argyle, in the lower part of the upper magnesian, and at H. Scott's, in the blue limestone; in the other diggings in Green Co., chiefly in the middle and lower beds of the upper magnesian, and in a few instances, as at the Aspen Grove Mine, in the blue limestone. It may be just added, that in the Heathcock range (Linden) the mineral has been chiefly worked in the middle and lower beds of the upper magnesian, but has been recently followed into the upper bed of the blue limestone.

Copper ores (the sulphuret and carbonate) have been found in large quantity in the mineral district (south of the Wisconsin) only at Mineral Point. Smaller quantities have been found in other localities, particularly at Lost Grove, west of Mineral Point, and 4—5 miles south of Wiota, but these I have not yet visited. I have already noticed the occurrence of small quantities of copper ore in the openings in the middle and lower beds of the upper magnesian, particularly in the middle bed at Shullsburg, and in the lower bed on Fever river, at Buncomb and north of New Diggings. Traces of copper are said to have been found at the Wolf Diggings (west of Jamestown,) in the upper bed.

The copper ores at Mineral Point occur distinct from the lead ore, in ranges apparently in the same East—West line with cor-

responding lead ranges; the same ranges being lead-bearing on the west, and copper-bearing on the east; the lead and copper ores being at the same time more or less intermixed at the point of junction. There are thus presented two bodies of mineral, lead on the west and copper on the east, bearing N. N. Easterly across the bearing of the ranges. The width of the body of copper ore is apparently 1—2 miles. Both the vitreous and yellow sulphurets are found in the rubbish, more or less accompanied with iron pyrites; but as none of the ranges are now worked, their relative proportion cannot be determined. The earth from the openings has a deeper red tint than that from the lead openings, where such a tint would be considered unfavorable. The arrangement of the body of copper ore, in this instance, across the bearing of the ranges is very remarkable, but corresponds with the general transverse arrangement of the bodies of lead ore, already indicated. The copper has been worked here chiefly in the lower bed of the upper magnesian, but occurs also in the blue limestone.

I have already observed that the original ores, in the veins and openings in the mineral district, are apparently the sulphurets, namely, of lead, copper, zinc and iron. These ores are more or less subject to decomposition, and to recomposition into other ores; those of lead least, of iron most so.

The sulphuret of lead is chiefly recomposed into the carbonate; the sulphate being rarely observed. The carbonate sometimes forms merely an earthy incrustation on the surface of the sulphuret; but in other instances, the sulphuret is converted to a greater or less thickness, sometimes throughout its entire mass, into the carbonate, still retaining its form unchanged. Sometimes the earthy coat becomes detached and loose, and is then called mineral ashes. In a few instances, the massive carbonate, still retaining the form of the sulphuret, has been found in large quantity, forming bunches in the openings or veins; in one instance, it is said, at Potosi, to the amount of more than 7000 lbs. Crystals of

the carbonate are occasionally found, adhering to the surface of the sulphuret, or occupying cavities in it, generally in small quantity, but in some openings more abundant. The largest quantities, I have yet noticed, were in the Aspen Grove Mine, in the blue limestone. The formation of the earthy carbonate on the surface of the sulphuret is apparently going on at present, particularly on the outskirts of the veins. The conversion of the whole or the greater part of the sulphuret to a massive carbonate, and the formation of crystals of the carbonate, appear to be rather the results of former agencies than of those at present operative. The carbonate is called white mineral by the miners, and is more easily reduced than the sulphuret, though yielding a less percentage of lead, but has not yet been found in sufficient quantity to be of much importance.

The sulphuret of copper is recomposed into the sulphate and the carbonate. The former is too soluble and too subject to decomposition to be permanent; the latter generally accompanies the sulphuret as a coating, and sometimes in crystals, but not in sufficient quantity to be important. Both the blue and green carbonate occur, but the latter is most common.

The sulphuret of zinc is recomposed into the sulphate, the carbonate and the silicate; but the former, like that of copper, is not permanent. The carbonate and the silicate are permanent, and are called dry-bone by the miners. They resemble each other, but the carbonate is most common and the most important. They usually replace the sulphuret (black-jack) without much change of form, the general arrangement of the vein or sheet being retained, but the dry-bone being usually less compact, and sometimes apparently stalactitic. In such cases, however, it retains very nearly the original form of the sulphuret, which exhibits too the same botryoidal arrangement. Not unfrequently the interior of the dry-bone is found occupied by the sulphuret unchanged. These recomposed ores of zinc are more abundant in some ranges and openings than in others. The sulphuret of zinc has appeared more subject to decomposition in the lower openings than in the upper; and in the lower openings, it will be found little changed in one

range, and mostly converted into dry-bone in another not far distant. The local causes of this difference require farther investigation to determine.

The sulphuret of iron is recomposed into the sulphate and the hydrated oxyd. The sulphate is frequently found in the openings, but like those of zinc and copper, is not permanent, and it results in the formation of the oxyd. The oxyd occurs chiefly in the form of ochre and the brown hematite. The former is generally too much mixed with earth to be of much importance. It gives the peculiar stain to the earthy materials and the rock of the openings. This varies from yellow to red brown, and the distinction of the tints is regarded as of practical importance. A red brown tint is considered by the miners very unfavorable for the occurrence of mineral, and the ground is then said to be burnt.* An orange tint is considered most favorable for lead, and a redder tint for copper. The brown hematite, called iron-rust by the miners, is a very common accompaniment of veins and openings. It occurs in very various forms, from thin sheets and porous slaggy masses to balls arranged in concentric coats with a radiated fibrous structure and botryoidal surface, resembling very exactly the hematite ores of Salisbury. (Conn.) and of other ore beds in the same range. That it is formed by recomposition from the sulphuret, without any obvious change of form, is very evident in all the diggings where I have examined it; the sulphuret presenting all its different forms, and every degree of transition being observable from the unchanged sulphuret to the complete change to the hematite; in some instances, only a film of the hematite coating the sulphuret, and the change in others continued gradually to the centre of the mass, sometimes by successive coats, sometimes more by lines from the surface to the centre, some of the radiated fibres being found changed, and others intermixed with them unaltered. Sulphur is occasionally set free by the decomposition of the sulphuret of iron, and is found collected in pockets in the resulting mass. In some

* This merely arises from the abundance of the hydrated oxyd of iron, resulting from the decomposition of iron pyrites.

instances, calcareous spar occupies cavities in the sulphuret of iron, and on the decomposition of the latter has been found converted into the sulphate of lime. The hematite is sometimes found apparently as perfectly formed as in the Salisbury ore beds, and in such cases would probably yield a superior quality of iron. Care should be taken in selecting such only as has been completely recomposed, as the presence of sulphur would injure the product. In some of the diggings, particularly in the openings in the lower bed of the upper magnesian adjoining Fever river, in Benton and New Diggings, large quantities of this ore might be obtained, sufficient perhaps to feed a furnace, and even the ochry earth of the openings might in some cases be rich enough in iron to be reduced to advantage.

The earthy black oxyd of manganese (black ochre of the miners) is often abundant in the crevices and openings, and is considered a good indication of the presence of mineral. It is usually found accompanying or imbedding the mineral in the form of a matrix, but is sometimes found filling cavities or geodes in its interior. These facts seem to indicate it of contemporary formation with the mineral, and analogy would lead to the conclusion that its original form was the sulphuret, and that its present form has resulted from the decomposition of the latter. The sulphuret of manganese is said to have been found in the lead mines of Missouri, but I know of no instance in which it has been found in the mineral district.

The ores of zinc, although very abundant in many instances, particularly in the flat and pitching sheets, and in the lower openings, have never yet been turned to any account. There can be no doubt that they must be hereafter sources of profit, when we consider the large and increasing demand for zinc, both in its metallic form (sheet zinc) and as an oxyd (zinc paint). The zinc ores found in the mineral district may all be used to advantage. The dry-bone (carbonate and silicate) is most easily reduced, and can

be readily converted into the oxyd, and will thus probably be the first to attract attention, but the black-jack (sulphuret) contains the greatest proportion of zinc, and may soon be considered equally available. The proportions of zinc in the three ores are: in the carbonate 51.6, in the silicate 53.12, and in the sulphuret 66.72; that of lead in the sulphuret of lead (galena) is 86.55. The actual product of lead from the sulphuret is considerably less; from average specimens of the ore, about 70. It would not be unreasonable to consider the zinc ores as containing no greater proportion of impurities than the lead ore, and thus the relative product of the pure ores may be properly taken for comparison. The price of zinc is now rather greater than that of lead, in the proportion of about 6 to 7. As soon as an easy connexion is formed between the deposits of the zinc ores in the mineral district and the coal beds in Illinois by means of railroads, it may be reasonably expected that these ores will become objects of importance. The Galena branch of the Illinois Central Railroad, with the Shullsburg and Mineral Point branches, would open an immediate connexion between the coal-mines near La Salle and two of the localities most abundant in zinc ores (that between Benton and Shullsburg, and that at Mineral Point.) Either the fuel might be taken to the ore, or the ore to the fuel, as should be found most advantageous. Other routes of communication would soon be opened, and thus, with American skill and enterprise, a new mining interest would be created, which would compare favorably with the present.

The leading object of the detail which I have given of the arrangement of the mineral in the crevices and openings in its distribution through the different strata from above downwards, and of the surface arrangement of the ranges in groups and more extended combinations, has been to show that a systematic order prevails throughout, and that the mineral deposits are not detached and casual, but combined in regular series. I might have en-

tered into much more minute detail, but as I have intended this report more as a statement of certain general facts which I conceived were of immediate importance to the mining interest and as an outline of the mode of investigation I have designed to pursue than as the result of a survey, I submit it, such as it is, with the hope that its deficiencies will be excused in consideration of the very brief time in which I have been engaged.

The general result, in relation to the vertical arrangement, is that series of openings containing deposits of mineral are found at certain levels in all the limestone strata from the upper part of the upper magnesian at least to the middle part of the lower magnesian, varying in character in the different strata or beds, but strikingly analogous in the same stratum or bed throughout the whole extent of the mineral district, and that these are combined with vertical crevices and veins or sheets, traceable, where opportunity is offered, from one opening to another, or through different strata when not immediately connected with the openings; that the crevices and openings are distinguished from the adjoining rock by peculiar characters and the presence of substances not found beyond their limits; that they are bounded by regular limits, usually marked by vertical lines, like the walls of veins, as well in the widest flat openings as in the narrower vertical crevices; and that the mineral is arranged in these crevices and openings in a peculiar vein order, more or less evident, but always in some degree distinguishable. The mineral is sometimes arranged in more continuous and uniform sheets; sometimes in more detached deposits or bunches, connected however by mineral seams. These may be considered as the extremes, between which there is a graduated transition, and a more or less intimate connexion. In the upper part of the series, there is a greater tendency to a vertical arrangement; in the middle and lower parts, to a horizontal arrangement, and this increases as we descend, at least to the base of the blue limestone. The arrangement in the lower magnesian appears to commence as in the upper, but the opportunities for examination are there too few to decide satisfactorily, but sufficient to show that

the mineral is there arranged conformably to the arrangement in the strata above. The probabilities are thus strongly in favor of a continued descent of the mineral to a lower depth in the strata than is yet ascertained. The appearances seem no less to indicate the origin of the mineral and the accompanying ores from beneath, probably from the primary rocks underlying the lowest secondary; and that they rose in such a condition that they were diffused through a certain definite extent of the materials of the rocks, and then segregated in their present form, and this along certain lines which have determined their arrangement. It would be premature to offer a theory until a more complete exploration had been made, and all the important facts which such an exploration might offer were collected and arranged. But even now I have a strong impression that the mineral has been derived from beneath, and that the prospects of deep and continued mining are here as favorable as in other more established mining districts. The depth to which I have traced the mineral in its regular descent through the strata, assuming their estimated thickness, and including the Upper Sandstone, is 430 feet: Upper Magnesian 240, Blue Limestone 60, Upper Sandstone 60, Lower Magnesian 70 feet; not including the Upper Sandstone, in which no mineral has yet been certainly traced, 370 feet. Including the whole thickness of the Lower Magnesian, rating it at 220 feet, the entire depth would be 580 feet. The order of succession in the strata, at a lower depth, is probably not yet sufficiently settled to determine what farther may be expected. I have already enumerated (p. 68-9) the series of openings which may be expected in penetrating to the base of the lower magnesian. These, not reckoning their subdivisions, may be stated at ten or eleven. The known productiveness of single openings, in many instances, will sufficiently indicate the prospects which such a series would offer to the miner.

The traces of order and connexion in the surface arrangement appear no less remarkable than in the vertical arrangement. What I have here given is only a small part of what might have been stated; but I trust it will suffice to show that the ranges, in their

bearing, and in their grouping from the smallest to the most extended combinations, have been governed by some general laws, and have not been merely local accidents. I might have stated many facts which seem to show a regularity in the distance between different ranges in the same group; but such a statement would require a degree of detail incompatible with my present object. Such a regularity is not only probable in the arrangement of each group, but in the combination of groups into larger bodies and more extended series. To determine this satisfactorily would require an exact topographical survey of the mines, which may hereafter become an object well worthy of public attention. The diggings, as they now exist, seem to show a limited extent of mineral bearing lands, only a small part of the surface having been yet broken in search for mineral. That the present diggings represent nearly the surface extent of the ranges yet struck appears not improbable, particularly when we consider the position of the ranges crossing the leading ranges, and apparently limiting their extent. But although the different groups yet worked may have this limited surface extent, it does not follow that all the ranges have been yet discovered. Perhaps diggings as extensive as those yet worked remain still undetected in the wide intervals between the latter, and the indications of such stated in this report (p. 80, 83) may be only a very small part of what yet remain to be discovered. The order which I have attempted to trace in the different series of diggings may serve as a guide in directing farther search, and may lead to such results as will give to prospecting some degree of certainty. Experienced miners have been already influenced by such considerations, and in many instances have found them reliable. The study of the surface arrangement may thus become an important aid to discovery.

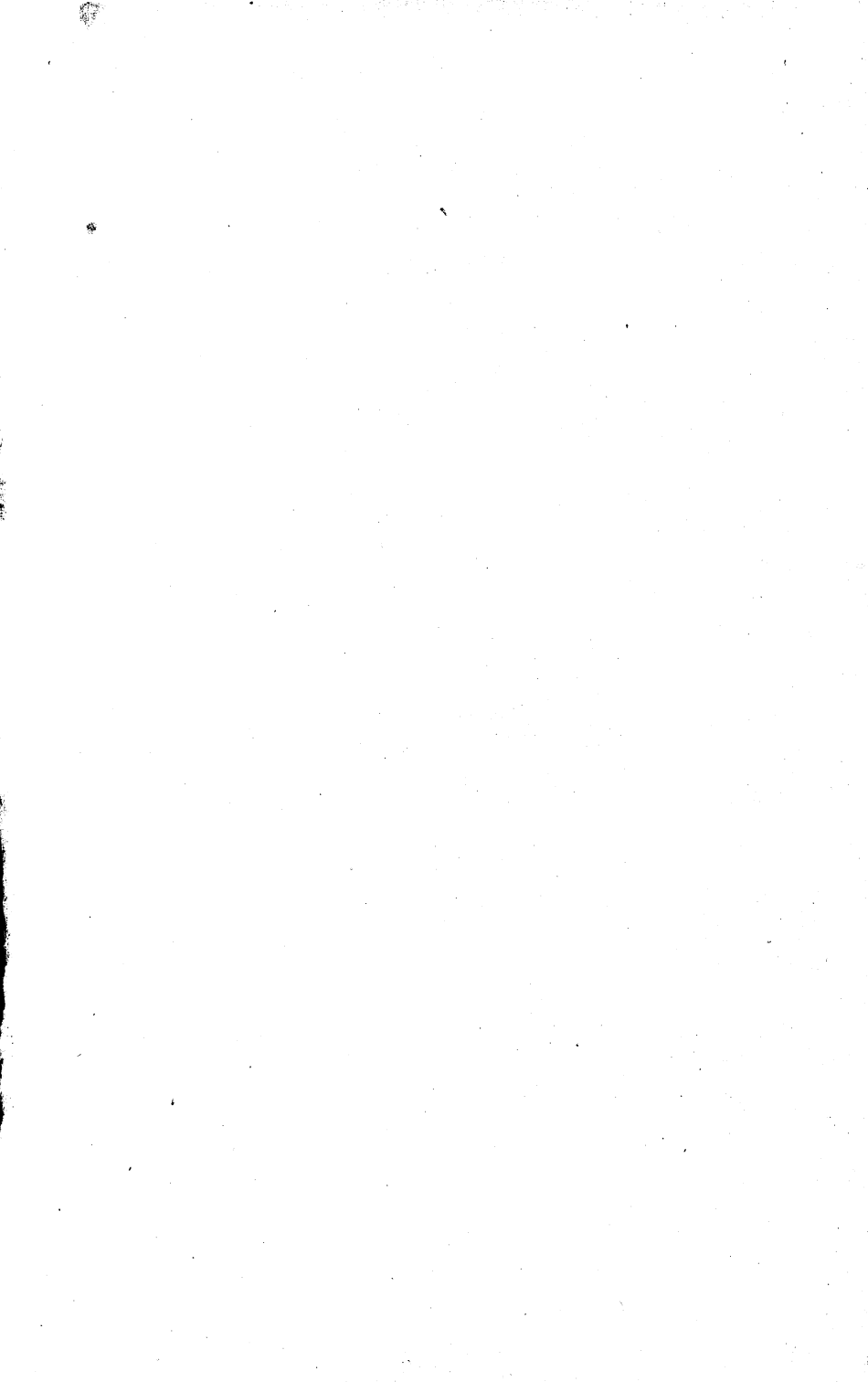
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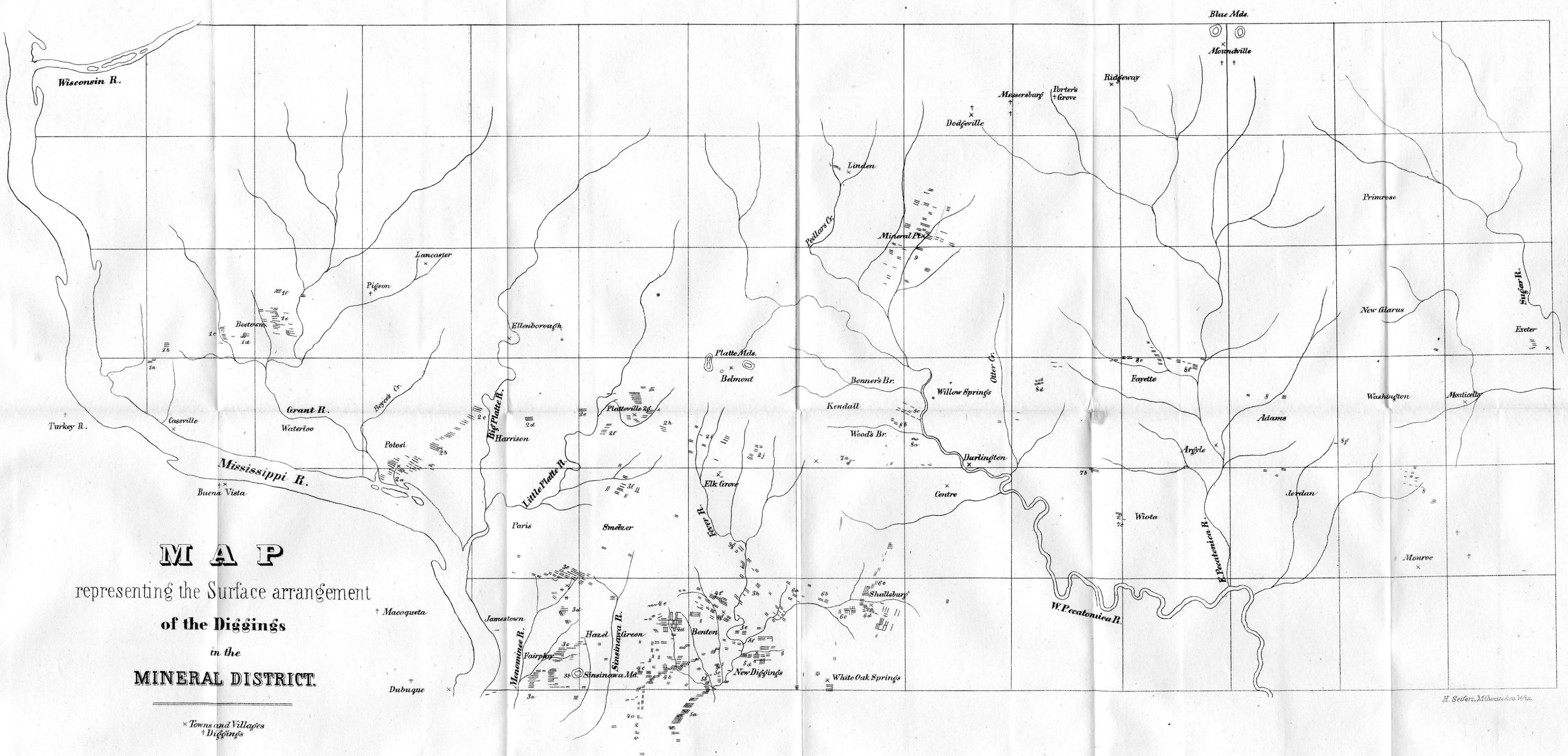
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representing the Surface arrangement
of the Diggings
in the
MINERAL DISTRICT.

x Towns and Villages
† Diggings

ANNUAL REPORT

OF THE

ADJUTANT-GENERAL

OF THE

WISCONSIN MILITIA,

FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, PRINTER.

1855.

ANNUAL REPORT

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ADJUTANT-GENERAL

OF THE

ARMY

FOR THE YEAR 1897

WASHINGTON

GOVERNMENT PRINTING OFFICE

1897

REPORT.

ADJUTANT GENERAL'S OFFICE,
WATERTOWN, WIS., Dec. 20, 1854. }

To His Excellency Wm. A. Barstow, Gov. & Commander-in-Chief:

SIR:—This being the time fixed by law at which the annual report of this department is to be laid before you, I have the honor to state in a detailed but concise manner how the duties of this office have been administered during the present year, and hope that it will be satisfactory to your Excellency.

During the month of June there has been turned over to this State by Sanders Lansing, jr., Military Storekeeper of the United States Army, on the order of your Excellency, ordnance and ordnance stores as in Abstract "A," and camp equipage, &c., as in abstract "B." which I procured from the Messrs. Hitchcock & Co., of the city of New York, payable out of the quota of arms due the State in 1855, from the General Government.

I would most respectfully recommend that some attention should be immediately given to a more general and thorough organization of the militia throughout the State than is or can be effected under the present law—is manifestly evident, and which should be amended, and our citizen soldiers encouraged by judicious legislation.

It is well known to the Commander-in-Chief that the militia laws of this State do not require any but volunteer troops to bear arms, or perform any active duty in the time of peace; and how

ever useful or important they may be, as the only dependence of our civil authorities in the maintenance of law and order, they can claim no rights or privileges except such as may be granted them by legislative enactments.

Their name justifies the fact; they are volunteers in the strictest application of the term; and the officers and members of the volunteer corps, who have at all times responded promptly to the wants of the community, disregarding the difficulties, perplexities and expense of effecting available organizations, and who holds themselves at all times ready to aid in enforcing the majesty of the civil law, at every personal hazard, risk or expense, which should at least entitle them to unlimited credit and respect.

Would it not be a wise and judicious policy to foster and encourage this main arm of our dependance by making more ample provisions for securing the highest possible degree of military science and discipline throughout their ranks?

I avail myself of this opportunity of expressing what I believe to be the conviction of every officer connected with this branch of the public service, that provisions should be made for annual encampments, inspections and reviews of the volunteer militia of the State.

It cannot be doubted that encampments furnish the best opportunity for every species of drill, military investigation and discussion, the comparison of companies, officers and men, incites emulation, and must result in general improvement.

The members of our volunteer corps would be greatly augmented and improved, which would command for them the commendation of the highest military award.

The uniform volunteer companies of our State are regarded not only as the pride of our citizens, but as an ornament to our State; they are commanded by men of distinguished military ability, and many of them, in point of military skill and proficiency, would not suffer by a comparison with any of the volunteer companies in the Union. I might say much to the credit of individual

companies, but deem it advisable, in this communication, to speak only in general terms.

I would most respectfully suggest that you would recommend the new militia law as adopted by the State of New York, and which has been recommended by the military commission, held at Milwaukee, on the 5th inst., subject to your approval, and which I feel happy in stating to your excellency, meets the wishes of all the members of the militia of the State.

As in the absence of any remuneration from the State for service required at the hands of our citizen soldiers, that the item of expense alone, without regard to the sacrifice of time required to secure for them that degree of proficiency necessary to render them of practical utility, is no small importance to individuals, and should, to some extent, be alleviated.

To further the accomplishment of this object, I would suggest that you would recommend the allowance of the actual expense, of uniform companies, when on actual duty or service, as allowed by the state of New York to military companies, and that there should be a more general and thorough organization of the militia throughout the state.

According to that part of the legislation, approved March 11th, 1851, relating to military, (being section 9,) which do require the county assessors to enroll all persons subject to military duty, and return the same to the clerk of the board of supervisors of the county, a list of all the able bodied white male persons as required by the act, which I regret to say that they have both neglected and disregarded the law, and in no instance have they complied, whether from a want of its inception, or a determined disregard of the law, I cannot say.

The militia of Wisconsin, (now one of the most promising and prosperous of our young states,) with a militia list of over fifty thousand, should be placed upon a basis which shall not only conform to the requirements of the general government, or that of our state. In order to avail ourselves of the benefits to be deriv-

ed therefrom, but at the same time to give it that position and efficiency requisite to accomplish the object contemplated in its conception and design, I have issued a circular to all the different generals in the different brigades; also the commanding officers of regiments and majors of battalions, but I regret to be compelled to state that all, the commanding general, colonels and majors, are, with the exception of Major Isaac Spencer, (of the 6th battalion, county of Bad Ax) are equally in default, not only on account of their remissness to enforce the law made obligatory on them, but also, as to their total neglect of making annual division or brigade returns.

In order to provide against the state suffering from these neglects in future, I wholly leave it to your Excellency's better judgment.

The inactive, or enrolled militia are exhibited by counties and divisions in abstract D., as set forth.

In closing this, my report, I should do injustice to my own feelings, did I not embrace this opportunity of returning to your Excellency my unfeigned thanks for the great confidence you have placed in me, trusting that the discharge of my official duties may meet your Excellency's approbation, and not be unprofitable to the state.

I have the honor to be

Your Excellency's most obedient servant;

JOHN M'MANMAN,

Adjutant and Inspector General, Wisconsin Militia.

APPENDIX.

APPENDIX

ABSTRACT A.

Invoice of Ordnance and Ordnance Stores turned over by Sanders Lapsing, Jr., Military Store Keeper, &c., of the United States Army, on the order of Wm. A. Barstow, Governor and Commander-in-Chief of the State of Wisconsin, the following Stores, viz:

2 Six p'dr Bronze Guns, 1760, 40c	8704
2 do do field carriages for 6 Por. 275	550
2 Setts Implements and Equipments 55, 25c	110 70
2 Setts Artillery Harness Wheels, 67 28	134 56
72 Muskets and Appendages	954
100 Rifles—Steel Barrels	10288
40 Sabres (Horse Artillery)	220
40 Belts and Plates 1 23c	49 20
Total	4,010 40

The whole being equal in Muskets

308 6-13

ABSTRACT B.

Invoice of Camp Equipage, Cavalry Pistols and Holsters bought from the Messrs. Hitchcock & Co., of the City of New York, on Account of the State of Wisconsin, and Payable out of our Quota of Arms due in 1855, from the General Government, which were shipped to Messrs. Brown & Larkin, Milwaukee, marked Gen. McManman.

60 Army Tents and Poles 15	\$900
4 Wall Tents and Poles 25	100
1 Marque	75
10 Pair Holsters 3 50	35
10 Pair Cavalry Pistols Complete 12 50	125
5 Boxes	5
Cartage	2 25
Total	1,242 25

Equal in muskets to

93 8-13

ABSTRACT C.

*Arms and accoutrements received from the United States, from
the year 1840 to 1854, inclusive.*

1840,	140 pistols,			
1841,	70 cavalry sabres,			
	70 setts cavalry accoutrements,	139	10-13	
1844,	60 cavalry pistols and 60 swords,			
	60 cavalry accoutrements,	81	12-13	
1845,	60 muskets, complete,			
	60 setts infantry accoutrements,	74	9-13	
1848,	71 muskets,			
	71 infantry accoutrements,	89		
1849,	30 muskets,			
	30 set's infantry accoutrements,	37	8-13	
1850,	340 muskets, complete,			
	340 setts infantry accoutrements,	433	8-13	\$113,50 17
1852,	340 rifles,	415	4-13	4,379 20
	340 setts rifle accoutrements,			
1853,	160 copper fl-a-ks,			
	660 rifles, steel barrels and accoutre- ments,	155	11-13	2,060 80
1854,	2 six pounders, bronze guns,	1,427	10-13	
	Nett weight 1760 lbs., 40 cents.			
	2 six pounder field carriages, Stoct patern,			
	2 setts implements,			
	2 setts artillery implements,			
	72 muskets and appendages,			
100	rifles, steel barrels,			
	40 sabres, horse artillery,			
	40 setts belts and plates,	308	6-13	4,010 40
	60 army tents and poles,			

4 army wall tents and poles,
 1 army marque,
 10 pairs cavalry pistols,
 10 pairs cavalry holsters, &c.,

98 8-13 1,242 25

Total in muskets, 1,829 11-13

Amount, \$23,242 82

ABSTRACT D.

Enrolled Militia of the State of Wisconsin, as returned for the year 1854.

IN THE FIRST DIVISION.

Wards and Townships.	Returned in 1853.	Liabie in 1854.	Increase.
Milwaukee, 1st Ward,	876	1,243	
" 2d "	1,080	1,080	
" 3d "	623	830	
" 4th "	660	678	
" 5th "	699	1,670	
Greenfield,	250	295	
Wauwatosa,	308	370	
Milwaukee,	187	294	
Oak Creek,	238	281	
Lake,	216	266	
Granville,	243	280	
Franklin,	393	190	502
	<hr/> 5,975	<hr/> 6,477	

FIRST DIVISION—COUNTY OF WAUKESHA.

Muskegan,	125	130	
New Berlin,	273	270	
Brookfield,	no returns.		
Menomonie,	244	260	
Lisbon,	137	137	
Pewaukee,	160	297	
Waukesha,	509	607	
Vernon,	90	100	

WAUKESHA COUNTY—CONTINUED.

Mukwonago,	154	143
Genesee,	190	220
Delafield,	221	330
Oconomowoc,	190	287
Ottawa,	no returns.	
Eagle,	304	379 470
	<hr/> 2,597	<hr/> 3,167

FIRST DIVISION—JEFFERSON COUNTY.

Koskonoway,	251	251
Cold Springs,	89	89
Palmyra,	161	161
Concord,	84	84
Sullivan,	109	109
Hebron,	107	107
Jefferson,	371	371
Oakland,	136	136
Lake Mills,	104	104
Aztalan,	101	101
Farmington,	118	118
Ixonia,	187	187
Watertown,	426	496
Milford,	103	103
Waterloo,	89	89 70
	<hr/> 2,436	<hr/> 2,506

FIRST DIVISION—RACINE COUNTY.

Racine,		161
Mount Pleasant,		157
Caledonia,		294
Yorkville,		220
Raymond,		178
Dover,		131

RACINE COUNTY—CONTINUED.

Burlington,	692	176	
Rochester,	712	237	
Norway,	82	145	
	671		
	<u>1</u>	<u>1699</u>	<u>125</u>
	1574		

FIRST DIVISION—WALWORTH COUNTY.

East Troy,		179	
Troy,		190	
La Grange,		213	
Whitewater,		301	
Richmond,	273	138	
Sugar Creek,	132	160	
Lafayette,	342	126	
Spring Prairie,	291	240	
Hudson,	301	196	
Geneva,		266	
Delevan,	321	309	
Darien,		171	
Sharon,		200	
Walworth,	331	198	
Linn,	341	135	
Bloomfield,	35	139	
Elkhorn,		105	
	3180		
		<u>3266</u>	<u>86</u>

FIRST DIVISION—KENOSHA COUNTY.

City Kenosha,		394	
1st Ward,		200	
2d "		231	
3d "		231	
Southport,		50	
Pleasant Prairie,		116	
Bristol,		170	

KENOSHA COUNTY—CONTINUED.

Salem,	223
Wheatland,	217
Brighton,	85
Paris,	170
Somers,	142
	<hr/>
	1821
	<hr/>
	1998
	<hr/>

177

FIRST DIVISION—RACINE CITY.

Gov. Guard,	49
Emmet Guard,	41
1st Ward,	378
2d "	210
3d "	243
4th "	203
5th "	107
	<hr/>
	1051
	<hr/>
	1229
	<hr/>

178

SECOND DIVISION—DANE COUNTY.

Winsor,	196
Dunkirk,	163
Middleton,	63
Cross Plains,	50
Greenfield,	91
Albion,	87
Berry,	47
Springdale,	57
Vernon,	75
Christiana,	109
Sun Prairie,	107
Dane,	65
Rocksbury,	62
Blooming Grove,	57
York,	129

DANE COUNTY—CONTINUED.

Primrose,	80	
Black Earth,	64	
Montrose,	78	
Oregon,	128	
Pleasant Spring,	101	
Westport,	53	
Rutland,	112	
Madison,	509	
	<hr/>	<hr/>
	2479	2479

No reports from any of the towns for this year. §

SECOND DIVISION—ROCK COUNTY.

Janesville,	1131	
Magnolia,	112	
Spring Valley,	130	
Avon,	95	
Newark,	220	
Portio,	133	
Lima,	192	
Union,	120	
La Prairie,	66	
Turtle,	150	
Milton,	180	
Beloit,	627	
Clinton,	192	
Johnstown,	159	
Rock,	162	
Bradford,	116	
Harmony,	151	
Centre,	115	
Yelton,	200	
Plymouth,	102	287
	<hr/>	<hr/>
	3066	3358

SECOND DIVISION—GREEN COUNTY.

Monroe,	262	
Albany,	101	
Brooklyn,	111	
Decatur,	125	
Spring Grove,	113	
Jefferson,	121	
Sylvester,	137	
Mount Pleasant	103	
Exeter,	100	
New Glarris,	65	
Washington,	80	
Clamo	150	
Cadiz,	120	
Jordan,	75	
Adams,	47	40
	<hr/>	<hr/>
	1670	1710

SECOND DIVISION—IOWA COUNTY.

Wyoming,	66	
Linden	220	
Miffin,	170	
Highland,	300	
Waldvick,	121	
Clyde,	50	
Dodgeville,	257	
Pulaski,	44	
Mineral Point,	222	
Arena,	400	587
	<hr/>	<hr/>
	1263	1850

SECOND DIVISION—LA FAYETTE COUNTY.

Argyle,	80	
Belmont,	41	
Benton,	144	
Center,	65	
Elk Grove,	155	
Fayette,	112	
Gratiot,	91	
Kendall,	72	
Monticello,	35	
New Digging,	• 216	
Shullsburg,	304	
Wayne,	41	
Wiota,	120	
White Oak Springs,	71	
Willow Springs	82	112
	<hr/>	<hr/>
	1541	1629

SECOND DIVISION—GRANT COUNTY.

Clifton,	90	
Hazel Green,	290	
Potosi,	372	
Jamestown,	173	
Harrison,	107	
Lima,	128	
Highland,	62	
Patch Grove,	260	
Lancaster,	188	
Paris,	163	
Wingville,	88	
Cassville,	120	
Waterloo,	139	
Benton,	200	70
	<hr/>	<hr/>
	2204	2270

THIRD DIVISION—DODGE COUNTY.

Emmett,	151	
Lamira,	124	
Elba,	170	
Shields,	129	
Calumus,	75	
Lowell,	145	
Theresa,	162	
Ashippum,	202	
Hubbard,	163	
Hennon,	180	
Williamstown,	142	
Le Roy,	86	
Hustusford,	108	
Oak Grove,	210	
Fox Lake,	212	
Burnett,	130	
Trenton,	139	
Chester,	140	
Beaver Dam,	220	
Lebanon,	155	
Clyman,	145	
Westford,	60	
Rubicon,	184	
Portland,	109	109
	<hr/>	
	3442	3551

THIRD DIVISION—COLUMBIA COUNTY.

Winnebago,	637
Port Hope,	100
Scott,	131
Springvale,	82
Dekora,	228
Otsego,	103
Fountain Prairie,	113

COLUMBIA COUNTY—continued.

Happan,	88	
Leeds,	83	
Lodi,	181	
Westport,	40	
Marcellon,	110	
Randolph,	120	
Portage Prairie,	100	
Wyocena,	140	
Lowell,	200	
Columbus,	239	516
	<hr/>	
	2129	2645

THIRD DIVISION—MARQUETTE COUNTY.

Mackford,	134	
Green Lake,	194	
Brooklyn,	129	
Albany,	89	
Middletown,	86	
Pleasant Valley,	300	
Marquette,	99	
Buffalo,	144	
Melin,	291	
Kingston,	231	181
	<hr/>	
	1,516	1,697

THIRD DIVISION—FOND DU LAC COUNTY.

Friendship,	80	
Calumet,	300	
Empire,	78	
Eldorado,	79	
Auburn,	63	
Rosendale,	125	

FOND DU LAC COUNTY—CONTINUED.

Ashford,	130	
Oceloa,	45	
Eden,	113	
Ceresco,	200	190
	<hr/>	
	1,023	1,213

THIRD DIVISION—SHEBOYGAN COUNTY.

Olio,	60	
Lima,	118	
Scott,	88	
	<hr/>	
	266	266

No report for two years.

THIRD DIVISION—WASHINGTON COUNTY.

Wayne,	146	
Farmington,	167	
	<hr/>	
	313	

No returns from the rest of the towns.

FOURTH DIVISION—WINNEBAGO COUNTY.

Winchester,	55	
Clayton,	68	
Neenah,	551	
Vinland,	159	
Winneconne,	130	
Rushford,	170	
Omro,	230	
Algoma,	155	
Nekinie,	104	
Utica,	95	

WINNEBAGO COUNTY—CONTINUED.

Nepuskin,	85	
Black Wolf,	65	
Oshkosh,	6	
1st Ward,	137	
2d do	200	
3d do	198	830
	<hr/>	<hr/>
	1578	2408

FOURTH DIVISION—CALUMET COUNTY.

Charleston,	81	81
No returns for two years.		

FOURTH DIVISION—MANITOWOC COUNTY.

No returns from any of the towns for two years.

FOURTH DIVISION—BROWN COUNTY.

No returns for two years.

FOURTH DIVISION—DOOR COUNTY.

No returns from any of the towns for two years.

FOURTH DIVISION—OUTAGAMIE COUNTY.

Grand Chute,	174	
Freedom,	70	
Ellington,	67	
Hortonia,	53	
Greenville,	63	
Kaukana,	43	
Centre,	No returns.	
Dale,	No returns.	
Embaness,	No returns.	
Brown,	No returns.	96
	<hr/>	<hr/>
	374	470

FIFTH DIVISION—CRAWFORD COUNTY.

Prairie du Chien,	356	398	49
No returns from any other towns for two years.			

FIFTH DIVISION—RICHLAND COUNTY.

Rock Bridge,	54		
Richland,	40		
Buena Vista,	230		
Richmond,	60		
Eagle,	30		
Richwood,	68		54
	<hr/>	<hr/>	
	428	482	

FIFTH DIVISION—SAUK COUNTY.

Brooklyn,	359		
Dells,	54		
Delevan,	100		
Florence,	69		
Freedom,	78		
Honey Creek,	110		
Kingston,	150		
New Buffalo,	83		
Prairie du Sac,	226		
Reedsburgh,	120		96
	<hr/>	<hr/>	
	1253	1349	

FIFTH DIVISION—ADAMS COUNTY.

Jackson,	81	81	
No reports for two years.			

FIFTH DIVISION—PORTAGE COUNTY.

No reports from any towns in two years.

FIFTH DIVISION—BATTALIONS.

1st. Waushara County,		No report.	
2d. Waupacca County,		No report.	
3d. Marathon County,		No report.	
4th. Chippewa County,		No report.	
5th. St. Croix County,		No report.	
6th. La Point County,	107	107	
7th. Bad Ax County,	181	408	227
8th. La Crosse County,		No report.	
9th. Oconto County,		No report.	
10th. Waupacea County,		No report.	
11th. Milwaukee City,		194	421
<hr/>		<hr/>	<hr/>
Belonging to the first Division	268	709	

ABSTRACT of the Annual Return of the Militia for the State of Wisconsin, for the year 1854.

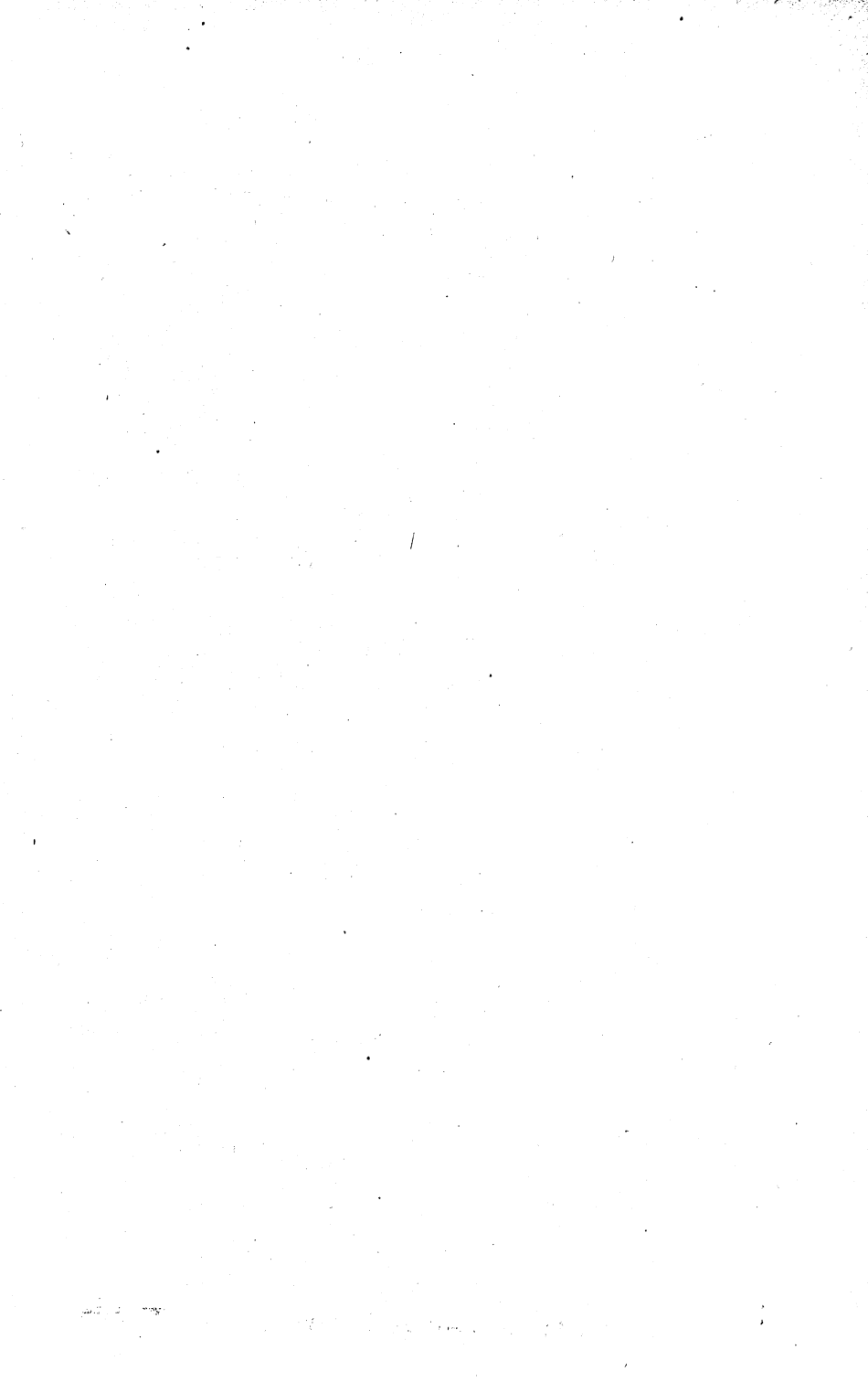
	Major Generals.	Brigadier Generals.	Adjutant Generals.	Inspector Generals.	Aids de Camp.	Mil. Sec. to C-in-Chief.	Colonels.	Lieut. Colonels.	Majors.	Adjutants.	Quartermasters.	Paymasters.	Chaplains.	Surgeons.	Surgeons' Mates.	Captains.	First Lieutenants.	Second Lieutenants.	Quarter Master Serj'ts.	Musicians.	Buglers & Trumpeters.	Sergeants.	Corporals.	Artificers.	Sergeant Majors.	Privates.	Total Commissioned Officers.	Total Non-commissioned Officers and Privates.	Aggregate.	Number of Divisions.	Number of Brigades.	Number of Regiments.	Number of Battalions.	Number of Companies.	
General Staff.....	1	1	5	1	1	1	2	..	18	1	..	4	4	8	5	8	1
Cavalry.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	3	3	3	..	..	..	12	12	..	..	36	10	45	50	..	..	..	..	3
Artillery.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	53	96	106	..	..	..	..	..	..
Infantry.....	5	10	..	..	..	..	29	29	67	10	..	40	..	39	..	290	290	290	29	20	..	1160	1160	4	29	45,370	1099	47,752	48,851	5	10	29	11	271
Riflemen.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	5	5	10	..	..	..	20	20	..	..	166	20	266	286	..	..	..	..	5
Aggregate.....	5	10	1	1	5	1	29	29	67	10	..	40	..	40	..	299	299	306	29	38	2	1196	1196	4	29	45,625	1142	48,159	49,301	5	10	29	11	280	

ORDNANCE AND ORDNANCE STORES.								ARMS, ACCOUTREMENTS, &c.																											
Brass six Pounders.	Iron six Pounders.	Sets of Implements.	Sponges & Rammers.	Ladels and Worms.	Bricoil and Drag.	Trail Handspikes.	Ammunition Boxes.	Muskets.	Bayonets.	Cartridge Boxes.	Bayonets, Scabbards and Belts.	Brushes and Picks.	Rifles.	Powder Horns.	Pouches.	Horse Pistols.	Swords.	Sword Scabbards.	Drums.	Fifes.	Bugles.	Artillery Swords.	Belts and Plates.												
2	1	2	6	..	3	6	2	427	427	365	365	365	100	220	100	100

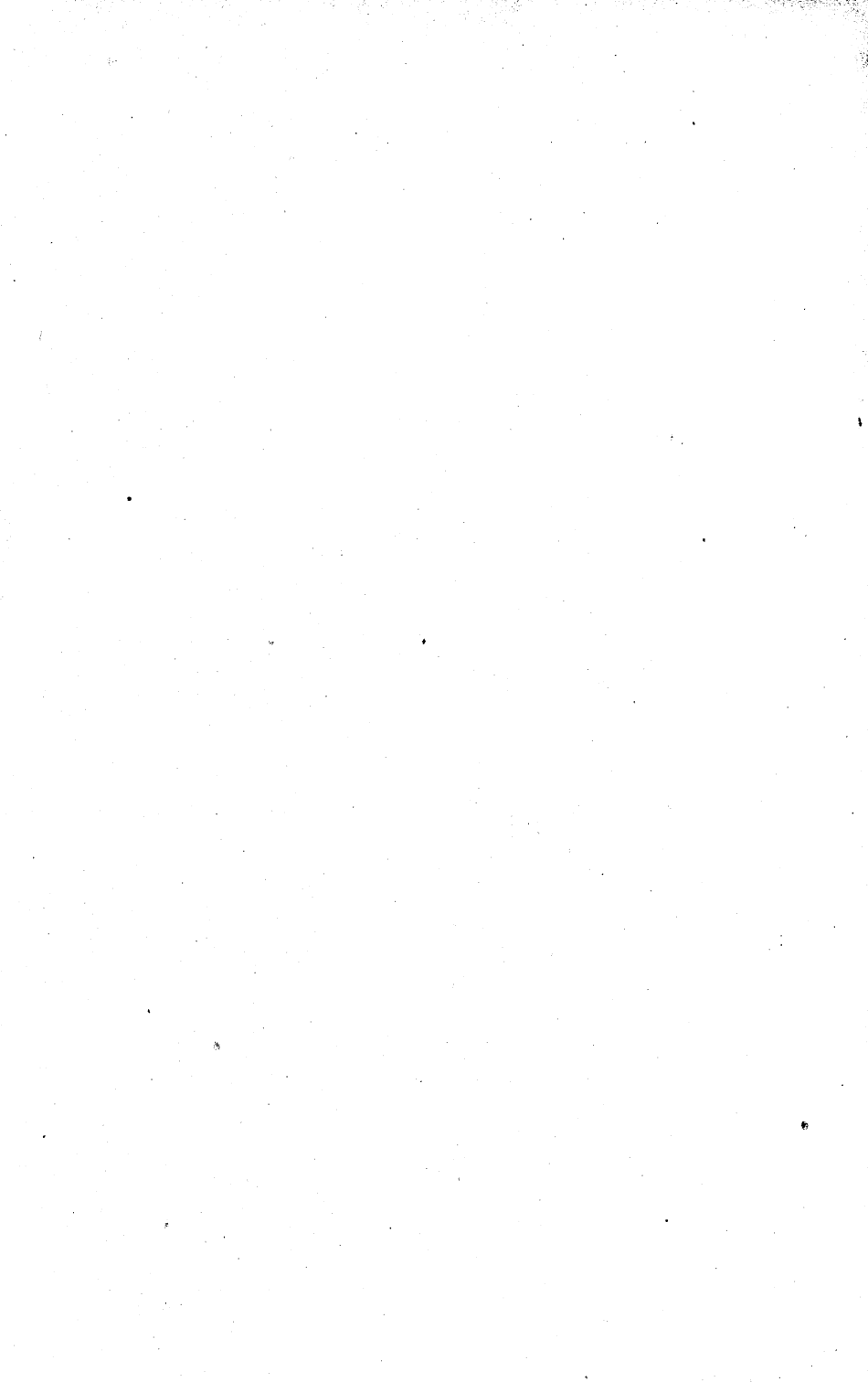
Some two or three hundred rifles the State had got in 1852, which I could not insert as I had not the account of them.

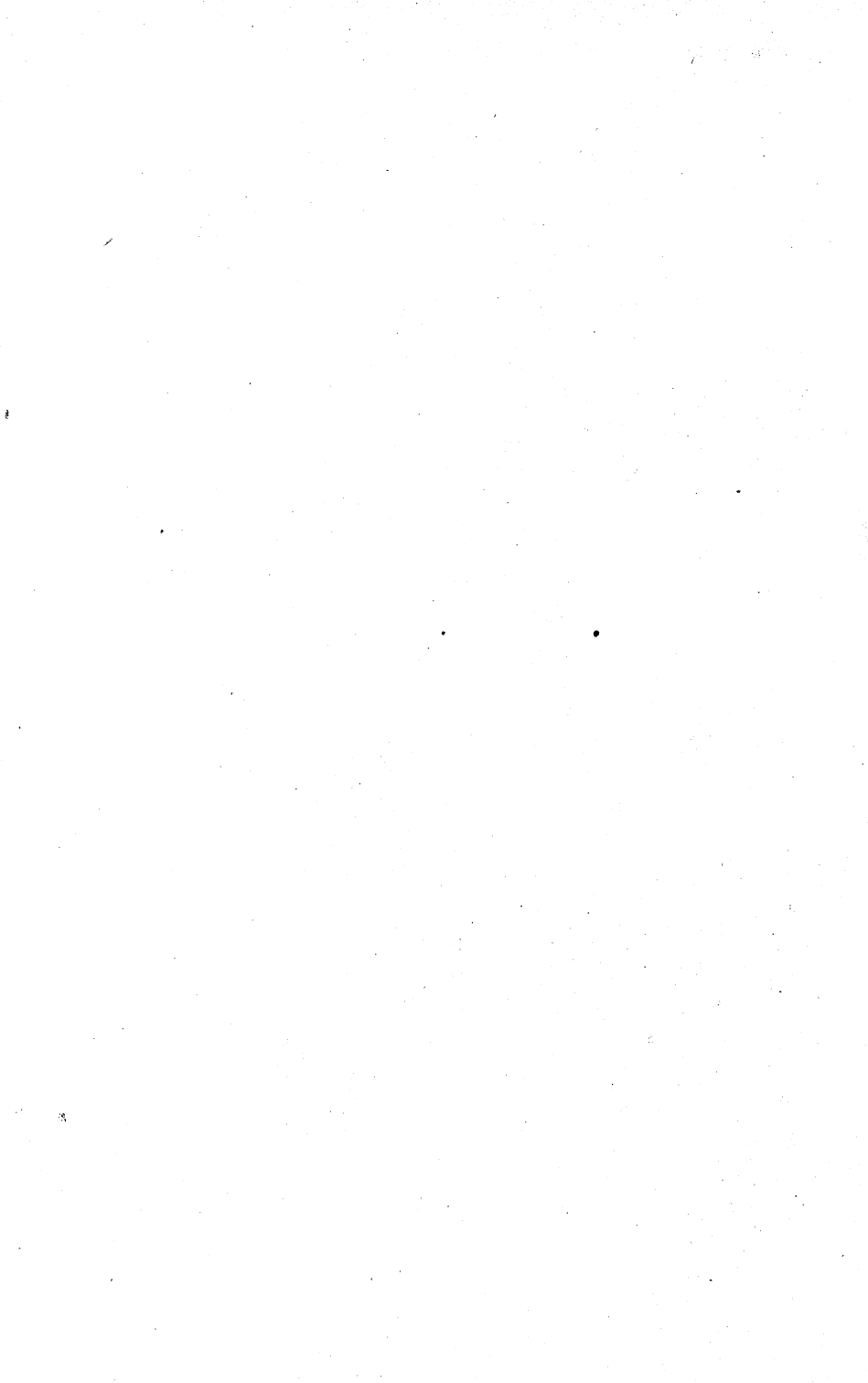
Adjutant General's Office, Dec, 20, 1850.

JOHN M'MANMAN, Adjutant and In. Gen.











REPORT
OF
WM. R. SMITH,
State Historian,
OF THE
STATE OF WISCONSIN
FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, STATE PRINTER.

1855.

REPORT.

MINERAL POINT, Dec. 13th, 1854.

TO HIS EXCELLENCY, WM. A. BARSTOW,

Governor of the State of Wisconsin:

SIR: Having been appointed in pursuance of an act of the Legislature, approved March 31st, 1854, to superintend the publication of so much of the Documentary History of the State of Wisconsin as was prepared by me previously to the date of said act, I herewith respectfully report to you the result of my action on such appointment:

Mr. Beriah Brown, to whom the contract for printing the History was awarded, having decided that the work should be stereotyped, it became necessary that I should proceed to Philadelphia, to superintend the setting up of the pages, correct the several proof sheets, and attend to the completion of the several stereotype plates, when diligently and faithfully compared with the original manuscript. This labor occupied my time from the 5th day of July until the 2nd day of November; but such a period was no longer, if so long, as I should have been employed in the work of correcting the press from day to day, if the type had been set up and the printed proofs of each page had been taken in Wisconsin. The stereotype plates of two volumes of the history are now,

and for some time have been, in the possession of Mr. Brown, at Madison, and from the progress in printing the work, which I have seen, I am well assured that the two volumes will be ready for delivery according to the contract.

Two volumes have now been prepared for publication ; the first volume commences with the earliest period of our history, and closes with the period of the formation of Territorial government in Wisconsin ; this volume comprises 432 pages, and although more matter had been prepared by the compiler, yet this period was considered a proper resting place, leaving for the second volume, the history of Wisconsin through Territorial and State governments, down to the present time.

The other volume now prepared for publication is properly the first in the Documentary series, although entitled the third in the general history ; this volume contains 443 pages, and has been considered sufficiently large, although much more matter is already prepared, which may be comprised in future volumes.

Thus the first and third volumes are now in course of being printed ; the second and fourth may be completed during the ensuing summer ; and a fifth volume, comprising the description and statistics of each county in our State is now in preparation by the compiler, the materials for which he has been gathering and arranging for two years past.

The whole work is separated into three parts, Historical, Documentary, and Descriptive ; the first volume of the Historical, and the first of the Documentary parts are now about to be given to the public ; I entertain a fervid hope that a work commenced and fostered by the Legislature of the State, may be considered satisfactory as far as it is now presented, and that it will be found worthy of future protection and encouragement by the same authority.

I have deposited in the Executive office the whole of the original manuscript of the first and third volumes of the history, (in

my own hand writing,) and have caused the same to be faithfully copied (by clerks) into substantially bound folio volumes, which are also there deposited.

I have the honor to be,

With great respect,

Your Obedient Servant,

WM. R. SMITH.

1. The following information is being furnished to you for your information only. It is not intended to be used for any other purpose.

RECEIVED
JAN 21 1964



FIRST ANNUAL REPORT

OF THE

COMMISSIONERS,

OF THE

Wisconsin State Lunatic Asylum,

OF THE

STATE OF WISCONSIN,

FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, PRINTER.

1855.

FIRST ANNUAL REPORT

OF THE

BOARD OF DIRECTORS

OF THE

AMERICAN ASSOCIATION OF COLLEGES AND UNIVERSITIES

FOR THE YEAR 1901

NEW YORK

1902

REPORT.

To His Excellency the Governor and the Hon. Legislature:

The Commissioners of the Wisconsin State Lunatic Asylum, pursuant to the requirements of law, make the following

REPORT:

Immediately upon the adjournment of the last legislature, they entered upon the discharge of their duties as such Commissioners: and first, the selection of a site upon which to erect the buildings of the Institution. Aware how important an influence the location of this hospital, and its construction and general arrangements, would have upon the mental and physical well being of those who were shortly to become its occupants, the Commissioners have in nearly every particular been guided by the experience of those who have been long familiar with the subject, and who were acquainted with the defects as well as the advantages of a majority of American asylums. Dr. Kirkbride, in an ably written article upon "Hospitals for the Insane," says, "When it has been determined to erect an hospital, the first object to be attended to is the selection of a suitable site for the buildings. The utmost caution should be observed in taking this step, on which may depend to no small extent the future character and usefulness of the institution; for the best style of building, and the most liberal organization, can never fully compensate for the loss sustained by a location that deprives the patients of many valuable privileges, or subject them to varied annoyances."

Many sites were offered to the Commissioners by citizens of Madison, and other sections of the state, a full account of which is given in the Superintendent's Report. After a careful and scrutinizing examination of the various localities, the Commissioners selected the lands offered by ex Governor Farwell, upon the north shore of Lake Mendota, in the town of Westport, about six miles from the Capitol square. This site is one of the most beautiful that can be imagined, and, in the opinion of the Commissioners, possesses every necessary requisite for such an institution. It is in a healthy, pleasant and fertile region of country; the land is of a good quality and easily tilled, and the neighborhood is replete with objects of an interesting character—While the asylum will be retired, and its privacy fully secured, views from it will exhibit life in its active form, and the stirring objects of a busy town. The tract embraces one hundred and four acres, in which there is a due proportion of wood and tillable land. A supply of water can be obtained from the lake, and the facilities of drainage are abundant. The general character of the land is such as will admit of a high degree of tasteful and agreeable improvement.

The Commissioners feel that they would not be doing justice to Governor Farwell, if they should neglect to remind the legislature of his public spirit and liberality, made so apparent, by his deeding to the state this tract of land for the nominal sum of fifteen hundred hundred dollars, while the real value thereof is not less than six thousand dollars. The commissioners are also under many obligations to him for valuable suggestions during the progress of their business.

The fourth section of the "act to provide for a State Lunatic Asylum," is as follows:

"Such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the Insane, as recommended by the Committee in their Report to the Senate. Provided, That said Commissioners shall have power to make any alterations therein which they may think necessary, and which will not materially change said plan, or increase the cost of said building."

One of the Commissioners was delegated in the early part of the season to visit the Worcester Hospital; and he was there and elsewhere advised by scientific physicians that the Worcester Hospital had not only ceased to be a model institution, but had fallen into the rear rank of the march of improvement. Within the last few years there has been a rapid advance in science as applied to the treatment of the insane, and it is generally conceded that a more convenient style of architecture, and better arrangements than can be found in any of the old hospitals are indispensable. The trustees of the Worcester hospital seriously contemplate selling out the old buildings and erecting new ones upon another site. They say:

“The location is such as no one, at the present time, would select for such an object. The land connected with it is altogether too limited, is badly situated, not furnishing to the patients that freedom and exercise in the open air which is desirable in such an institution. The hospital buildings are almost surrounded by city residences, and are not suitable for the uses to which they are put. They are low studded, the stories being only eight and a half, and nine feet high in the clear; they are warmed by furnaces in the basement, which are very dangerous, and now nearly worn out. They have already been on fire at least once from them. The ventilation is so imperfect as not to deserve the name. The ventiducts are each but four inches square, opening into attics, from which the foul air has no means of escape. It often ascends through one ventiduct, but to descend through another. But for the natural ventilation through the windows and doors, the contaminated air would be often intolerable. Its evil effects are plainly seen in the appearance of the patients. The frequent occurrence of erysipelas in the hospital is but one of its indices. The tables of mortality show that erysipelas stands at the head of acute diseases in fatality here. There is an entire want of suitable yards connected with the buildings. There are five separate kitchens with all the utensils to render them severally complete.”

This being the case, the Commissioners did not think themselves

authorized by the law under which they act, nor did they deem it desirable to propose a building entirely original in its design, but they determined to act within the scope of the law, and to adopt such improvements as were dictated by the experience of the past and by the knowledge of those who are familiar with the wants and requirements of the insane. They determined to carefully study the existing institutions and if possible, to adopt all their good features and to avoid their defects.

With due regard to economy in their expenditures, they were desirous to erect an institution that would most completely fulfil the object of its design, and ultimately give most satisfaction to an enlightened community.

For the purpose of gaining the requisite information upon this subject, Hon. Geo. R. McLane, Superintendent, visited during the past year nearly every hospital of any note in the Eastern States. He gave the subject a careful and earnest examination and laid before the Board the result of his investigations, as set forth in his Report, to which attention is invited.

In regard to principles which should regulate the construction and varied arrangements of Hospitals for the Insane, there is at the present day a remarkable unanimity of opinion among those familiar with the subject. A series of twenty-six propositions in reference to their construction was adopted by the "Association of Medical Superintendents of American Institutes for the Insane" at their meeting in Philadelphia in 1851, and these propositions have been recognized as, and are without doubt the highest authority upon that subject. The plan adopted by the Commissioners is intended to be in perfect accordance with the views of that Association. It is the plan matured by Dr. Kirkbride of the Pennsylvania Hospital, and approved by every Superintendent in the United States, and it may be safely asserted that if carried out in the true spirit of enlightened philanthropy, it cannot fail to give us an institution of a high order, every way superior to any previously erected, and at as small a cost as can effect the object desired. For a full and specific account of the plan of the buildings,

the Commissioners would refer, to the Report of the Superintendent, and also the drawings and specifications now in their office.

It is gratifying to know that this plan has received the approval of every well educated man to whom it has been submitted.

The commissioners in November last had the pleasure of meeting, in Madison, commissioners from the state of Maryland, of which commission was the Hon. Benj. C. Howard, and who were visiting different states, to be made acquainted with the most approved locations and plans for Insane Asylums, preparatory to the location and construction of an institution of that order in Maryland. They are men of high character, active benevolence, and scrutinizing investigation. They had already visited most of the hospitals in the Union, deeming it indispensable to their duty in view of the responsible trust confided to them. They visited the location selected by us, and noted our plans of building, &c., and were pleased to accord their unqualified approval of the same, and they fully determined to adopt the plans of "The Wisconsin State Lunatic Asylum," without alteration, as a pattern for Maryland.

The Wisconsin State Lunatic Asylum, when fully completed, will accommodate from two hundred and fifty to three hundred patients, and the cost of the entire structure will be the sum of one hundred and fifty thousand dollars. But the wants of the insane in this state may not demand the expenditure of that amount for many years. The commissioners deemed it to be their duty to provide accommodations for at least one hundred and ten patients, as soon as possible, that being the estimated number of insane in the state at the present time. Therefore under the provisions of the act establishing the Asylum, the board caused to be published in the required number of newspapers in the state, a notice, stating, that sealed proposals would be received by them for furnishing materials and doing the work for the erection of the building of said Asylum, or such portion thereof as the commissioners should deem advisable to have erected, and that they would award the contract to the lowest bidder therefor. The contract was awarded to Andrew Proudfit, wherein he has agreed to complete

the main building and two longitudinal and two transverse wings within the year 1855, two more longitudinal and two more transverse wings within the year 1856, and the remainder of said buildings at such reasonable time thereafter as the commissioners may direct; and for the performance of his agreements in the premises, he has entered into bonds to the state in the sum of fifty thousand dollars. The contract also provides, that as the work progresses, estimates of materials furnished and work done shall be made monthly by the commissioners, and eighty per cent. thereof allowed the contractor, the remaining twenty per cent. to be retained until the completion of the several sections of said work.

The cost of the portion of the building to be completed in the year 1855, will be \$67,743 00. The estimate has been made with reference to the bid of Mr. Proudfit, by an able and experienced architect, and the Commissioners are confident that such sum is abundantly sufficient.

Mr. Proudfit has gone vigorously to work, and is placing materials upon the ground as fast as possible. We are informed by him, that he has already contracted for all the stone necessary for the main building and two wings; for all the brick, and lime for the same, a large amount of lumber, and has all the machinery necessary for hoisting stone and other materials on hand, and there is no reasonable doubt that the work will be completed according to the terms of the contract, and perhaps sooner.

The last legislature appropriated the sum of fifteen thousand dollars, which leaves \$52,743 00 more to be provided, in order to complete the contract with Mr. Proudfit for the main building and two longitudinal and two transverse wings.

There has already been expended by the Board to this date, a sum very little exceeding five thousand dollars.

We think we are warranted in the premises, to say that the first section of the asylum will be completed and ready for patients before the meeting of the next legislature; additional enactments may therefore be necessary at the present session, in order to perfect the organization of the institution.

There is in the United States, no complete and well constructed institution of this class, which has not exceeded in cost, the sum of one hundred and fifty thousand dollars, while many have been constructed at an expense of over two hundred thousand dollars. Worcester asylum cost two hundred and eighty seven thousand dollars; Taunton asylum, just completed, one hundred and fifty-one thousand dollars, and the state has already authorized, to be made to the latter, additional improvements at a great outlay; so true is she to respond to the calls of the unfortunate insane. The Utica asylum originally cost two hundred thousand dollars, and until recently has been regarded as a model institution; yet the legislature of New York, with a liberality that refuses to deny any expenditure that may be necessary to render it more perfect as an instrument for accomplishing the benevolent object of its erection, have authorized an additional expenditure of seventy-five thousand dollars the past season.

The Derbyshire lunatic asylum, designed for the accommodation of three hundred patients, and completed in the year 1851, cost, including seventy-nine acres of land, ninety eight thousand three hundred and ninety-six pounds sterling. The Birmingham Borough asylum erected for three hundred patients, commenced in 1846, and completed in 1850, cost, seventy four thousand two hundred and twenty-four pounds. Many more institutions of this order might be enumerated, and there can never one be found of any considerable merit, the cost of which has been ultimately measured by a few thousand dollars.

Various reasons may be assigned for the many imperfections which have been long endured in asylums, prominent among which, is the lack of confidence in, or the neglect to appeal to the authority of medical men who have lived in asylums and among the insane, and who alone know what the insane require." This reason, construed in the fullest extent, will indeed embrace all others, for the learned medical men at the present day are intent upon progress, and untiring in their investigations, not only traversing their home continent to find out something good and

true upon this subject, but they visit their transatlantic co-workers, with them to exchange and compare views, to the end that ignorance shall be no sin of theirs. Such medical men as have been quoted in the superintendent's report, are men of no low notoriety; eminent in their profession they command our highest respect, and our position *imperatively demanded*, that we heed them in their labor of benevolence. We have done so—we could not conscientiously do otherwise—to have set adverse opinions of the uninformed against theirs would have been such a palpable error as an enlightened community could never forgive: and the just recompense of that error could be nothing less than an unqualified verdict from yourselves, that we have been unfaithful servants.

In settling upon a plan for this asylum, the Commissioners had to decide whether they would have constructed a building at small expense, possessing very limited good qualities and usefulness, or such a building, at greater cost, as would meet the approbation of those who best know what is needed, and which would not be immediately obnoxious, and subject to revision, change, or total abandonment. We chose the latter, and as yet have found no just cause to regret our choice.

In the prosecution of this business, we have at all times been aided by the Superintendent, and to him we must accord much for the energy and faithfulness, which have characterized his labors. His position in years past has been such, that American and English Journals of Insanity, form no inconsiderable portion of the reading matter of his library. His thorough knowledge of the plans and specifications, and the practical workings of a systemized structure, has been to us of great value, and his energy and ability have been fully equalled by his uniform kindness.

In conclusion, the Commissioners would say, in the language of Dr. Kirkbride, "The plan will be found, it is believed, to give at as small a cost as can effect the object thoroughly, what was originally proposed as desirable in a hospital for the insane, ample

provisions for the accommodation of the officers and all employed—everything requisite for the custody, comfort, and enlightened treatment of the patients—and arrangements throughout that will allow the supervision to be thorough and effective, and the management liberal, and at the same time strictly economical.”

MADISON, January 1, 1855.

SAM. G. BUGH,

D. S. VITTUM,

ALDEN S. SANBORN,

Commissioners of Wisconsin State
Lunatic Asylum.

FIRST ANNUAL REPORT OF THE SUPERINTENDENT.

To the Commissioners of the Wisconsin State Lunatic Asylum:

GENTLEMEN:—In conformity with section 5, of chapter 59, of the Laws of Wisconsin, approved March 30, 1854, an "Act to provide for a State Lunatic Asylum," I lay before you the following

REPORT:

Under your instructions in the month of April last, I made publication, that proposals would be received for the donation or purchase of a site suitable for the location of our Asylum, setting forth, that if a site for such Asylum, under the act approved by the Governor, should be donated or could be purchased for a sum not exceeding fifteen hundred dollars, the Asylum should be located at or in the vicinity of Madison.

Shortly after such publication, very many liberal communications, were received by me from different portions of the state, which I had the honor to lay before you.

The late Henry K. Holley, Esq., as you are aware, made us an offer of one hundred acres of land, at fifteen dollars per acre, at five miles distance from Madison, and commanding a fine view of the village.

Messrs. Catlin & Williamson presented for consideration certain described lands, ranging from ten to fifteen dollars per acre.

The offer of Ex Governor Farwell of two tracts of land containing each one hundred acres, one tract as a donation, the other at fifteen dollars per acre; the proposal of James Richardson & Co. of a beautiful site on the south-east shore of Third Lake, containing a little more than one hundred acres, offered at a sacrifice, but at a price somewhat exceeding the limitation of the act; the

proposition of Messrs. Mills & Williamson of a quarter section, or a portion thereof, four miles from Madison, and commanding an extensive prospect of the surrounding country; the very liberal offer of James B. Martin, Esq., of Milwaukee, on his purchase of the Fort Winnebago Reservation, with his proffers of money to aid in the erection of the Asylum, and the use and occupation of buildings for temporary accommodation; the offer of Messrs. Kirk, Basset & Norris, of Sauk county; and the proposal of D. W. Jones & H. H. Gray, with liberal offers of donations. All these having been entered in full on the journal of our proceedings, need but a brief enumeration here.

Under the provisions of the "Act to provide for a State Lunatic Asylum," should a site suitable for such purpose be donated in the vicinity of Madison, or purchased for a sum not exceeding fifteen hundred dollars, then it became incumbent upon you to locate said Asylum at or in the vicinity of Madison.

After having visited with you the several locations offered, under your instructions I notified Mr. Farwell, that the one hundred acre tract of land which he had offered to the state for the sum of fifteen hundred dollars, had been accepted by the Commissioners, and approved of by the Governor. Under the advice of the Attorney General, a deed of conveyance was made to the state, an order for the purchase money drawn, and the deed recorded.

Under a resolution passed by your board, and by the advice of the Governor, you are aware that I visited most of the similar institutions in the United States, and upon my return laid before you a plan, which was adopted by you without reservation.

In the outlay required for the establishment of our institution and the plan adopted, it may appear to some who are not familiar with the number of insane in our state, that we are making arrangements beyond our necessities. From the statistics and returns that have been made to me during the past year, I am satisfied that we have in this state at least one hundred patients, who, by neglect in their treatment, may become incurable. As to the more item of expense in the plan recommended by me, I cannot more fully set forth my views than by a quotation from a report of

a distinguished physician, and one whose education and great experience in the treatment of insanity must entitle his opinion to great consideration. I refer to Dr. Luther V. Bell, of Massachusetts. He says:

"It would, as formerly, not be difficult to demonstrate the value of hospital treatment, and especially of early subjection to the use of means: but the day has passed when the community needs suggestions or instructions on these points, and for years this asylum has been so over-crowded, that the anxiety of its managers has been rather to keep down, than to augment the number of its applicants."

"The most essential draw-back to the fullest amount of public good attained by the Insane Hospitals of the country, regarded as a whole, obtains in the erroneous belief, or at least the actual assumption of a possibility that this class of institutions can be carried on fairly and justly under any such outlay of means as would be measured by the ordinary support of individuals having health and reason. We cannot be too grateful that the views of those who have directed the affairs of this asylum have never stopped at the nominal accomplishment, but have aimed at attaining the highest realities of their professed ends, a consummation only to be sought in the decision that just so much money shall be freely expended as can be wisely applied to the object."

"As the communities called to provide for the insane, advance in familiarity with this duty and in means to meet it, the fatal error of cheap institutions will cease to exist—an error involving not merely the negative objection of leaving the presumptive ends of hospital treatment unfulfilled, but the positive hazard of accidents, compromising not only the institution immediately concerned, but the usefulness and reputation of the whole class."

"It would be a happy conviction upon the minds of legislators and communities, could they be persuaded that between no provision at all of a public kind for the Insane, and a parsimonious, stinted and inefficient imitation of a real provision—the former evil is infinitely the least. A County, or Town, or State may dignify a part or the whole of some custodial receptacle for its luna-

ties, with the high sounding title of "An Asylum," the public and curators of the unfortunate, or even the friends and relatives may ignorantly, or as a self-excusing salvo, accept such substitution as a full acquittance of their obligation; but every person who gives an hour's reflection to the matter, and compares the cost of persons in health, and of the insane under even the minimum outlay for mere custody, to say nothing of amelioration and care, cannot but see the impossibility of doing justice to the insane on a cheap plan. Communities preparing for provisions for this class have been led into woful miscalculations on this subject."

I present this quotation not in extenuation of the cost of the building, but simply to place upon record, that in my connection with an institution of this kind, I could not conscientiously recommend a plan that would not carry out fully the great ultimate end designed to be accomplished in the curative treatment of the Insane. In maturing this plan I was governed chiefly by the following resolutions, which after mature consideration, were unanimously adopted by "The Association of Medical Superintendents of American Institutions for the Insane," and directed to be published in the Medical Journals of the Continent, as the sentiments of the association on the subject referred to.

ON THE CONSTRUCTION OF HOSPITALS FOR THE INSANE.

I. Every hospital for the insane should be in the country, not within less than two miles of a large town, and easily accessible at all seasons.

II. No hospital for the insane, however limited its capacity, should have less than fifty acres of land, devoted to gardens and pleasure grounds for its patients. At least one hundred acres should be possessed by every State hospital, or other institution for two hundred patients, to which number these propositions apply, unless otherwise mentioned.

III. Means should be provided to raise ten thousand gallons

of water, daily, to reservoirs that will supply the highest parts of the building.

IV. No hospital for the insane should be built, without the plan having been first submitted to some physician or physicians, who have had charge of a similar establishment, or are practically acquainted with all the details of their arrangements, and received his or their full approbation.

V. The highest number that can with propriety be treated in one building, is two hundred and fifty, while two hundred is a preferable maximum.

VI. All such buildings should be constructed of stone or brick, have slate or metallic roofs, and as far as possible, be made secure from accidents by fire.

VII. Every hospital, having provision for two hundred or more patients, should have in it at least eight distinct wards for each sex, making sixteen classes in the entire establishment.

VII. Each ward should have in it a parlor, a corridor, single lodging rooms for patients, an associated dormitory, communicating with a chamber for two attendants; a clothes-room, a bath-room, a water-closet, a dumb waiter, and a speaking tube leading to the kitchen, or other central part of the building.

IX. No apartments should ever be provided for the confinement of patients, or as their lodging rooms, that are not entirely above ground.

X. No class of rooms should ever be constructed without some kind of window in each, communicating directly with the external atmosphere.

XI. No chamber for the use of a single patient should ever be less than eight by ten feet, nor should the ceiling of any story occupied by patients be less than twelve feet in height.

XII. The floor of patients' apartments should always be of wood.

XIII. The stairways should always be of iron, stone, or other indestructible material, ample in size and number, and easy of ascent, to afford convenient egress in case of accident from fire.

XIV. A large hospital should consist of a main central building with wings.

XV. The main central building should contain the offices, receiving rooms for company, and apartments entirely private, for the superintending physician and his family, in case that officer resides in the hospital building.

XVI. The wings should be so arranged that, if rooms are placed on both sides of a corridor the corridors should be furnished at both ends with movable glazed sashes, for the free admission of both light and air.

XVII. The lighting should be by gas, on account of its convenience, cleanliness, safety, and economy.

XVIII. The apartments for washing clothing, &c., should be detached from the hospital building,

XIX. The drainage should be under ground, and all the inlets to the sewers should be properly secured to prevent offensive emanations.

XX. All hospitals should be warmed by passing an abundance of pure, fresh air from the external atmosphere, over pipes or plates, containing steam under low pressure, or hot water, the temperature of which at the boiler does not exceed 212° F., and placed in the basement or cellar of the building to be heated.

XXI. A complete system of forced ventilation, in connection with the heating, is indispensable to give purity to the air of a hospital for the insane; and no expense that is required to effect this object thoroughly can be deemed either misplaced or injudicious.

XXII. The boilers for generating steam for warming the building should be in a detached structure, connected with which may be the engine for pumping water, driving the washing apparatus, and other machinery.

XXIII. All water-closets should, as far as possible, be made of indestructible materials, be simple in their arrangements, and have a strong downward ventilation connected with them.

XXIV. The floors of bath-rooms, water closets, and basement stories, should, as far as possible, be made of materials that will not absorb moisture.

XXV. The wards for the most excited class should be constructed with rooms on but one side of a corridor, not less than ten feet wide, the external windows of which should be large, and have pleasant views from them.

XXVI. Wherever practicable, the pleasure grounds of a hospital for the insane should be surrounded by a substantial wall, so placed as not to be unpleasantly visible from the building.

Institutions for the insane are now being erected or completed in Pennsylvania, New Jersey, two in Ohio, in Alabama and other states, which, in the principle of their construction deviate but slightly from the building now being erected by us. Should the plan of this asylum be carried out in accordance with the specifications, we will have an institution of such a character as will reflect honor upon our state, and at no greater outlay than is necessary to obtain the important object we have in view.

In a report of this character it cannot be expected that I should give a detailed account of the plans, drawings and specifications of the building. They are, as you are aware, open for examination, at the asylum office, and accessible to all. To give a general idea of the arrangement, I would state very briefly, that the building will be of stone, consisting of a basement and two principal stories in every part, except the centre and projecting portions of the wings, which will rise higher. On the centre building will be a dome in which will be placed the water tanks. Ventilating shafts will terminate on the projecting portions of the wings and in the central dome. The centre building separates the two sexes, and on either side of it are three ranges of wings. The first range is separated from the centre building by a space eight feet wide, and the other ranges fall back sufficiently far to leave the corridors open at both extremities, giving, when completed, eight distinct wards for each sex, besides accommodations for more violent patients. The cellar is excavated throughout its whole extent, in which are the air chambers, reservoirs, passages by railways for conveying food from the kitchen to the different dumb waiters between it and the extreme wings, purposes of ventilation, &c. All

culinary arrangements with those for heating, gas-making, and procuring water for the establishment, and indeed wherever fire is requisite, occupy a distinct building from the asylum. All pipes, flues, &c., will be conducted by arch-ways to the main building.

The architectural front of the building is plain and in good taste. The portico has been dispensed with, as being too costly and destroying the upper portion of the building. A double verandah made of iron, six feet wide, has been substituted in its stead. The plan, as you are aware, was prepared by Sloan and Stewart, architects of Philadelphia; and their drawings and specifications are admirably executed, and as full and specific as could be desired. The great responsibility which under your kind confidence has rested upon me in maturing a plan for our State Lunatic Asylum would necessarily compel me to avail myself of all the improvements of the day, in the medical and moral treatment of this class of patients. Apart from this important and responsible view of the subject, I cannot but feel pride that this institution should keep pace with the growing increase and prosperity of our State.

To Dr. Thomas S. Kirkbride, of Philadelphia, superintendent of the Pennsylvania Hospital for the Insane, I am under deep obligations for the assistance he has rendered me in furthering the object I had in view: To Dr. Luther V. Bell of Massachusetts, Dr. Chandler of Worcester, Dr. Nichols of Washington, Dr. Buttolph of New Jersey, Gen. McDonald of Flushing, Dr. Choate of Taunton, and others, I am under obligations for kind attentions in aiding me to carry out the object of my mission.

And here I would take occasion to express my deep sense of the compliment paid me by the governor, and yourselves, in your prompt approval of the plan of the Asylum, as laid before you.

As your report will show, the contract for the building was awarded to Andrew Proudfit, Esq., and I am most happy to testify to the commendable industry and diligence with which he has been forwarding the work. A large portion of materials is already upon the ground; and should early and necessary appropriations be made the present session, which cannot be too strongly urged, I

feel confident that the building may be ready for the reception of patient before the period contemplated under the contract,—and certainly the large number of patients of this class, already in our State, should have some claim upon the sympathy of our legislators.

MADISON, January 1, 1855.

GEO. R. McLANE,
Superintendent Wis. State Lunatic Asylum.

To Messrs. BUGH, VITTM and SANBORN,
Commissioners.

SEVENTH ANNUAL REPORT

OF THE

BOARD OF REGENTS,

OF THE

UNIVERSITY OF WISCONSIN,

FOR THE YEAR ENDING DEC. 31, 1854.

MADISON:

BERIAH BROWN, PRINTER:

1855.



UNIVERSITY OF WISCONSIN, FEBRUARY 13, 1855.

TO HIS EXCELLENCY, WM. A. BARSTOW,

Governor of the State of Wisconsin:

In accordance with the law I transmit to you, herewith, the seventh annual report of the Regents of the University, and have the honor to be,

Most Respectfully,

Your Obedient Servant,

JOHN H. LATHROP,

President of the Board.

REGENTS' REPORT.

TO THE LEGISLATURE OF THE STATE OF WISCONSIN :

The Regents of the University make this, their seventh annual

REPORT :

That the portion of the educational interest of the state which has been committed to their care, has received, since the date of the last annual report, the attention which the importance and the exigencies of the trust seemed to demand.

The finances of the University have steadily improved during the past year. The original land endowment is, by sale and investment, passing into the productive form, and an additional grant from congress during the present session, will, when brought into the market, add materially to the educational capabilities of the Institution. The following schedule will set forth the financial condition of the University on the first of January, 1855.

RESOURCES.

Proceeds of University lands sold and invested,	\$161,000 00
Value of balance of same, (unsold,)	19,000 00
Probable value of recent grant, (unsold,)	120,000 00
Buildings and fixtures,	40,000 00
Grounds enclosed,	45,000 00
Library and Cabinet,	4,000 00

Total resources.

\$389,000 00

LIABILITIES.

Loan from School fund,	\$25,000 00
do University fund,	15,000 00
do J. D. Ledyard,	5,000 00
	<hr/>
Total liabilities,	\$45,000 00
	<hr/>
Balance	\$344,000 00

It will be seen, from the above statement, that the institution is now emerging from the embarrassments attendant on the period of converting a land endowment into a productive form, and erecting the buildings. The endowment, however, is, to the extent of one half, still unproductive; and the income of what is already productively invested is burdened with the payment of the annual interest on the debt incurred in the acquisition of the grounds, and the construction of the buildings. In addition to this, the payment of the principal itself of these liabilities, must be provided for from this same annual income. It is obvious that until the debt be discharged, a considerable portion of the annual revenue of the institution must be diverted to that use. It is, therefore, important that the statement of the gross ultimate capabilities of the University should not beget an impatience for immediate and brilliant results. A few years of cautious administration of its affairs will be necessary to disencumber its revenue of the debt which is now lying upon it, and to realize the whole land endowment in the productive form; enabling it to accomplish, in the cause of education, all that has been reasonably anticipated from an institution thus founded and thus endowed. Until such time, it is not the intention of the board to divert any portion of its income to the support of professional departments of Law and of Medicine. As the charter provides no building fund, aside from the income of the University endowment, it will be the general policy of the board not to proceed to the erection of the other buildings comprised in the plan, until the liabilities already incurred shall be discharged; and thereafter, only as surplus

means shall be accumulated in the treasury, not demanded for other and more important uses.

In the meantime, the attention of the board will be mainly directed to the advancement and completion of the department of "Science, Literature, and Arts," furnishing the means of liberal education to the young mind of the community. This department comprises preparatory and collegiate courses of instruction, tantamount to those prescribed in the older institutions of learning in the country. Select portions of these courses may be pursued in connexion with the regular classes, by those who do not design to prosecute their studies through to graduation.

At the beginning of the the year 1854, the Faculty of the University consisted of J. H. Lathrop, Chancellor and Professor of "Ethics, Civil Polity and Economy;" J. W. Sterling, Professor of "Mathematics and Natural Philosophy;" O. M. Conover, Professor of "Ancient Languages and Literature," and S. H. Carpenter, Tutor. The board at their last annual meeting made choice of S. P. Lathrop, M. D., of Beloit, to fill the chair of Chemistry and Natural History in the University; who entered on his duties in May, 1854, which he continued to discharge till near the close of the first term of the current collegiate year. By the decease of Professor Lathrop, on the 25th of December, the institution lost the services of an able and devoted officer, the agricultural interest, a scientific friend, and the State, a useful and influential citizen. The vacant canvassed the claims of candidates, to secure an intelligent and chair will be filled, as soon as the board shall have sufficiently safe choice. It will be a part of the plan of this department, to offer yearly instruction to agricultural classes in chemistry and its applications.

At their meeting in September, the board made choice of Professor Daniel Read, L. L. D., of Indiana State University, for the vacant chair of "Mental Philosophy, Logic, Rhetoric, and English Literature." The appointment has been accepted. The new Professor will be inaugurated at the next commencement, and will enter upon his duties at the opening of the next collegiate year in

September. This chair, ably filled, will add materially to the instructional force of the institution, to the benefit not only of the regular classes, but to the very great advantage of those who are pursuing select portions of the course, for business purposes, or in preparation for more useful and efficient employment in the public schools of the State.

The chair of modern languages still remains vacant; but provision has been made for special instruction in the German and French languages, by an appropriation of \$300 per annum for that object. The executive committee have employed Dr. J. P. Fuchs to render this service to the institution, until the chair be filled. He is in the daily instruction of two classes, and the board have reason to believe that his instructions are highly and justly appreciated.

Mr. S. H. Carpenter resigned the tutorship at commencement in July, and his valuable services have been replaced by the appointment of Mr. A. L. Smith to fill the vacancy. Under his instructions, the preparatory department is in effective condition, and increased numbers are in a course of preparation for the college classes.

The loan of \$15,000, from the principal of the University fund for building purposes, offered by the legislature at their last session, was accepted by the board; and is in process of application, in the erection of the second collegiate edifice. The work will be completed according to contract, on the first day of June next, and will be ready for occupation, at the opening of the next collegiate year in September. By reference to the report of the building committee, hereunto appended it will be seen that the cost of the work will exceed the amount of the loan by \$3000. This deficit together with the cost of superintendence, furnaces, and fitting up of public rooms for use, amounting, in all, to not less than \$4500, must be provided for out of the income of the present year. The diversion of so large a portion of the income to extraordinary uses, will compel the board to defer the appointment of a professor of modern languages, and the enlargement of the library, cabinet and apparatus, till the close of the year.

The available funds in the treasury of the board for the year 1855, will be as follows, (nearly):

Balance of income for '54, in state treasury,	\$1,129 15
Interest for 1855, on capital fund invested, (\$161,146,91)	\$11,280 28
From tuition and room rent,	1,000 00
From sales of University addition,	400 00
Interest on probable sales of University lands for '55,	1,000 00
Total available funds for '55,	\$14,809 43

Disbursements as follows:

Interest on indebtedness (\$45,000),	3,200 00
Salaries of Faculty,	5,375 00
Pay of Secretary, Treasurer and Janitor,	615 00
Wood,	300 00
Deficit of building fund, (\$15,000)	4,500 00
Contingencies,	500 00

Total disbursements for 1855, \$14,490 00

Balance in Treasury Dec. 31, 1855, \$319 43.

It is obvious from the above statement, that, in order to enable the institution to meet its liabilities, the whole of the income of the university fund for the year 1855, after reserving the interest on the two loans from the State, should be placed at the disposal of the board.

Preliminary measures were adopted by the board, at their September meeting, in reference to the supply of boarding for students within the college grounds. The want of some provision of this character has been already felt, and will become still more urgent as the institution shall continue to enlarge its patronage. The executive committee have been charged with carrying out the views of the board in this behalf, as soon as the means of the University will justify it.

From and after the present year, the income of the University from the original land endowment, will not vary much from \$12,600 per annum. By additions from students and from other

sources, this sum will be extended to about \$15,000. The pay of the instructional force of the institution, when the chairs are all filled, will be about \$8000. Adding to this, \$2000 for increase of library, apparatus and scientific collections, and for contingencies, the current expenditures of the institution will amount to some \$10,000 per annum; leaving a margin of \$5000, for the payment of interest and the gradual sinking of the debt.

During the present session of congress an additional grant of seventy-two sections of land has been made, in further endowment of the University. Of this grant, about forty sections have been located, and the residue will be entered in the spring. Some legislation may be necessary to protect these lands from intrusion and trespass during the present year, and to provide against any diminution of the fund by pre-emption claims. When the selections shall have been completed, it will be sufficiently early to provide for their appraisal and sale.

After the reduction of this new grant to the productive form, and the extinction of the debt, the annual income of the whole endowment will not fall short of \$22,000; and receipts from other sources will swell this amount to \$25,000. These conditions will enable the board to carry on successfully the Collegiate, Normal and Agricultural departments; to provide for the additional structures without the accumulation of debt; to make yearly additions to the apparatus, library, cabinet and other collections; and finally to establish the professional schools of Law and Medicine.

The board are advised that the Superintendent of Public Instruction recommends an appropriation from the income of the school fund for the support of a normal professor in the University, until the institution shall be able to assume the whole burden of the department. Should this policy be adopted by the legislature, the board will provide for the necessary room and fixtures, and co-operate with the Superintendent in placing the department in the most effective condition. A like temporary aid would enable the board to give earlier effect to their design to make the University the proper agricultural college for the State.

The term of service of Regents, Nathaniel W. Dean, Hiram Barber, Chauncey Abbott and Julius P. Atwood, expires during the present session of the legislature. The charter of the University devolves on the legislature the duty of filling these vacancies.

In order to a more detailed understanding of the condition and prospects of the University, the board append to this report the annual communication of the Chancellor, the reports of committees, and other relevant papers.

The board, in fine, present the University in a condition of substantial prosperity, and hope, by a careful administration of the important trust reposed in them, to be instrumental in extending its usefulness, and commending it to the affection and to the just pride of the commonwealth.

All which is respectfully submitted,

JOHN H. LATHROP,
CHARLES DUNN,
J. D. RUGGLES,
ALEXANDER T. GRAY,
C. ABBOTT,
H. A. WRIGHT,
E. WAKELEY,
NELSON DEWEY,
E. M. HUNTER,
N. W. DEAN,
J. P. ATWOOD.

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APPENDIX.



UNIVERSITY OF WISCONSIN,

January 17, 1855.

To the Board of Regents of the University of Wisconsin:

In accordance with the statutes of the University, I would respectfully submit the subjoined view of the condition and progress of the institution, during the year ending December 31, 1854; and would suggest such measures for your consideration, as appear to me to be conducive to the great and interesting object of our common trust.

In laying the foundations of an institution of learning of the highest grade, public in character and administration, intended to perfect and to crown the system of public instruction for the State, it is important to consider that voluntary associations have already broken the ground, that well endowed and well officered denominational colleges, are in active and successful operation, offering advantages for the liberal education of the young mind of Wisconsin. All these efforts, beneficent in their immediate results, are of special interest to us, as preparing the way for a more ample harvest of distinction and usefulness to the University, provided, that by adequate public endowments, ample appointments, and wise administration, it be made to take its true position as the seat of liberal learning and professional culture for the young men of the State.

But it is obvious so remark, that the University, as a mere competitor with the colleges for public favor and patronage, derives no advantage whatever, from the mere fact of its State connexion. It is only by creating in the public mind the well founded conviction, that a higher style of education, both in practical value and in finish, may be obtained within its walls than can be furnished elsewhere, that the denominational bias, which has hitherto divided the efforts of the friends of liberal education, can be relaxed and finally overcome.

The best condition for the whole community, in this behalf, will be realized, when the state shall make ample provision for the

liberal education of all those who may desire it, leaving all denominational funds to the single work of the better professional culture of those who are set apart to act as the moral and spiritual guides of their fellow men. The charter of the university, for reasons which are satisfactory to the community, makes no provision for a theological department; but it is quite obvious that each of the religious denominations would wisely avail itself of a competent state organization for the liberal education of its members, enabling itself, by saving all expense in that direction, to give a completeness and perfection to its schools of theological learning, which cannot be reached by the application of divided funds. That the State University may be made to bear this desirable relation to denominational schools, requires nothing else than ample public support and wise administration.

The plan of the university of Wisconsin, as set forth in its charter, provides: 1, for the collegiate department of science, literature and arts; 2, of law; 3, of medicine; 4, of normal instruction. To this I am satisfied we must add a fifth, namely, a school of the application of science to agriculture and the useful arts.

A state institution embracing all these departments, and sustaining the above mentioned relations, constitutes the idea towards which we are to labor up, and to which we should approximate as the means in our hands and the material on which we are to work, will permit.

During the period of converting our land endowment into a productive fund, our operations have been necessarily limited, by the scantiness of our actual income, and the necessary diversion of the larger portion of it, to the acquisition of grounds and the erection of the needful buildings. In the meantime, our organization has been effectual to the preservation of the fund from diminution, to the gathering of patronage, and the preparation of our material for the prosperity which the university will doubtless command in time to come.

Up to this time, our suit of public rooms has been inadequate to university uses; our library and cabinet of Natural History

have been meagre; apparatus we have had none for chemical or philosophical demonstration, till the small purchase of the last year; several of our chairs of instruction are still vacant; and no movement has yet been made towards the organization of any other university school, than that of "Science, Literature and Arts."

The presentation of what remains to be done, to realize our idea of a state university, naturally brings us to an examination of the financial condition of the institution, present and prospective; the means now on hand, and hereafter to accrue, for completing the plan and accomplishing the ends of the trust.

The proceeds of the sales of the University lands of the original grant, when disposed of at their appraised value, will amount to about \$180,000. The interest on sales and investments up to the first of January 1853, was barely sufficient to meet the interest on the liabilities of the Board contracted in the purchase of grounds and the erection of the first dormitory building. Since that period, sales have been rapid, and the productive fund accruing therefrom amounted, on the first day of January 1855, to \$161,000. It is fair to presume that the residue of the university lands will be sold during the year, and the whole fund of about \$180,000, will be realized in the productive form, by the first of January, 1856. On this supposition, the income of the fund for the next year will not fall short of \$12,000.

The Faculty of the University, at the beginning of the year 1854, consisted of the Chancellor, who is acting Professor of "Ethics, Civil Polity, and Political Economy;" the Professor of "Mathematics and Natural Philosophy;" the Professor of "Ancient Languages and Literature;" and a Tutor. The chair of Chemistry and Natural History was subsequently filled by the appointment of Professor S. P. Lathrop, of Beloit College, who entered on his duties, in the University, early in June, and continued to render his very valuable services in that department, till disabled by the disease which terminated his useful life, on the 25th of December. At the September meeting of the Board, Professor Daniel Read

now of the University of Indiana, was chosen Professor of "Mental Philosophy, Logic, Rhetoric and English Literature," his term of office to commence on the first of August 1855.

I am happy to be able to announce to the board, that the appointment has been accepted. The accession of Prof. Read will add greatly to the instructional force of the institution, and will, in the most satisfactory manner, as I doubt not, supply what has been felt all along to be a manifest and decided want in our organization. He may be expected to deliver his inaugural address at our next commencement. At the same meeting of the board, the executive committee was authorized to employ a teacher in the German and French languages, at a charge of not more than \$300 per annum; as a temporary arrangement, until the chair of modern languages and literature should be permanently filled. The committee have been so fortunate as to secure the services of Dr. I. P. Fuchs in this department, who will be a candidate for the chair of modern languages and literature, whenever the board shall proceed to an election. His instructions have been, thus far, thoroughly and successfully rendered.

During the past year about \$900 have been expended for chemical and philosophical apparatus by order of the board, and about \$300 for the benefit of the library and cabinet.

The apparatus was selected with great care by Professor Lathrop personally, from the shops of the best makers in Boston and New York. We have adopted the rule in the purchase of apparatus, whether the appropriation be great or small, to procure instruments of decidedly good quality; so that the apparatus when complete, shall be serviceable, and well adapted to the purposes of analysis and illustration.

An entire suit of New York fossils has been added to the cabinet, and a large variety of those of Ohio and Illinois.

The library has been increased by purchases to a small amount, and by the valuable attentions of Senator Dodge, and Hon. B. C. Eastman, and others of our delegation in congress.

On the completion of the edifice now in progress, the apparatus,

library, and cabinet, will be removed to the large and commodious rooms to be prepared for them and it is to be hoped that the revenue of the institution will enable the board to make annual appropriations for the extension of these aids to instruction, essential as they are to the credit and usefulness of the University.

The death of Professor Lathrop will devolve on the board the necessity of filling the vacancy in the chair of "Chemistry and Natural History." The late incumbent had acquired a Wisconsin reputation, and was enjoying the growing good will of the farming interest of the state. In these respects the loss we have sustained cannot be at once repaired. But it is obvious that the institution is greatly interested to find in his successor, whoever he may be, the ability and the will to make this department of the University an efficient aid to popular culture in the philosophy of agriculture and the useful arts. As much of the usefulness and distinction of the University will depend on the choice of the professor, in this department, I would recommend that a committee of correspondence be appointed to procure testimonials and to make report to the board at their meeting in July, at which meeting a permanent appointment may be made in season for the instructions of the next collegiate year, commencing in September. For the present year I would recommend that such sum, as the board may deem expedient, be placed at the disposal of the executive committee, with instructions to provide a special course on chemistry, of some ten or twelve weeks, during such portion of the present year as they may deem expedient.

On obtaining the loan of \$15,000 from the principal of the University fund, the building committee, as instructed by the board, proceeded to the erection of the second dormitory building. The contract was let at \$18,000, and the deficit of the loan, together with the incidental expenses of the superintendence, and the fitting up of the public rooms must be supplied, if no other fund be provided, from the income of the present year—a charge which will not amount to less than \$4,000, in all. On account of this extra burden on our income, I would not recommend the filling of

the chair of modern languages before our next annual meeting, and I refrain from suggesting the appropriations which are greatly needed for the enlargement of the library and the cabinet, and of the philosophical and chemical apparatus.

I submit the following estimate, in order to a proximate understanding of the financial condition of the Institution for the year 1855.

EXPENDITURES.

1. Interest on loan from school fund.....	\$1,750 00
2. Interest on loan from university fund.....	1,050 00
3. Interest on loan from J. D. Ledyard.....	400 00
4. Salary of Chancellor.....	2,000 00
5. Salary of Prof. of Mathematics, &c.....	1,000 00
6. Salary of Prof. of Ancient Languages.....	1,000 00
7. Salary of Prof. of Mental Philosophy, &c. (one quarter).....	250 00
8. Salary of Prof. of Chemistry, &c. (with incidentals).....	350 00
9. Salary of German Instructor.....	300 00
10. Salary of Tutor.....	425 00
11. Salary of Secretary of Board.....	125 00
12. Salary of Treasurer, about (per centage).....	250 00
13. Salary of Janitor.....	240 00
14. Wood.....	250 00
15. Contingencies (say).....	500 50
Total current expenditures, including interest on loans.....	9,890 00
Add deficit of building fund.....	4,000 00
Total.....	\$13,890 00

To meet these expenditures, the Treasurer estimates the available funds for the use of the university, for the year 1855,

At.....	\$13,248 32
Add for tuition, &c., (under-estimated).....	300 00
Add for interest on probable sales in 1855.....	1,000 00
Total available funds for 1855.....	14,548 32
Balance in Treasury, Dec. 31, 1855.....	\$ 558 32

I have made this detailed statement, which I trust will be found substantially correct, of the probable receipts and disbursements of the treasury for the current year, in accordance with an act of the legislature requiring it, as the basis of a specific appropriation of our revenue, to meet the specified wants of the University. It

is obvious from the statement, that the wants of the University require that its whole revenue should be placed at the disposal of the board.

As the annual income of the University fund is accumulated in the State Treasury on the first of January, and as the claims on the Treasury of the University are liable to be presented from time to time throughout the year, it is desirable that some uniform system of removing our money from the State Treasury into the treasury of the board, should be devised and established by law. On this subject, I will take the liberty to make one or two suggestions: 1. That the warrants, drawn in accordance with our by-laws on the treasurer of the board, be made payable quarterly, say on the first of January, April, July and October; and that on these several days, an order be drawn by the board, if in session, or by the executive committee during recess, on the State Treasurer, in favor of the Treasurer of the University, of sufficient amount to meet outstanding warrants; or 2. If it be thought advisable that all university warrants shall be payable directly from the State Treasury, this object may be effected by a law directing the State Treasurer to pay such warrants, when endorsed by the treasurer of the board. Some settled practical rule on this subject, seems to me to be very desirable.

The subject of the supply of board for students, is a matter of paramount importance, in its bearing on the patronage of the University. It is unwise to rely entirely on the disposition of private house holders to extend accommodations to students. Limited as our numbers have hitherto been, much difficulty has been experienced in this behalf, and as the university will soon come into a condition to command extended patronage, the inadequacy of this reliance for supply, will place the institution under very great disadvantage. It is quite certain that some plan must be adopted, through which young men, proposing to enter the university, may have the assurance of being able to obtain suitable board at moderate prices. The old usage of bringing all the students into a commons hall, as a part of the regimen of the institution, has been

generally abandoned by the older colleges, as unfavorable to good order, and perhaps equally so to good manners and good morals. All that I would recommend, is a common dining room for the accommodation of some of the families of the Faculty and such of the students as may prefer that arrangement to seeking board in private families, the charges merely covering expenses. A club room may be attached, for the accommodation of those who may desire to board themselves. In accordance with the favorable action of the Board, in this behalf, at their August meeting, the extreme south wing of the new building will be finished with reference to residence. To carry out the residue of the plan, would require but a small comparative outlay. Considering the importance of the subject, it is worthy of consideration, whether the means of accomplishing it may not be provided within the present year. The surplus revenue of the year 1856 will be more than sufficient for this purpose, and this will be in the treasury on the first of January of that year.

The Superintendent of public instruction recommends, in his report to the legislature, the appropriation of a sufficient sum annually, from the income of the school fund, for the support of the normal Professor in the University. Should the legislature adopt this policy, which appears to me to be sound and unobjectionable, the board will be able to open that important department of the institution as early as the beginning of the next year, and make it the dispenser of the normal instruction for the State. Some arrangement for the professional education of the teachers of the State is a present necessity. It is doubtless a much better economy for the cause of popular education to accomplish this end through this University department, than to throw upon the school fund the outlay necessary for originating and endowing a separate normal school; which, after all, could not be reasonably expected to do its work so well. A yearly appropriation from the income of the school fund of \$1,500, in support of the normal department of the University, would secure the end, while a new organization would require, in charges for maintenance and interest on outlay, several times that amount annually.

The adoption of the policy recommended by the Superintendent will devolve upon the board, among other duties, that of providing forthwith for a separate preparatory school ; so that the present University buildings shall be devoted entirely to the uses of the collegiate and the normal departments. A movement is now being made in Madison for the establishment of an academic or union school, with departments adapted to all grades of instruction, up to a full preparation of the higher classes for the University. I would recommend that the executive committee be instructed to negotiate an arrangement with the directors of this enterprise, through which the classical department of the school may do our preparatory work. I have no doubt that the connexion may be so arranged as to be highly beneficial, both to the school and to the university, and may be made to accomplish, in the best manner, all that we desire in this behalf.

The committee, to which was referred the proposition of a portion of our fellow-citizens to endow, in part, in the University, a chair of Scandinavian Language and Literature, reported to the August meeting of the board of ordinance, to carry into effect, conditionally, the objects of those who are interested in the movement. I am of opinion, on mature reflection, that the acceptance of the offer on the conditions specified in the ordinance, would be just to those who have made it, and advantageous to the institution.

The University is under great and lasting obligation to those of our fellow-citizens, who have, from time to time, interposed their private or their official services, not only to save the original endowment from the danger to which it was at some times exposed of ruinous depreciation, but also to bring to a successful termination, our application for a new grant of lands of equal amount with the first. The bill, securing to us this additional endowment, became a law early in the present session of congress ; and a large proportion of the locations, made in anticipation of the grant, are understood to have been secured to the institution. The residue will be located in the spring. It is a question for the board to consider, what legislation may be desirable to bring

these lands early into the market and to secure to the trust their full value. If appraised at an average of \$3 per acre, a proportion of them would meet with a ready sale, and the entire grant would yield the sum of \$138,240. It can hardly be doubted that, by thrifty management, this sum may be realized within five years; and my observation of the chances to which university lands are exposed, leads me to doubt whether we may not be losers by aiming at a larger amount. A fair appraisal next summer, on the basis of a minimum of \$2 50 per acre, would perhaps distribute even justice to the University and to the settler.

Taking the value of the original endowment, as before	
stated, at	\$180,000
And of the recent grant, at	138,240
<hr/>	
We make the whole endowment	318,240

After the completion of the edifice now in process of erection, including the boarding accommodations mentioned above, with the addition of what fixtures may be requisite for the Normal department, I should recommend that no more building be undertaken, until, by the application of the surplus income of the institution as a sinking fund, the entire debt, incurred thus far, be paid off, leaving the institution in the unencumbered ownership of its buildings and grounds, and a clear productive fund of at least \$300,000. When this condition shall be realized, and not before, shall I deem it advisable to proceed to the erection of the main edifice contemplated in our plan of building, and to the establishment of the departments of law and medicine. In the mean time, our resources will be sufficient to a gradual development of the collegiate, normal and agricultural departments of the institution, by filling, with competent and devoted men, the necessary chairs of instruction, and by surrounding them with those subsidiary appliances which distinguish the older educational institutions of the country—a complete apparatus for analysis and demonstration in the experimental branches of science,, an extensive and well assorted library, and copious collections of natural specimens illus-

trative of the sciences of observation. A very few years of judicious administration will perfect the organization of the University, carry it forward to a vigorous maturity, disencumber its endowment, and secure to it a perpetual annual income of at least \$21,000. This work, gentlemen, is yours, yours will be the honor, and, what is better, the consciousness of having done duty to a very great and interesting public trust.

All which, &c.,

J. H. LATHROP.

REPORT OF THE EXECUTIVE COMMITTEE.

To the Board of Regents of the University of Wisconsin:

The executive committee would respectfully report, that in discharge of the duties assigned to them by the by-laws, they have, at their monthly and special meetings, audited such accounts as have been brought before them for their examination; and have made and executed such orders as the interests of the institution seemed to require.

The authority conferred on the committee by the board at their August meeting, to provide for instruction of the University classes in German and French, at a charge of not more than \$300 per annum, has been executed by the employment of Dr. T. P. Fuchs, who is now discharging duty in that service with fidelity, and, as the committee learn, to the entire satisfaction of his colleagues and his pupils.

A vacancy in the tutorship having occurred by the resignation of Mr. S. H. Carpenter at the commencement in July, the committee made choice of Mr. A. L. Smith, a graduate of the Wesleyan University, Middleton, Connecticut, at the salary established by the board in 1852. His term of service commenced in September, and he is now in the active and acceptable discharge of the duties of his office.

In obedience to the order of the board at their February meeting, the executive committee have audited all the estimates of the building committee, of work done and materials furnished by Messrs. Bird and Larkin, contractors for the construction of the second University edifice. No drafts have been made on the State treasury for any portion of the loan for building, except on such estimates, audited and approved by the executive committee.

For the further understanding of the doings of the committee, they herewith present the record of their proceedings, for the inspection of the board.

All which is respectfully submitted,

UNIVERSITY OF WISCONSIN.

January 17, 1855.

J. H. LATHROP,

C. ABBOTT,

N. W. DEAN,

J. D. RUGGLES,

H. A. WRIGHT,

Committee.

REPORT OF THE BUILDING COMMITTEE.

To the Regents of the University of Wisconsin :

The building committee respectfully

REPORT,

That in pursuance of the instructions of the board at their February meeting, the committee advertised for bids for the construction of the second dormitory building on the foundation previously laid. The contract was awarded to Messrs. A. A. Bird and W. Larkin, who, with good and sufficient securities undertook to complete the building and deliver the key on the first day of June 1855, for the sum of \$18,000. The work has progressed under the supervision of a competent superintendent, and is in such a state of forwardness, that no doubt is entertained of its completion to the acceptance of the committee by the first of June 1855, according to contract. Much credit is due to the contractors for the character of the work thus far.

The north half of the edifice will contain sixteen study rooms, with bedrooms and closets attached. In the other portion of the building north of the south entry are four public rooms, (one in each story) 36 feet by 23; on the lower floor, the laboratory; on the second, the cabinet of minerals and specimens in other departments of physical science; on the third, the philosophical chamber, and on the fourth, the library. The extreme south wing is to be finished for residence, or for occupation as for studies, as may be deemed expedient.

Monthly estimates have been made, as the work has progressed, and submitted to the executive committee for approval; and a sufficient sum has been reserved to insure the completion of the work according to contract.

Provision has been made for the further improvement of the grounds in the spring, by the plantation of ornamental and fruit trees, and by such other modes as shall be within the means of the committee.

All which is respectfully submitted.

J. H. LATHROP,

N. W. DEAN,

H. A. WRIGHT,

Committee.

January 17, 1855.

TREASURER'S REPORT.

To the Board of Regents of the University of Wisconsin:

The undersigned, Treasurer of said Board, respectfully
REPORTS :

That since the 31st day of December, A. D. 1853, there has been received into the Treasury of the University, the following items of money, to wit:

From State Treasurer income of University fund	\$0,800 00
do Tuition bills collected	643 58
do Arrearages collected	13 50
do Commissioner on sales of lots	490 97
Balance in Treasury at above date	281 15

Total

8,229 20

There has been received from the State Treasurer in part
of the fifteen thousand dollar loan, the sum of

12,735 33

Total

20,964 53

During the same time there has been paid out
upon the orders of the Sec'y to Messrs. Bird
& Larkin, on account of Dormitory building,
the sum of

\$11,666 23

On account of salaries, incidental expenses, in-
terest on loan, &c.

8,279 13 19,945 36

Balance in Treasury

1,019 17

Vouchers of the above disbursements are herewith returned to the Board
for their inspection and further action thereon.

The available funds for the use of the University for the year 1855, will
not vary far from the following statement, which is the best estimate that I can
make, from such information as I can obtain, viz:

Balance in Treasury	\$1,019 17
do do State Treasury of income of 1854	1,129 15
Income for 1855	10,000 00
Tuition and room rent	700 00
Receipts, from sales in University addition	400 00

Total

13,248 32

All of which is respectfully submitted.

MADISON, Dec. 31, 1854.

SIMEON MILLS,
Treasurer Wis. University.

REPORT OF AUDITING COMMITTEE.

The undersigned, one of the standing committees of the Board of Regents, established for the following purpose, do hereby respectfully report: That we did, on the 9th day of January 1855, meet at the office of the Secretary of said Board, and proceed to compare the warrants issued by said Secretary with the records and papers on file in this office as vouchers therefor; and also the account of the Treasurer of said Board with the warrants drawn on him by the Secretary aforesaid, and we do hereby certify to said Board that we found the same correct and true.

We further report that we did, at the same time, cancel warrants paid by the Treasurer aforesaid, since the date of his last report, and now surrendered for that purpose, in the sum of \$19,945 36.

J. H. LATHROP, Pres. B'd. Regt's.

J. T. CLARK, Sec'y B'd. Regt's,

Auditing Committee.

Madison, January 17, 1855.

Statement of Warrants, to whom and for what issued, 'since the date of the last report :

A. D. 1854.			
January	2,	J. F. Clark, services as secretary for 1853,	62 50
do	2,	J. H. Lathrop, salary,	232 35
do	2,	O. M. Conover, salary,	175 00
do	4,	S. H. Carpenter, salary,	125 00
do	7,	Henry Dingle, wood,	28 00
do	14,	J. W. Sterling, salary,	250 00
do	21,	John Conklin, services as Janitor,	60 00
do	26,	John Ledyard, interest on loan,	402 00
Feb'y	27,	Chas. Foot, express charges,	2 00
March	6,	J. A. Jones, postage,	4 28
do	11,	W. E. Cramer, advertising,	14 00
do	16,	I. A. Lapham, Herbarium,	80 00
do	25,	Henry Dingle, wood,	90 00
April	1,	S. H. Carpenter, salary,	125 00
do	1,	O. M. Conover, salary,	175 00
do	1,	J. W. Sterling, salary,	200 00
do	1,	J. H. Lathrop, salary,	500 00
do	8,	John Conklin, services as Janitor,	60 00
do	10,	Wm. Irwin, services,	6 00
do	10,	Wm. Stewart, books,	2 50
do	10,	C. S. Abbott, lumber,	4 80
May	4,	Henry Dingle, wood,	24 00
do	4,	S. H. Carpenter, books,	16 00
do	6,	James Conklin, labor,	1 00
do	6,	D. Gorum, lumber,	3 48
do	28,	Building committee, for purchase of materials for second dormitory building,	1500 00
do	29,	Baker & Seabolt, repairing conductors,	15 00
June	9,	Rufus King, advertising,	3 90
do	13,	G. W. Stoner, wood,	6 00
do	15,	Wm. Westerman, painting,	8 25
do	24,	Tibbitts & Gordon, merchandize,	49 54
do	24,	Bird & Larkin, on contract of second dormitory,	1001 40
do	24,	S. Mills, express charges paid,	2 50
July	1,	S. H. Carpenter, salary,	125 00
do	1,	J. H. Lathrop, do	500 00
do	1,	J. W. Sterling, do	200 00
do	3,	S. P. Lathrop, do	179 48
do	3,	John Conklin, services as janitor,	120 00
do	4,	James Graham, wood,	24 00
do	7,	S. Mills, books purchased,	3 50
do	8,	O. M. Conover, salary,	175 00
do	8,	Bird & Larkin, on contract 2d dormitory,	1324 50
do	8,	N. W. Dean, merchandize,	17 75

do	12,	S. Mills, expenses, disbursements, &c.,	165 00
do	25,	J. H. Lathrop, for chem. and phil. apparatus, &c.,	1100 00
do	25,	G. H. Slaughter, wood,	56 25
Aug.	4,	Bird & Larkin, on contract 2d dormitory,	3104 00
do	14,	J. H. Lathrop, disbursements,	6 70
do	14,	S. P. Lathrop, do	6 78
do	29,	G. H. Slaughter, wood,	56 29
Sept.	2,	Bird & Larkin, on contract 2d dormitory,	1010 00
do	9,	Wm. H. Demauist, labor and materials,	87 20
do	9,	Bird & Larkin, on contract of second dormitory,	990 00
do	15,	R. N. Patten, maps, &c.,	10 00
do	15,	Sower & Barnes, outline maps, &c.,	25 00
do	30,	H. D. Holt,	121 70
October	2,	J. H. Lathrop, salary,	500 00
do	3,	P. L. Decker, work, &c.,	27 50
do	3,	J. L. Roundy, services as architect,	100 00
do	3,	Wm. Westerman, painting,	16 76
do	7,	John Conklin, services as Janitor,	60 00
do	7,	John W. Sterling, salary,	250 00
do	7,	O. M. Conover, salary,	250 00
do	7,	Bird & Larkin, on contract of second dormitory building,	1000 00
do	7,	John P. Fuchs, salary,	45 00
do	10,	S. P. Lathrop, salary,	250 00
do	14,	Jos. Chatterson, services as superintendent,	33 00
do	19,	James Graham,	24 00
Oct.	21,	Aug. L. Smith, salary,	100 00
Nov.	8,	Jas. Graham, wood,	24 00
do	9,	S. P. Lathrop, expenses, &c.,	65 00
do	9,	J. H. Lathrop, do	4 59
do	9,	J. N. Jones, postage,	3 23
do	9,	Bird & Larkin, on contract 2d dormitory,	1083 00
do	11,	J. W. Sterling, for purchase of books,	50 26
do	22,	James Graham, wood,	12 00
do	25,	do do	16 00
Dec.	1,	Bird & Larkin, on contract 2d dormitory,	653 33
do	2,	Darwin Clark, chairs,	17 50
do	29,	A. S. Wood, music,	75 00
do	31,	J. H. Lathrop, salary,	500 00
do	31,	J. T. Clark, services as secretary for 1854,	125 00

J. T. CLARK,
Secretary.

To the Board of Regents of the University of Wisconsin :

The undersigned, commissioner for the sale of lots in the university addition to the village of Madison

REPORTS:

That since the 21st day of December, A. D. 1853, there has been sold in said addition, lots as follows to wit:

Date of sale 1854.	No. of Lots,	No. of Block.	To whom sold,	Am't of Sale.	Am't paid at time of sale.
July 10,	9, 10,	17	M. B. French,	\$500 00	\$253 50
" 21,	4, 7, 8, 9,	11	F. A. Ogden,	300 00	100 00
Aug. 14,	5,	11	A. S. Wood,	75 00	75 00
" 14,	7, 8,	10	do	225 00	
				<hr/> \$1,100 00	<hr/> \$428 50

Deduct 5 per cent. commission for selling

\$55 00

Balance paid into Treasury,

\$373 50

I have also collected upon sales previously made, the following sums of money, to wit:

From A. W. Dickson,	\$ 38 87
" Michael Flanigan,	31 00
" Thomas McGlynn,	14 10
" John Conklin,	8 00
" M. B. Rogers,	10 00
" Jas. Dowling	15 00

\$117 47

Total amount paid into Treasury,

\$490 97

Respectfully submitted,

SIMEON MILLS, Commissioner.

December 31, 1854.

LIBRARIAN'S REPORT.

STATE UNIVERSITY, MADISON, WIS.,

February 16th, 1855.

JNO. H. LATHROP, L. L. D.,

Pres. of Board of Regents, &c :

The undersigned respectfully reports, as follows:

During the past year 244 volumes were added to the University Library. Of this number, only 64 volumes were purchased, all of which are works of great value. Among them is the Edinburgh Encyclopedia, in 21 volumes.

The following list will show to whom the acknowledgements of the University are due for donations:

We have received

From Congress,	Public Documents,	
do Hon. B. C. Eastman,	do	41 vols.
do Hon. A. C. Dodge,	do	11 do
do Hon. H. Dodge,	do	7 do
do Hon. I. P. Walker,	do	14 do
do Hon. Hiram Barber,	Baxter's Works,	1 do
do State of New York,	Public Doc. &c.,	2 do
do Smithsonian Ins,	Publications,	15 do
do Pratt Woodford & Co.,	School Books,	8 do
do Gould & Lincoln,	do	60 do
do Robt. J. Davis & Co.,	do	10 do
do Geo. P. Putnam & Co.,	do	3 do
do A. Lapham, Esq.,	do	3 do
do J. H. Gurney, Esq.,	Life of J. J. Gurney,	2 do
do Calvin Cutter, Esq.,	Physiology & Plates,	2 do
		1 do

In addition to deposits in the cabinet by the State Geologist, the thanks of the Institution are due to Ebenezer Brigham, Esq., of Blue Mounds, for the contribution of a box of very choice specimens; also to J. T. Clark, Esq., of this town, and to Messrs. Geo. R. Stuntz and A. A. Parker, of Superior, Wis., for valuable favors.

J. W. STERLING,
Librarian, &c.

CATALOGUE
OF THE
FACULTY AND STUDENTS
OF
WISCONSIN UNIVERSITY,
FOR THE YEAR ENDING JULY 27th, 1854.

FACULTY

OF SCIENCE, LITERATURE AND ARTS.

JOHN H. LATHROP, L. L. D., CHANCELLOR,
And Professor of Ethics, Civil Polity and Political Economy.

JOHN W. STERLING, A. M.,
Professor of Mathematics and Natural Philosophy.

S. P. LATHROP, M. D.,*
Professor of Chemistry and Natural History.

O. M. CONOVER, A. M.,
Professor of Ancient Languages and Literature.

DANIEL READ, L. L. D.,
*Professor (elect) of Mental Philosophy, Logic, Rhetoric, and
English Literature.*

S. H. CARPENTER, A. B., Tutor. †

T. P. FUCHS, M. D.
Instructor in German and French Languages.

* Deceased. Vacancy will be filled in July.

† Succeeded by Augustus L. Smith, A. B.

STUDENTS.

SENIORS.

Names.	Residence.
* Levi Booth,	Madison.
* Charles T. Wakeley,	Whitewater.

JUNIOR.

Romanzo E. Davis,	Attica.
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SOPHOMORES.

Samuel S. Benedict,	Montrose.
William P. Dewey,	Lancaster.
James M. Flower,	Sun Prairie.
Sidney Foote,	Belvidere, Ill.
James Hickox.	Buffalo, N. Y.
Harvey F. Hubbard,	Manitowoc.
Burgess C. Slaughter,	Middleton.
Hayden K. Smith,	Madison.
Alvah F. Whitman,	Windsor.

FRESHMEN.

Hiram Barber,	Juneau.
Sinclair W. Botkin,	Madison.
Thomas D. Coryell,	Verona.
James T. Davies,	Dodgeville.
William Irwin,	Madison.
William H. Rice,	Chicago.
George W. Stoner,	Madison.
Daniel K. Tenney,	Madison.
William F. Vilas,	Madison.

* Graduated in July.

ENGLISH CLASSES.

[On select portions of the course.]

Names.

Robert W. Burns,
 William R. Burns,
 Napoleon Campbell,
 George Chase,
 Harmon Chase,
 Robert K. Cornell,
 John F. Cramer,
 George Henry,
 Lewis B. Hudson,
 William H. Larkin,
 George H. Marcher,
 James McCaskey,
 John McKay,
 Frederick M. McKenzie,
 John Reynolds,
 John S. Slightam,
 Alvin Smith,
 W. L. F. Smith,
 John H. Toland,
 Lawrence Walsh,

Residence.

Prairie La Crosse.
 Prairie La Crosse.
 Columbus O.
 Milwaukee.
 Waterloo.
 Elbredge, N. Y.
 Milwaukee.
 Mineral Point.
 Milton.
 Madison.
 Delaware.
 Florence.
 Madison.
 Palmyra.
 Madison.
 Madison.
 Waterloo.
 Madison.
 Erin.
 Westport.

PREPARATORY CLASSES.

Marcus Brush,
 Wm. W. Church,
 Gasherie Decker,
 Wm. Fisher,
 Edward B. Guild,
 James Haynes,
 Richard W. Hubbell,
 Thomas D. Kanouse,
 Edwin N. Larkin,
 Edwin Marsh,
 William R. McHugh,
 George R. Powers,
 Wm. P. Powers,
 James R. Swain,
 Julius V. R. Swain,

Madison.
 Madison.
 Madison.
 Cooksville.
 Madison.
 Black Earth.
 Milwaukee.
 Cottage Grove.
 Madison.
 Beaver Dam.
 Madison.
 Whitewater.
 Madison.
 Madison.
 Madison.

COURSE OF INSTRUCTION.

1. PREPARATORY SCHOOL.

The studies pursued in the Preparatory Department are as follows:

1. English Grammar.
2. Geography.
3. Arithmetic.
4. Elements of Algebra.
5. Latin Grammar.
6. Cæsar's Commentaries.
7. Virgil's *Æneid*, (6 books.)
8. Cicero's Select Orations.
9. Greek Grammar.
10. Greek Reader.

Attention will also be paid to Reading, Orthography, and Penmanship.

2. COLLEGIATE DEPARTMENT.

The College Course occupies four years, and the studies of the course are distributed as follows:

FRESHMAN CLASS.

FIRST TERM.

Roman History,—Livy.
 “ Antiquities,—Bojesen.
 Algebra,—Loomis.
 Greek Historians,—Herodotus.

SECOND TERM.

Latin Poetry, with Prosody,—Odes of Horace.
 Algebra finished, Geometry begun.
 Greek Historians,—Xenophon.

THIRD TERM.

Horace,—Satyres and Epistles.

Geometry finished.

Greek Historians,—Thucydides.

Exercises throughout the year in written Translation, Composition and Declamation.

SOPHOMORE CLASS.

FIRST TERM.

Plane Trigonometry, Logarithms, &c. &c.—Loomis.

Cicero de Oratore.

German, or

Greek Poetry and Prosody,—Homer.

SECOND TERM.

Analytical Geometry begun.

German or Greek Orators.

Cicero de Oratore.

Rhetoric and Elocution.

THIRD TERM.

Roman History,—Tacitus.

Analytical Geometry, finished, Calculus.

Classical or Modern Languages—optional.

History, with Geography and Chronology.

Exercises throughout the year in English and Latin Composition and Elocution.

JUNIOR CLASS.

FIRST TERM.

Ethics—Wayland.

Roman History—Tacitus.

Calculus—Mechanical Philosophy.

Ancient History—Taylor's Manual.

SECOND TERM.

Natural Philosophy.
 Greek or Modern Languages—(optional.)
 Civil Polity and Constitutional Law—lectures.
 International law—lectures.

THIRD TERM.

Natural Philosophy—finished.
 German or Latin (Germania and Agricola)—optional.
 Political Economy—Say.
 Exercises throughout the year in Composition, Declamation,
 and Forensic Debate.

SENIOR CLASS.

FIRST TERM.

Mental Philosophy.
 Natural History.
 Christian Evidences.
 Classical Literature.

SECOND TERM.

Optics—Astronomy begun.
 Chemistry—lectures.
 Logic.

THIRD TERM.

Select Latin—classical literature.
 Astronomy finished.
 Philosophy of Language—criticism.
 Botany and Philosophy.

Exercises throughout the year, in original Orations, and Forensic Debate.

Young gentlemen desirous of pursuing select portions of the course will be admitted to the recitations and other exercises of regular classes, and will be entitled to certificate of the term of membership and of the studies pursued by them. This provision

extends the benefits of university instruction to the teachers of the public schools of the State, and those who intend the practice of Agriculture and the Arts.

TERMS OF ADMISSION.

Candidates for admission to the Freshman class must pass a satisfactory examination in all the studies of the preparatory school or their equivalents.

Candidates for an advanced standing are also examined in all the studies to which the class they propose to enter have attended.

All applicants must present testimonials of good moral character; and students coming from other colleges a certificate of honorable dismissal.

RECITATIONS, &c.

Each class of the collegiate department attends three recitations or lectures daily. There are also daily exercises in declamation and composition. Public examinations and exhibitions are held at the close of each term.

LIBRARY APPARATUS, &c.

The Library, which is open to all the students of the university, comprises over 1200 volumes, and will receive yearly additions by the purchase of the most valuable standard works.

The university is possessed of a valuable cabinet of minerals; comprising numerous specimens. Contributions of an interesting character continue to be made by the State Geologist, and from other sources. A full suit of New York fossils, and valuable geological collections from Ohio and Illinois, have been added to cabinet during the year.

One thousand dollars were last year appropriated for the purchase of Philosophical and Chemical apparatus, and additions will be made, from year to year.

LITERARY SOCIETIES.

There are two Literary societies connected with the university.

These are valuable auxiliaries in the mental training of the students. One of them has already a library of several hundred volumes.

MERIT ROLL.

A permanent record is kept of the daily attendance, conduct and recitation of each student; and information of his standing communicated from time to time to his parent or gurdian.

RELIGIOUS EXERCISES.

The students are assembled at prayers [daily in the chapel of the university, at the morning hour for commencing study and recitation.

ACCOMODATIONS FOR STUDENTS.

The uiversity edifice, in addition to the public rooms for recitation, Library, Cabinet, &c, affords study and lodging rooms for the ample accomodation of students.

With a view to economy as well as the comfort of the occupants, provision is made for heating the building throughout by furnaces in the basement.

TERMS.

The collegiate year is divided into three terms, or sessions of thirteen weeks each, beginning as follows:

1. The third Wednesday of September.
2. The first Wednesday of January.
3. The fourth Wednesday of April.

Commencement Anniversary, the fourth Wednesday of July.

EXPENSES.

Tuition, per term,	\$4 00
Room, Heat, Janitors service, per term.	3 00
Contingencies,	0 00

Total per term,	\$7 00
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Total per term, (three terms,)	21 00
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These comprise all the University charges, except for actual damarge done by the student. Occasions for this] item of charge are very rare.

It is provided in the by-laws, that no student shall be admitted by the Chancellor to residence in the buildings, or to the exercises of any term, till he present a certificate from the treasurer, that the charges for the term have been adjusted, in advance.

The second dormitory building will be completed and all the chairs of instruction will be filled during the current year. Provision is also to be made for boarding, on the College premises, at moderate rates. The next scholastic year will open on the third Wednesday of September, with ample accommodations for students, and greatly enlarged means of instruction.

Through the chairs of Chemistry and Natural History, and Mental Philosophy, Logic, Rhetoric, and English Literature, provision will be made for the annual instruction of classes in Agricultural Science, and in the theory and practice of teaching.

The Board, at their February meeting, passed an ordinance establishing a Department of Medicine in the University. The chairs will be filled and the school opened at an early day.

It is the fixed intention of the University authorities that all the means at their command shall be so administered as to aid the diligent and successful student, and to secure to the institution a just public confidence and support.

ORDINANCE.

Providing for the organization of the Department of "Medicine" in the University of Wisconsin, passed February 10, 1855.

The Regents of the University of Wisconsin do ordain, as follows :

1. That there be, hereby, constituted in said University, a Faculty of "Medicine," to consist of the Chancellor, and such Professors as may be, from time to time chosen to occupy the following chairs of instruction, to wit :

1. Anatomy and Physiology.
2. Surgery—Clinical and Pathological.
3. Theory and Practice of Medicine.
4. Obstetrics and the Diseases of Women and Children.
5. Chemistry and Pharmacy.
6. Materia Medica and Botany.
7. Medical Jurisprudence.

2. The emoluments of said professorships shall be derived from the fees of tuition without any recourse whatever to the treasury of the University ; and no money shall be drawn from the said treasury for the support of the Department of Medicine, until the existing debt be paid, and the institution be in the enjoyment of a clear income from the endowment of, at least, \$12,000, per annum.

3. All appointments to the above chairs shall be made by the Regents of the University, and the professors shall hold office during the pleasure of the board.

4. The Medical Faculty shall have power to elect a Dean of the Faculty, a Treasurer, Secretary and other necessary officers, agents, and assistants ; to prescribe their duties ; to fix the fees of tuition, and to provide for the welfare of the department, by by-laws not inconsistent with this ordinance and the charter of the University.

5. The Medical Faculty shall hold their terms, and deliver their instructions in the town of Madison.

6. A Board of Examiners, consisting of four members of the profession of the degree of M. D., shall be annually appointed by the Regents, whose duty it shall be to attend the closing exercises of each term of instruction, to make diligent examinations of the candidates for graduation, and to report their qualifications to the board of Regents.

7. Candidates for graduation in this department of the University shall not be less than twenty-one years of age ; shall be of good moral character ; shall have had two years of private pupilage and have attended two courses of lectures, or shall have attended three courses of lectures without previous private pupilage, (the last course in either case in this department) ; shall have passed a satisfactory examination, and, if required, shall have written and defended a thesis on some medical subject before the board of examiners.

8. Candidates, with the above qualifications, shall, on recommendation of the examiners, be entitled to the degree of M. D., in course ; which shall be conferred, at the Annual Commencement of the University, by diploma, without charge.

THIRD ANNUAL REPORT
OF THE
TRUSTEES AND OFFICERS
OF THE
WISCONSIN INSTITUTE
FOR THE
EDUCATION OF THE DEAF AND DUMB,
FOR THE YEAR 1854.

MADISON:
BERIAH BROWN, STATE PRINTER.
1855.

THE UNIVERSITY OF CHICAGO

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THE UNIVERSITY OF CHICAGO

TO HIS EXCELLENCY WILLIAM A. BARSTOW,

Governor of the State of Wisconsin:

I have the honor of presenting you herewith, the third annual report of the Trustees of the "Wisconsin Institute for the education of the Deaf and Dumb," by order of the board of trustees.

WM. C. ALLEN, Secretary.

DEHAVAN, Dec. 25, 1854.

BOARD OF TRUSTEES.

HON. WM. C. ALLEN,	HON. SALMON THOMAS,
O. W. BLANCHARD, M. D.	H. HUNT, M. D.
N. M. HARRINGTON,	J. D. MORRELL, Jr.
REV. P. W. LAKE,	J. C. MILLS, M. D.
HON. C. BETTS.	

OFFICERS OF THE BOARD.

President—H. HUNT, M. D.,
Secretary—Hon. WM. C. ALLEN,
Treasurer—N. M. HARRINGTON.

INTELLECTUAL DEPARTMENT.

Principal—LOUIS H. JENKINS, A. M.,
Professor—HIRAM PHILLIPS.

DOMESTIC DEPARTMENT.

Physician—O. W. BLANCHARD, M. D.,
Matron—Mrs. ADELIA T. JENKINS.

THE UNIVERSITY OF CHICAGO
LIBRARY
540 EAST 57TH STREET
CHICAGO, ILL. 60637
TEL. 733-4331
CIRCULAR 100

THE UNIVERSITY OF CHICAGO
LIBRARY
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CHICAGO, ILL. 60637
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CIRCULAR 100

REPORT OF THE TRUSTEES.

The board of trustees of the "Wisconsin Institute for the education of the Deaf and Dumb," submit to the legislature of this State, their third annual report, for the year A. D., 1854.

During the past year the Institute has been unusually prosperous, under the management and control of Louis H. Jenkins, A. M., our present able and efficient principal, and we deem it but justice to him to state that, owing to his untiring perseverance, energy and skill in managing and teaching this unfortunate class of persons in our State, who are deprived of the sense of hearing, the school has advanced beyond our most sanguine expectations, and we feel highly favored in securing his eminent services; and the board of trustees now flatter themselves, that no institution of like character in the United States was ever more permanently fixed in the same length of time, with so small means as was placed in the hands of the trustees for the purpose of starting the enterprise. The health of the pupils has been uninterrupted; their conduct and progress in learning have been highly gratifying, and everything in and about the buildings presents a cheerful and inviting appearance.

The board had, previous to their second annual report, nearly completed a building thirty by forty-four, two stories high, besides the basement and attic. That building is now finished, in which the school has been taught since the month of January last.

The legislature, at its last session, made an appropriation of nine thousand dollars to this institute, as follows: Two thousand dollars for the support of the Institute during the past year, and the

sum of two thousand dollars for the erection of out buildings, fences and other needful fixtures, to be paid out of any money in the treasury, not otherwise appropriated, and the further sum of five thousand dollars for the erection of the east transverse wing of the Institute building, according to the plan heretofore delivered to the Governor, one half of which was to have been paid the present year, and the other one-half in the year eighteen hundred and fifty-five, out of any money not otherwise appropriated.

In view of this appropriation, the trustees designed to have, during the past year, erected the out-buildings, fences, and made the needful fixtures anticipated by the act of appropriation, and accordingly despatched one of their members to Madison to draw from the treasury of the state the amount of money due from it for that purpose. And on presentation of the order of the trustees, and the necessary bond required by the act making the appropriation, was informed by the treasurer, that there was no money in the treasury, and that the amount to which they were entitled could not be paid out of the treasury until the next year.

The trustees on being informed that the treasury of the State was empty, and that they would be unable to receive any money, anticipated by them by the act of appropriation, until another year, felt deeply embarrassed, believing that they should be obliged to abandon all idea of erecting the out-buildings, fences, and making the needful fixtures so highly necessary, and almost indispensable for the comfort and convenience of the pupils, and those who had them in charge; and in addition to this calamity, (for in such manner they felt it,) there was no money in the hands of the trustees to defray the expenses of the institute for the current year. The school, the trustees saw, would have to break up for the time being, unless they should raise the money upon their own credit to defray the expenses during the past year. They accordingly passed a resolution, that they would raise the sum of two thousand dollars upon their own note, payable in one year, at 12 per cent. interest, that being the lowest rate of interest on

which they could obtain the money. The sum of two thousand dollars was obtained in this manner, which has enabled the trustees to keep the schools going, and pay debts which had been necessarily incurred, and which were being pressed for payment by the creditors.

The pupils having greatly increased in numbers, and were continually increasing, so much so, the trustees found that the building alluded to in their second annual report, would soon be inadequate to accommodate all the pupils which would be under instruction, and to obviate this difficulty, in anticipation of the appropriation already made, that they would be able to receive the whole sum of five thousand dollars, specially appropriated, for the purpose of erecting the east transverse wing above alluded to, they entered into a contract with Thomas Balls, Esq., the enterprising builder who erected the first building, to erect the east transverse wing, for the sum of five thousand dollars, he being the lowest bidder, to do the same according to the plan and specifications. And by the terms of the contract which the trustees made with him, he is to receive his pay therefor in the present month, the trustees believing that money would be in the State treasury by that time, to enable them to draw the five thousand dollars, and meet their engagement with him.

This building is of brick, the walls of which were put up during the last summer, under the superintendence of B. Sturtevant, Esq., a faithful and excellent mechanic, who has done himself great credit in the execution of the work. It is three stories high, besides the basement and attic, and will favorably compare in beauty and solidity with the best public buildings in this State. The roof is now on, the windows in, and all in a state of forwardness, promising a speedy completion.

By reason of the trustees not being able to draw the money appropriated for the erection of out-buildings, fences, and other needful fixtures, they have not been able to do anything towards their construction, excepting to furnish a good supply of pure water for the Institute, which they accomplished by the means of

a water ram, that furnishes a stream of pure cold spring water at all times,—much to the comfort and advantage of all members belonging to the Institute.

The number of pupils which have been in attendance and under instruction during the past year is 31 ; the amount which has been expended during the past current year, for the necessary expenses in supporting the Institute, is \$3,751 06.

In making an estimate for the support of the Institute during the year A. D. 1855, the trustees cannot bring it lower than six thousand dollars, including the hire of teachers, help, and other indispensable and necessary expenses ; and to do this it is necessary to be exceedingly economical,—denying to the teachers and pupils privileges and comforts afforded to them in like institutions in other States ; but these minor comforts and privileges they are willing to forego, for the present, and until the State shall become more able to grant this claim.

The trustees therefore ardently hope that the legislature will at an early day of this session make an appropriation to said Institute in a sum not less than six thousand dollars, and in asking for this sum they do not do it because it is more than they want, but they ask it as the lowest sum which will meet the current expenses of the Institute for the year A. D. 1855, and they know of no object in this State for which an appropriation could be made that is more worthy and deserving, and has stronger claims on the munificence of the state, than the claim of these unfortunate persons, deprived of the sense of hearing. And now it is no longer an experiment to be tried whether the deaf and dumb can be taught an education to qualify them for the enjoyment of the blessings of a free government, and obtaining the means of subsistence and the discharge of those duties, religious, social and political, devolving upon American citizens, but the experiment has been tried and found that it can be done, and hence a class of persons, only a few years ago, who, as it was supposed, were useless to themselves and to society, can be made under proper instruction, useful citizens, and whilst the other states are fostering institutions of

this character, to educate her deaf and dumb, the trustees of this Institute confidently trust, the legislature of this State will not be slow in doing their duty in a like manner. To refuse it would not be characteristic of the age in which we live, or the people of this State, for it is one of the main objects of our State, to give every child within her domain, the means of obtaining an education, and the State has been unspairing (and justly so) in lavishing her means to maintain a system of free schools, secured to none in any other state or country, to educate her children which are in the full possession of all their senses. Extend then, and continue this noble object to those children of our State, who have been so unfortunate as to be deprived of the sense of hearing. They, too, can be educated and made respectable and valuable citizens, without which they are a burden to themselves, to their friends and to the State.

The trustees have secured the services of Hiram Philips, a mute, and graduate of the Ohio Institution for the education of the deaf and dumb, as a teacher. He is a young man, exceedingly well calculated for teaching, possessing fine attainments for one of his unfortunate class; fine address, pleasing manners, and in every way calculated to win the respect and esteem of the pupils under his charge.

It is confidently believed by the board, in order to carry out the whole plan of instruction, as it is done in the other states in like institutions, it is now time for the legislature to make an appropriation to the Institute for the purpose of erecting a suitable building, to enable the board to establish some useful trade to be taught to the male pupils, that when they leave the Institute they will be prepared to engage in a respectable calling for their support and maintainance. It is a fact well ascertained, that a large majority of the mutes of this State are of poor parentage, possessing little or no financial ability to aid their unfortunate aspirings, aside from clothing them while under instruction, and hence the necessity can be easily seen that it is not only necessary to educate them in the common branches of education, but they should be taught

some useful trade in which they may engage after leaving the Institute, and are thrown upon the world to provide for themselves. This can be easily done and with but a trifling expense to the State, except the building, tools and the stock to be laid in to be manufactured.

In the state of Indiana the Deaf and Dumb institution has two buildings erected, in which separate trades are carried on. One is coopering and the other is that of making boots and shoes. And the result of the experiment is highly gratifying, and has succeeded beyond the anticipation of its board of managers. The mute, experience has proved, easily acquires the use of tools, and readily comprehends most of the mechanical arts, and when properly taught succeeds in making a good mechanic.

The board therefore ask the legislature to make an appropriation at this session in the sum of fifteen hundred dollars for that purpose, and the board would here particularly state, that they have made a close examination on this subject matter, and the sum of fifteen hundred dollars is the lowest sum that will enable them to build a suitable building, purchase tools, and material to be manufactured, and to hire some experienced mechanic to work and teach the pupils the trade.

The present buildings, when fully completed, will not accommodate more than sixty pupils, together with all necessary help, officers and teachers; and at the rate of increase in the Indiana and Illinois institutions for the education of the Deaf and Dumb, which is about twelve each year since they were established, would give to this institute at the end of four years, nearly or quite eighty pupils, an entirely greater number than the present building can accommodate. And taking the increase of this institute per year, since it was first started, which has been at the rate of fifteen per year, we find that the number of pupils will be eighty at the end of three years.

This demonstrates the necessity of providing at as early a period as possible, more room for the pupils, and to do this, it will be necessary to commence the erection of the main building as soon

as next summer, so as to be able to complete it in time to meet the wants of the institute. The whole cost of the main building according to the last and closest calculation which the trustees are able to make, taking into consideration the present price of materials, labor, &c., will be thirty thousand dollars. The trustees therefore ask that the sum of ten thousand dollars be appropriated for the year 1855, the sum of ten thousand dollars for the year 1856, and the sum of ten thousand dollars for the year 1857. With these appropriations the trustees will be enabled to make a contract to complete the building by the time the last appropriation can be drawn from the treasury. By making the appropriation of thirty thousand to be drawn in three equal installments, makes it come comparatively easy on the treasury, enables the trustees to complete the building in time to accommodate the pupils, and will furnish full time to commence and complete the building in a good and substantial manner.

Respectfully submitted,

WM. C. ALLEN, Secretary.

H. HUNT, President.

REPORT

Of the Committee constituted by the Board of Trustees of the Institute for the education of the Deaf and Dumb of Wisconsin, to visit the like Institutes of Ohio and Indiana :

Gentlemen of the Board of Trustees :

The undersigned, chairman of the committee chosen at your last meeting, to visit the Institutes of Ohio and Indiana for the deaf and dumb, would respectfully ask to submit the following report, as the result of the mission to said Institutes :

At 7 o'clock, A. M., on Tuesday, the 14th ultimo., your committee left Delevan for Indianapolis and Columbus, and arrived at the former place in the afternoon of the following day, and on the succeeding morning, November 16th, called on Mr. McIntyre, the superintendent of the Indiana Institute for the deaf and dumb. Mr. McIntyre received us with great cordiality, and treated us with much kindness and attention.

The better part of the day he devoted exclusively to exhibiting the classes and their exercises ; the structure and arrangement of the buildings, the grounds, out buildings, mechanical department, green-house, mode of warming, ventilating, &c. ; and closed with a brief but very interesting dissertation on various topics intimately connected with the object of our visit, embracing mode of teaching, the importance of establishing a mechanical department in connection with these institutes, the duties and labors of teachers, officers and pupils ; and commented very candidly and practically upon the failure of plans, previous attempts at warming that institute, and other public establishments, &c.

We would not omit to mention that we accepted the very polite invitation of the Superintendent to dine with them at the Institution.

We were conducted into a spacious hall or dining room in which were congregated some 150 pupils and 8 teachers, with our host to preside. The female pupils occupied one end of the hall and

the male pupils the other, while the superintendent, teachers and company sat at a transverse table in the centre.

After a blessing by Mr. McIntyre in the sign language, which was very appropriate and solemn, we partook of as excellent a meal as we could have desired on any occasion.

The pupils were under remarkably good discipline and were well behaved, and a more interesting company of young gentlemen, engaged as teachers in this Institution, we remember never to have seen in any institution of learning in our country.

The buildings of this establishment are claimed by the friends to be the best that are now completed in the United States. How this is, your committee are not prepared or called on to decide. But we are justified in saying that the main edifice is a splendid building, substantial in structure, elegant and tasteful in architecture, and harmonious in proportion, and surrounded by one of the most tastefully arranged grounds to be found in the west.

The walks were in admirable condition, and the grounds decorated with a profusion of evergreens, flowering shrubs, together with some fine full grown specimens of the native forest trees, all of which are tastefully arranged, reflecting much credit upon those concerned in originating and carrying out the design of the same, rendering this place a delightful retreat and home for this unfortunate class.

On Friday, 18th, left Indianapolis for Columbus, Ohio, in which city we arrived at 4 o'clock, P. M., of the same day. The following morning, (19th) called at the institution for the deaf and dumb in time to attend morning chapel exercises. We were cordially welcomed by its honored head, the Rev. Mr. Stone, A. M.

As the structure of this institution is old and rather dilapidated we were particularly interested in the more important and vital part, the pupils and their education, and of these we cannot speak in terms of too high praise.

This institution has been in successful operation nearly thirty years, and now numbers over 160 pupils. These are divided into 8 classes.

By the kindness of Mr. Stone, we were shown the entire establishment. We were particularly interested in the high degree of the moral and mental culture of the pupils, their cleanly appearance and polite behavior. Intelligence, goodness of heart, cheerfulness and contentment of mind, were exhibited in the countenances of nearly every pupil.

The contemplated new building of which we saw the plan and elevation, will be just what is needed.

It is proposed to erect this edifice upon the present site, a ten-acre lot, near the centre of the city, a beautiful, as well as a very valuable location.

Monday morning, 20th, left for home, via. Indianapolis, Mich. City, and Chicago, and arrived home Oct. 21st.

After thus briefly stating some of the leading facts and incidents connected with our visit to the two above named institutions, we will devote a few moments to the consideration of those conclusions at which your committee have arrived applicable to our own Institution.

1. This institution must be the home of its pupils for the space of 7 or 10 years.

It is difficult to conceive fully the misfortune of deafness to the human mind.

The great means of communicating ideas to the mind and understanding is that of speech, and of this the deaf mute can know nothing; forever deprived of the sense of hearing, the mind would be doomed to perpetual ignorance, but for the sign language. But we are happy to say that this modern invention, or we might, with great propriety, call it a creation, is a marvelous though not an equal substitute for that of articulate sounds. The progress of educating the almost latent powers of the mind of the deaf mute is consequently slow and extremely difficult, requiring constant, scientific, thorough and protracted application both on the part of teacher and pupil. This takes up so much time of youth after 10 or 12 years of age, the period at which they are admitted into the like institutions, that it is necessary that the asy-

lum be made the home of this class of children. And therefore, the buildings are, and of necessity must be, constructed with reference to these important facts.

The institution must be the home of the deaf mute pupils. The superintendent assume the capacity and responsibility of parent, and the pupils become brothers and sisters. Here they must live and attend school, go to church, and also here they ought to learn some useful trade or occupation, suitably preparing them to enter upon the business of life with a fair prospect of earning a livelihood and becoming useful members of society.

2. Intimately connected with the above conclusion is this, that the system of education should be complete in all its parts, adapted to the constitution and wants of humanity. Man is constitutionally a moral, intellectual and animal being, and the corresponding wants are religion, intelligence and bodily comforts. Education, in its full and appropriate sense, consists in developing the whole man in symmetrical proportion, preparing him to act in his several spheres efficiently and as the creator designed.

So far as we know, the religious and intellectual branches of education are united in the various institutions for the deaf and dumb in the United States.

But here some of them stop; the mechanical or manual department is omitted. But all acknowledge their importance, at least this is the case at Columbus.

We would recommend that the board, at an early day as possible, adopt one or more of the mechanical trades as a part of the education of the male pupils. Amongst them coopering and cabinet making stand first. The cooper shop at the Indiana institute made clear of all cost over \$160 the present year. It is not, however, the profit that should be exclusively taken into the account—it should be instituted even if it did not pay in dollars and cents, for the acquirement of a trade only is a branch of education that should in no case be omitted.

3. With regard to our own state institution, though in its infancy, still after visiting others of riper years, and examining near-

ly all the plans of the various institutions in the country, we feel some degree of pride in knowing that so far as ours is constructed and put into operation it is nearly all that could have been desired, and more than could have been expected, considering the circumstances and limited means the trustees have labored under. Its economy of arrangement and the beauty of architecture, considering the cost, is not probably surpassed by any similar institution in America. During our visit we have received some important hints that will materially assist the future operations in building, heating, cooking, &c. Still the plan is in the main pronounced by excellent judges as very good, and the order of architecture unsurpassed. We are warranted in saying that when the entire edifice is erected and completed it will be just what is needed and an honor to the state.

We would also say that so far as we are capable of judging, the ability with which your Institution is conducted under the supervision of L. H. Jenkins, its present superentendent, it will compare favorably with either the Indiana or the Columbus institutes.

H. HUNT, Ch'n.

REPORT OF THE PRINCIPAL.

To the Trustees of the Wisconsin Institution for the Education of the Deaf and Dumb.

GENTLEMEN:—The year just closed terminates the first year of my labor, as Principal of this Institution. It has been a year emphatically of pioneer labors, a year fraught with many solicitudes; but a year to which I can look back in after life as one in which, with yourselves, I bore a part in establishing the discipline and order of an institution which will continue to impart intelligence and happiness to many an unfortunate mute, when we as individuals shall be forgotten.

He who is called to take the direction of a State Institution in its infancy, enters upon a work of great responsibility. The spirit he imparts to its affairs for years will exert an influence. The modes of procedure which he is instrumental in adopting will become precedents which will exert a binding influence upon its affairs, and will either retard or facilitate its usefulness. If a lax state of discipline be permitted in the infancy of institution it only paves the way for future troubles and difficulties. On the contrary, if obedience to law be enforced, and respect for authority inculcated, the happy effect is seen in the order of the institution, and in the good character of its graduates. These principles apply to the management of any literary institution, but they apply with still greater force to the management of a Deaf and Dumb Institution, whose pupils with a few exceptions have been subjected to little or no discipline before entering the institution. The Principal was fortunate in securing the co-operation of a Board of Trustees who, influenced by such considerations, adopted a body of rules for its government, whose efficacy had been demonstrated in the institutions of the older states. The wisdom of their adop-

tion has already been seen in the marked change that has taken place in the deportment of the pupils; a change which has been observed not only by their instructors but by the community. If the deaf and dumb could make no advancement in literature, but could only be improved in their personal habits, and in their conformity to the rules of good society, an effort at such improvement would be worthy of the labor it demands. This Institution has enjoyed a vantage ground in this respect, having thus availed itself of the rules that have been proved by long experience to be so well adapted to deaf-mute education. The beneficial results already exhibited, are but a tithe of what will yet be seen, for by them we will be enabled to avoid rocks and quicksands, which embarrassed the early instructors of the deaf and dumb.

As soon as possible after entering upon my duties, I visited, with several of the pupils, prominent places in the State, for the purpose of exhibiting the method of instruction and calling the attention of the public to the subject of deaf-mute education. I shall ever remember the kind reception which was extended to us by his Excellency Governor W. A. Barstow, and the deep interest he manifested in the subject of deaf-mute education. In every place where I presented the subject, they were impressed with the conviction that the State should place its benevolent institutions upon no ephemeral basis, but should afford them aid commensurate with their necessities.

I have to record the loss the Institution has sustained in the resignation of Mr. F. K. Phoenix, a member of the Board of Trustees and its former Secretary. The resignation of Mr. Phoenix was occasioned by his removal to a sister State. His services to the Institution have been most valuable. He contributed the beautiful site on which it is located. He shared with the other members of the Board in the pioneer labors of its establishment, and he always rendered to the Principal his most efficient sympathy and support.

The services of Prof. Hiram Phillips, a deaf mute gentleman has been secured in the intellectual department. He is a graduate

of the Ohio Institute for the Deaf and Dumb, and while connected with it was distinguished among his class mates for his proficiency in his studies. Mr. Hubbell who was superintendent of that Institution for over a period of twenty years, thus speaks of him :

"I consider him number one, or about that, of all my pupils, graduates of the Ohio Deaf and Dumb Institution " The late Rev. J. Addison Cary, for nineteen years a professor in the New York Institution and also Superintendent of the Ohio Institution recommended him as a suitable person for an Instructor and remarked of him, that he was one of the ablest mutes with whom he had been acquainted. Instructors in other Institutions will know his qualifications, when I say that he can with ease read and enjoy the standard works of English literature. He entered upon his duties at the commencement of the present term, in September last, and has fully equalled the opinions I had formed in respect to his fitness for the responsible position of an Instructor. The most important requisite for a mute instructor, after moral character, is such an acquaintance with the English language as to be able to understand its idiomatic structure, and use it with grammatical correctness. Those who have never attempted to teach the English language to a mute or to a foreigner have a very slight idea of its idiomatic difficulties. A mute teachers' knowledge of the English language should be so perfect that he could converse in it with ease, and with such ease, that he would prefer it to the sign language. He should thus make use of manual alphabet in conversation, more than that of the language of signs, and by his example, the pupils would be stimulated to the daily use of the words they had acquired in their several classes, and would thus make far greater proficiency in the acquisition and knowledge of the language by which alone they can have communication with the community among whom their lot may be cast after leaving the Institution.

A small number of books have been procured for the commencement of a library for the institution. These books I hope will be the nucleus of a library which will increase with the wants of the

institution. I regard it of importance that there be connected with the institution, a library selected with special reference to the wants of the instructros and their pupils. To the former they will afford means for the illustration of the lessons to the class, and to the latter they will be a constant stimulus in the acquisition of knowledge.

Pupils are frequently sent to institutions for the Deaf and Dumb, whose physical or mental condition is such that they can receive no benefit from the course of instruction pursued in such institutions. It is often difficult to ascertain either by letter or even personal inquiry, whether every applicant is a suitable one. Besides many whose first appearance is not prepossessing, afterwards are much improved. The only rule concerning such applicants that seems to be impartial, is to permit all the privilege of a trial, and if it is found that they cannot be benefitted, to have them returned to their homes. The pupils have been returned to their homes whom we have not been able to benefit. If there be any difficult duty for me to perform, and one from the performance of which I would be excused, it is to return a pupil to its parents, informing them it cannot be educated. The course of that I have pursued is analagous to that pursued by the principals of other institutions like our own. The President of the New York institution thus remarks in the twenty-ninth annual report of that institution, upon this subject: "Such cases not unfrequently occur. Children are sometimes sent to us, whom, on trial, we find to be dumb, not from deafness, but from defective intellect, while a few who are, actually deaf, have other infirmities superadded, that make their stay in the institution detrimental to it without benefit to themselves. The appropriate object of our institution, is to develope and cultivate the minds of those who, by the congenital or accidental loss of hearing, and by that loss alone have been cut off from the ordinary sources of knowledge. Derangements of the mental functions, or of the nervous system, are entirely out of our province."

The good health that has prevailed among the pupils the past

year, is a great reason for thankfulness to our kind Heavenly Father. There has been no critical case of sickness. Frequent cases of indisposition have occurred, as must always be the case among such a number of pupils, but they are generally relieved by timely remedies and attentions from those to whose care the health of the pupils is entrusted. Yet it is our melancholy duty to record the death of one of our most promising pupils, Miss Helen Hews, of Eagle, Waukesha county. She will be recollected as the little girl with flaxen ringlets, who excited so much interest at the exhibition of the pupils before the legislature during the last winter. Her death was occasioned not by disease, but by accident. It occurred not during the session of the school, but while visiting her home in the vacation. While her two little sisters were playing near the railroad track, by her father's house, she saw a train of cars approaching in the distance, and ran to apprise them of their danger, when suddenly another train from behind struck her, causing instant death. It was an accident for which no one could be blamed, not even herself, for she lost her life in a noble endeavor to save that of others. Her seeming untimely death is deplored by her instructors and her classmates. Amidst the activities of life her memory will soon be forgotten, yet her child-life of fourteen years was not altogether useless, for by her proficiency in her studies, her sprightly disposition, and her bright appearance, she did much to awaken an interest in the education of the deaf mutes of our State.

NUMBER OF PUPILS.

The number of pupils who have been under instruction during the past year is thirty one. The number in actual attendance at the present time is twenty-six. One of these is from the state of Illinois. The number of pupils has more than doubled during the past year. By correspondence and personal inquiry, I have learned of quite a number who ought to be under instruction.—Many of these are kept at home, and consequently in ignorance, for reasons the most trivial, while others are retained from the

feeling so natural to parents, which dreads a separation from their children. I have heard of many others who are too young to enter the institution, but who in a few years will be old enough to enjoy its advantages. The number to be provided for in the coming year, will at least amount to thirty-five or forty. From the fact that the pupils of a Deaf and Dumb Institution are to be collected from all portions of the state, and that many of them live in retired localities, the increase of pupils must necessarily be small. Yet in this respect, this institution does not suffer in comparison with that of other institutions for the Deaf and Dumb in their infancy. The New York Institution for the Deaf and Dumb was opened with a class of only four pupils, and the number has increased, until now it has become a school of over two hundred and sixty pupils. Mr. H. N. Hubbell, Esq., the former Superintendent of the Ohio Institution, has kindly furnished me with the following account of the infancy of that institution.

"I commenced teaching in October, 1829, if I rightly recollect, and all the pupils I could get together to begin with, after six months advertising in the papers were three pupils, and this was two or three weeks after we should have begun, not one having made his appearance at the day appointed, viz: the 1st of October. One of the three was idiotic. Another died insane in our County Infirmary, after having been at the Institution a number of years. Only one of the first made a man—this was Mr. Fleniken. He lives a few miles from Columbus, and sometimes visits the Institution with his wife, who is deaf and dumb. The whole number who came in the first year was nine. These dropped in one after another during the year. The second year we had eighteen or twenty. The third year, twenty-five to thirty, increasing some ten a year during several of the first years." From such beginnings, the Ohio Institution has increased until now it numbers about one hundred and sixty pupils. The Indiana Institution was established in 1843, twelve years ago, and now numbers one hundred and sixty pupils. When we consider the rapidity with which our state is increasing in population, the deep

interest already manifested in the success of its educational Institutions, and the number of railroads completed and in progress which will bring this institution within a few hours ride of any portion of the state, we cannot but believe that the same glorious career of usefulness awaits this institution as the ones to which we have alluded. This being the case, it is the dictate of prudence that our plans should have reference not merely to the present necessities of the Institution, but to its future prospects.

FREE ADMISSION OF PUPILS.

By a reference to the rules adopted by yourselves for the government of the Institution, it will be seen that they provide that "All the deaf and dumb of the state, between the ages of ten and thirty years, are entitled to an education, without charge for board or tuition in this Institution, on compliance with its rules." This places all the unfortunate deaf and dumb of the state upon an equality in respect to the opportunity of obtaining an education. It makes no distinction between the rich and the poor, but considers them both equally entitled to the privileges of the Institution. This rule, however, conflicts with the act which was passed by the legislature, incorporating the institution; for that provides that the parents of the pupils who possess means shall pay for the board and tuition of their children. It will be necessary to have the act of incorporation amended so that there shall be no conflict between it and the regulations of the Institution. This question of the free admission of pupils excited much attention in the "Third Convention of the American Instructors of the Deaf and Dumb," held at the Ohio Institution, in August, 1853. A resolution was unanimously adopted, approving of the free education of all the pupils of each state. The states of Ohio, Indiana, and Illinois have proffered free education to all the deaf and dumb within their limits, and it is desirable that Wisconsin should be no less generous to her unfortunates. Wisconsin has amply provided for the education of her speaking and hearing children in the common schools and university of the state. From this patrimony are the

deaf and dumb excluded by their infirmity. Justice to them would require that this loss be made up to them in some other form. It seems unjust that the parent of a deaf and dumb child, who is wealthy and pays his proportion of the public taxes by which the institution is supported, should also pay for the education of his child in the institution, while the parent of another child pays little or no taxes, and then has his child educated without charge. This seems like imposing a double burden upon the former parents. The small amount that might be received from pay pupils would not compensate for the disadvantages that would result from the existence in a state institution of these two classes of pupils.—Mutes possess the same human nature as speaking mortals, and invidious distinctions are very easily drawn by them, concerning the superiority of one class of pupils above the other. In the practical workings of an institution it is important that such things should be avoided. Besides, if such a distinction be made, some parents who may be able to support their child away from home, may not think themselves thus able and the unfortunate child will grow up in ignorance. With free admission it is found difficult to collect in the mutes from the different parts of the state. How much more difficult would it be if this distinction be allowed. In relation to this point, Mr. Kerr, Principal of the Missouri Institution for the Deaf and Dumb, at the convention to which allusion has been made, said “when he attempted to get up a school in Missouri with this distinction, he worked months to get only three scholars. He went to the Attorney General and said if the distinction between pay and state pupils was really in the law it was in vain to try to get up a school. It was agreed to receive all without distinction. The scholars then came in rapidly. He went to the legislature and asked an appropriation, and thirty thousand dollars was made for a suitable building and other appropriations would follow.” From these considerations I think that all the deaf and dumb of the state should be entitled to free admission into this Institution, and that an amendment be made to the act of incorporation.

EMPLOYMENT OF PUPILS.

I would urge upon your attention the propriety of introducing as soon as practicable, a mechanical department as an essential part of the system of instruction. The proper education of the deaf and dumb contemplates a development of all their powers. To this end instruction in various handicrafts has been introduced in nearly all the American Institutions. The benefits to be derived from such a department of instruction are self-evident. Habits of industry would be promoted, skill in the use of tools would be acquired, and many moments otherwise lost would be profitably employed. More than this it would furnish to many of the pupils a means of support after leaving the institution. The time to be employed in such a department should be regulated so as not to encroach upon the hours allotted to study or recreation, for the health of the pupils, and their advancement in knowledge should be considered as of the first importance.

It is the settled policy of the older institutions to have a mechanical department, as an essential part of the system of instruction. No Institution is complete without this department. It has also been demonstrated that after the erection of necessary buildings and a supply of material, very little expense attends this department. In some of the trades, as that of coopering, there has, in the Indiana Institution, a profit been realized. In the Virginia Institution, I notice that they are not a charge upon the finances of the institution. It is unquestionable that some trades could be introduced that would not materially increase the expenses of the institution. Of their utility as a part of the system of instruction, there is no question among the various instructors of the deaf and dumb. Among the male pupils of this institution there are many who at this moment should be receiving instruction in some useful trade. A mechanical department could be introduced at this time as well as at a later period. From the fact that the pupil can spend only a short period of each day in receiving instruction in this department, it is for his benefit that it be introduced as soon as practicable.

From these considerations I would respectfully suggest the propriety of receiving from the legislature, an appropriation for the erection of suitable workshops, in which to prosecute such trades as the experience of other institutions have demonstrated to be the most suitable.

HOME EDUCATION OF THE DEAF AND DUMB.

It of the greatest importance that something be done at home for the education of a child before it reaches the age proper to be admitted into an institution. It is surprising what a small number of those admitted as pupils, have had any instruction at home. A few parents have, indeed, taught their children, before bringing them to the institution, to form the letters of the alphabet, and write the names of simple objects. The contrast between such children and those permitted to grow up without any instruction at home, is most striking. Their mental faculties are thus awakened, and their progress at school is much more rapid than those who have had no previous training. Much can be done by every parent, if they will only make the effort, and persevere in a daily effort to teach it something. What parent is there that does not love its unfortunate child enough to devote an hour of each day to such a work? But how shall I proceed in the inquiry?

First, let the parent learn himself, and then learn the child, the manual alphabet, by which the letters are represented by the hand.

Then let the parent or friend write the following simple words on a slate, having the child observe how he forms each letter, viz: adz, fan, map, cow, box, jar, sky, hat, quill, glove. These ten little words comprise all the letters of the alphabet.

Then show him a picture of each of the objects represented by the words, or show him the object itself, having him spell each word with his fingers, or write it on the slate, as the object is presented to his mind.

Having thoroughly taught him to write and spell these ten words, then teach him the names of familiar objects about the house, and

the names of his parents and relatives; afterwards perform various actions and have the child write out the names of such actions.

A system of signs will spontaneously arise between the parent and the child by which they will try to express ideas. This will be of service if care be taken to always make the same sign for one object, and not have two signs for the same thing. Such a course as this will require the exertion of much patience, but it will be repaid a thousand fold in the self respect that will be imparted to the child, and its preparation to reap all the advantages of the course of instruction of an institution.

MORAL IMPROVEMENT OF THE DEAF AND DUMB.

The crowning excellence of an institution for the the education of the deaf and dumb is the marked change it effects in the moral character of its pupils. Speaking children from their earliest infancy are accustomed to hear moral distinctions drawn by their parents at the fire-side, by the different religious instructors of the community, and the judicial tribunals of the state. Besides this, they are subjected to the restraining influences of public opinion, and the refinements and amenities of social life. The deaf and dumb from their infirmity are excluded from the influence of these great moral educators. If plunged into the darkness of paganism their moral condition could be no less deplorable. It is not strange then, that when first brought to an institution, their tempers are often found exceedingly aggravated, both from ignorance and undue indulgence. I am happy to report a marked improvement in the deportment and moral character of the pupils. This improvement has been effected from the introduction of the usual disciplinary means common to other American institutions. One year, however, is too short a period in which to demonstrate their value for bad tempers and bad habits, which are the growth of years of ignorance, and are not to be eradicated in a moment.

Mr. Jacobs, principal of the Kentucky institution, gives the following example of the benefits of the moral culture of a deaf and dumb institution,—the like cases are often exhibited in all institutions:

"We have just dismissed a young woman who was a child ten or eleven years old when she entered the institution, unamiable and ungovernable in the highest degree. Her unhappy disposition, aggravated by the vanity of personal beauty, was proof against all instruction, reproof and discipline, until during the last year of her term. It at last melted down and vanished under the sweet influences of moral and religious instruction. During the past session, she was a model to her companions in industry, attention, gratitude and amiable conduct, and gained the love of her teachers to whom she had previously been only an object of sympathy and forbearance."

AGE OF ADMISSION OF PUPILS.

In the education of the deaf and dumb, I consider it of the greatest importance that they be placed under instruction at an early age. The rules of this institution admit them when they have attained the age of ten years. They should not be kept away from the institution till a later period than that fixed upon by the rules, which in this respect, are the same as in most of the American Institutions. The New York Institution admits them between the ages of twelve and twenty-five. Sometimes, however, a discretion is exercised, and in some cases they are admitted before the age of twelve years.

The course of instruction of the American Institution, extends from a period of from five to seven years. It is therefore important, that a pupil should pursue this course at an age, when his powers, both of body and mind, are in a condition to derive from it all of its advantages. It is the opinion of those who have devoted many years to the instruction of this class, that before the age of ten years, a child's powers, both of body and mind, are not sufficiently matured to enter upon the course of instruction common to the American Institutions. The education of the Deaf and Dumb is no pastime, either for the instructor or the pupil. It is a labor, which tasks the physical and mental energies of both, and without which, there is no progress. It is more advantageous

to the child to be under the care of its parents, previous to the age of ten years, who could render to it those attentions that tender years require, especially in the diseases incident to young children.

The chief reason, however, why a pupil should not be admitted before ten years of age, is that it would graduate at too early a period of life, before its physical and mental powers are sufficiently developed, to be able to grapple with the toils incident to those industrial pursuits necessary to its own support. The object of an institution for the Deaf and Dumb, is to prepare this class when they leave its walls, to become worthy citizens, who shall be self-reliant, and shall be able, not only to support themselves, but to share with others in the privileges and responsibilities of citizenship. The pupil is permitted the privileges of the institution from five to seven years. If he enters at ten years of age, he will then complete his education at the age of seventeen. He can then return to his parents and pass a few years at home, and there with a cultivated intellect, can gain a practical experience of those matters pertaining to every day life, before attaining his minority. When a pupil finally leaves the institution, he is released from those wholesome restraints, which preserve him from many of the temptations of childhood. If he enter the institution at too early an age, he will complete his studies and will be cast upon the world, when perhaps he is too young to resist those evil influences which would make shipwreck of that moral character which has been developed during his course of study.

While there are few parents that desire the admission of pupils at too early an age, there are more who defer their education till too late a period of life. Of these two evils the latter is the most to be deplored. There is no subject that deserves to be so well understood as the evils resulting from delaying the education of a mute. They should be placed under instruction as soon as they attain the age at which they can be admitted into an institution. If this is not done, and they be suffered to remain in ignorance for eighteen or twenty years, the experience of all instructors

have demonstrated the fact, that their education is a work almost of impossibility. For it is a rule to which there are but few exceptions, that the minds of such have become weakened by inactivity, and consequently never can be taught to understand and write connected language; that their tempers have become ungovernable; that they have acquired many vicious habits, strange notions and prejudices; that their natures have become very suspicious; and that their animal propensities have become too greatly developed. All these evils can be avoided by attending to their early education. It is, therefore, alike the dictate of wisdom and humanity, that no expense or efforts should be spared by the parents of the deaf and dumb, by the state and by the trustees and directors of this institution, to secure the early admission and education of every unfortunate mute within the limits of Wisconsin.

RETENTION OF PUPILS AT HOME.

By a reference to the rules for the admission of pupils, it will be seen that the pupil is to be brought to the institution punctually at the commencement of each session, for the period of five years, unless detained at home by his or her own sickness. There is no rule of the institution that is more important than this, both as relates to the pupils' advancement, and the prosperity of the institution itself. The pupils of a Deaf and Dumb Institution are grouped into classes according to their talents and acquirements. Such is the peculiarity of the mode of instruction, that the members of a class are taught not singly, but all at once; the teacher dictating a sentence or narrative, and all the pupils writing it simultaneously upon their slates. Now, if a pupil be tardy in returning to school, the result is, that he falls behind his classmates, and must either go into a lower class, or the other members of the class must be detained until he has caught up with them. Thus he either hinders the advancement of his class, or suffers the inconvenience of being placed in a lower one.

It sometimes happens that parents wish to take their children out of school and retain them at home, after they have been at

school only a few years, and before they have completed the course of instruction. They frequently do this from too high an estimate of the knowledge and acquisitions of their child. The contrast exhibited in the mental and moral condition of the child after being under instruction three or four years, and that presented when first brought to the institution, is truly astonishing. The letters that the pupil writes home often compare favorably with those of its speaking relatives. The little that it has acquired has been learned thoroughly, and it is enabled to make such a display of its knowledge as often leads to wrong inferences as to its real acquirements. The pupil, after being under instruction three or four years, has merely laid the foundation of his education. A good work has been accomplished, if in that time his mind has received sufficient discipline to reap the full benefits of the course of instruction. One year's instruction in the latter part of the course is equal to that of three or four years at the beginning. A great injury, therefore, is done to the pupil, to deprive him of the instruction he would receive in the latter part of his course.

Frequently mutes are met with roaming from place to place, sometimes seeking employment, and sometimes desiring alms. These are generally half educated, fickle-minded and sometimes vicious. They are those who have either entered an institution when too old to learn much, or those who have left before completing the course of instruction. They are no honor to the great and highly respectable body of educated mutes, nor to the institutions at which they have tarried for a short period. The proper way to prevent the multiplication of such a class is to permit no pupil to leave an institution before completing the regular course of instruction.

Another reason why this rule should receive attention is because of the injury done to the feelings of the pupil itself, who is peremptorily taken out of the society of classmates with whom it has pursued the same studies and shared in the same labors at improvement. A mute on entering an institution, is placed in a class in which it remains for several years. The class is led suc-

cessively on through the rudiments of language to the more difficult studies pursued. At first the pupil cannot even communicate with its classmates, but gradually it learns the system of signs, and soon is able to enjoy pleasing converse with its companions in study. Vacation comes and the pupil returns home joyful at the anticipation of revisiting familiar scenes. After a few weeks the excitements of home become common place. Not having yet acquired language sufficient to converse with speaking people, and none understanding the sign language, it begins to think of the pleasures of social conversation with its class-mates. It begins to count the days when school will commence and a re-union take place with class-mates in the same pleasures and in the same studies. From year to year the same happy experience is enjoyed only heightened in intensity from the expansion of its intellect. At last the period arrives, when having completed its studies it is to leave the Institution for the last time, never to return again as a pupil. But now with cultivated intellect and refined manners, it appreciates the patient labors of its instructors, and takes leave of its class-mates, with a heart filled with love and gratitude towards its instructors, and the State whose munificence has enabled it to be not a mere blank in society, but to become an intelligent and worthy citizen. The advancement and happiness of the pupil and the reputation of the instructor and the institution will require attention to this rule.

TO THE PARENTS OF DEAF AND DUMB CHILDREN.

Those who have been instructors of the unfortunate deaf and dumb for many years, have often noticed the feeling so natural to parents, that dreads the separation from their children, even for the purpose of obtaining an education. A mute child in a family has, by reason of its infirmity, a larger share of the affection of its parents than the other children. It receives many kindly attentions, which are prompted from a generous sympathy for its unfortunate condition. When the idea of sending such a child away from home to obtain an education is first presented to the mind of a parent, the thought that involuntarily rushes into the

mind is whether it will be kindly treated ; whether if in case of sickness, proper attention would be given to it. The design of an institution for the deaf and dumb is to secure to the unfortunate mute those kindly attentions, both in health and sickness, that are so essential to its education and happiness. The building itself was erected with special reference to their wants. The plan of the building is the same as that of the Indiana institution for the deaf and dumb, with the exception of certain improvements which have been suggested since that building was completed ; and it will, when finished, be one of the most elegant structures in the State. All the pupils board in the Institution, and constitute one happy family. They are under the constant supervision of the Principal, the Matron, and the Professors. The government is mild and parental, for by means of the beautiful and expressive language of signs, their instructors are enabled to influence them to an attention to those courtesies and proprieties that characterize ladies and gentlemen. The institution, moreover, is subject to the control of a Board of Trustees, who statedly visit it, and make such an examination into its affairs as will promote a faithful discharge of the duties belonging to its various officers. In sickness, the pupils have those to watch over them to whom they can communicate their wants, and thus obtain relief. They are instructed by those who, from years of experience, have become acquainted with their peculiarities, and know how to adapt their instructions to them. They soon learn to communicate with each other in signs, and thus are removed from that solitude and loneliness in which they are often found at home. On the Sabbath they are assembled in the chapel of the Institution, when, in the language of signs, thanks are rendered to their heavenly Father, and their duties to Him, to their parents and their fellow men, are explained. They have their seasons of recreation, in which they engage in the sports of childhood with all the avidity and happiness of other children. Parents who have visited the Institution and seen the pupils in their studies, in their classes, and in their sports, have wept tears of joy that they lived in a State which possessed

such a noble Institution, so happily adapted to their little unfortunates. It is to be hoped that the parents of deaf and dumb children throughout the State, will visit the Institution and become acquainted with its advantages.

PROGRESS OF DEAF AND DUMB EDUCATION IN AMERICA.

The establishment of an institution for the education of the deaf and dumb, in America, dates back to less than forty years ago. In the year 1817, the American Asylum was established at Hartford, Conn., under the direction of Rev. Thomas Gallandet, assisted by Mr. Laurent Clerc, an educated mute. Mr. Gallandet was under the necessity of proceeding to Europe, to become acquainted with the system of instruction. While in France, he prevailed upon Mr. Clerc to accompany him to America, to aid him in his benevolent enterprise. Mr. Gallandet has ceased from his earthly labors, but he died not until he had seen flourishing Institutions for the education for the Deaf and Dumb established in twelve of the larger states, and hundreds of otherwise unhappy mutes rescued from the grave of ignorance and placed in the enjoyments of knowledge. He died in the year 1851. The respect and love cherished for this benevolent man, has been exhibited by the assembling, during the past year, at Hartford, of a large company of educated mutes, gathered from the different states, to erect a monument to testify their appreciation of his labors. It is a noteworthy circumstance that this monument, in its plan, in its inscription, and in the funds contributed for its erection was wholly the work of the Deaf and Dumb. Mr. Clerc still lives a venerable man, and even now, with the frosts of many winters upon his brow, is associated with the able corps of instructors belonging to the American Asylum. Mr. Gallandet was succeeded by Mr. Weld, who died in 1853. The Rev. W. W. Turner is the present principal of the American Asylum. He is a gentleman of long experience in the profession, of very practical views upon the subject of mute education, and relies more upon inciting the pupil to depend upon his own energies than any artificial helps in the acquisition of knowledge. He is a worthy suc-

cessor of Messrs. Gallendet and Weld. Under his direction the American Asylum will continue to retain its high reputation as the first of the American Institutions.

The second institution established in America was that of New York. It was established in 1818. From the most humble beginnings it has advanced in its career of usefulness, until now it is second to no other institution of its kind in the civilized world. It numbers over two hundred and sixty pupils, and has in course of erection, buildings which, together with their site, will cost when completed, about \$350,000. The brick of which the outer walls are composed, are furnished by the enterprize of citizens of this state, being the famous cream-colored brick of Milwaukee. The success which has attended this institution is mainly owing, under a wise Providence, to the able management, and indomitable perseverance of H. P. Peet, D. L. D., its efficient and obliging President, who for over a quarter of a century has had the direction of its affairs.

The third institution established in America was that of Pennsylvania. It is located at Philadelphia, and was established in 1820. It numbers over one hundred and fifty pupils, and is under the direction of Mr. A. B. Hutton. It has not been our fortune to make the personal acquaintance of this gentleman, but the tasteful manner in which his annual reports are prepared, and the compositions given as specimens of the attainments of his pupils show that he requires a high standard of scholarship.

The fourth institution established in America, was that of Kentucky. This is located at Danville, and was established in 1822. It numbers eighty-seven pupils. It is under the direction of J. A. Jacobs, A. M. Mr. Jacobs has had the direction of this institution for a quarter of a century. He is a gentleman possessing a finely cultivated intellect, great benevolence, varied experience, a retiring and unobtrusive disposition and great fixedness of purpose. It would be difficult for the unfortunate deaf and dumb of Kentucky, to find another man who could have labored so faithfully and patiently in their behalf under the difficulties that have

attended the establishment of an institution in that state. Yet notwithstanding his efforts, "not one-half of the existing mutes of the State, have yet been educated." His main obstacle has been the want of that appreciation of the benefits of an education which characterize citizens of a free State. The institution is now in a better condition than ever before, and its future prospects are most encouraging.

The fifth institution established in America, was that of Ohio. It was established in 1829, and is located at Columbus. Mr. H. N. Hubbell was the founder of this institution. Previously to undertaking the enterprise, Mr. H. passed a year and a half in the American Asylum, at Hartford, for the purpose of acquiring a knowledge of the system of instruction. Assisted by Mr. D. E. Ball, an educated mute, and who is still an instructor in the Ohio Institution, he devoted himself to the work with an energy and perseverance that overcame the obstacles incident to the establishment of an institution in a new state. Mr. Hubbell had the charge of this institution for nearly a quarter of a century, and beheld its growth from a school of three pupils to that of over one hundred and thirty; while the whole number of pupils who received instruction during his administration was four hundred and sixty-two. He is justly regarded as the pioneer of deaf mute education in the west. He resigned the superintendency of this institution in 1851, and retired from labors, which entitle him to the respect of mankind. At the last convention of American instructors of the deaf and dumb, which took place at the Ohio Institution, Mr. Hubbell was presented with a service of plate by his former pupils. "For nearly a quarter of a century they found in him an able instructor, a wise counsellor, and a faithful friend." Mr. Hubbell was succeeded by the Rev. J. Addison Cary, for nineteen years an honored instructor in the New York Institution, whose career of usefulness was terminated by death in one year after entering upon his duties. Rev. Collins Stone, was called to take the place vacated by the death of Mr. Cary. He was for nineteen years an instructor in the American Asylum, at Hart-

ford. As a gentleman, a scholar, and an instructor, he is eminently fitted to give direction to the *alma mater* of the superintendents of the Deaf and Dumb Institutions of Indiana, Illinois, Tennessee, Louisiana and Wisconsin.

There are now in the United States sixteen well established institutions for the education of the deaf and dumb, viz: those of the states of Connecticut, New York, Pennsylvania, Kentucky, Ohio, Indiana, Illinois, North Carolina, South Carolina, Virginia, Georgia, Louisiana, Missouri, Tennessee, Michigan and Wisconsin. These first five institutions, a sketch of whose rise and progress we have given, are the parents of all the others. For in those five the superintendents and instructors of the others received their education to fit them for their peculiar work. Some of these already vie with their parent institutions. In this respect the Institution of Indiana deserves especial mention. It was established in 1843, only twelve years ago, and now numbers one hundred and sixty pupils. The Rev. Thomas MacIntyre is its present superintendent. Mr. MacIntyre's experience in other institutions eminently fits him for the prudent management of an institution whose career has been signally prosperous.

The progress of mute education is shown not only in the history of the establishment of institutions, but in the efforts made to advance the standard of scholarship in the several institutions. As a means to this, conventions of the instructors have been and are to be held from time to time. The instructors of the deaf and dumb are scattered over sixteen states, consequently, are widely separated from each other. The assembling of instructors at suitable periods, affords a fine opportunity for a comparison of views upon the best methods of teaching, and matters connected with the management of an institution. Three of these conventions have already taken place, and the essays read, and discussions held, have been embodied in the printed volumes of the proceeding of the convention. These conventions provoke a laudable rivalry among the several institutions, and therefore, incite the instructors to greater exertions in behalf of their own institutions.

The fourth convention of the American instructors of the deaf and dumb, is to be held at the Virginia institution, in Staunton, on the last Wednesday in July, of the coming year.

The most gratifying sign of progress has been the recent establishment of classes for the instruction of mutes "in the higher branches of learning." Two of these classes have been established in this county. One in connection with the American Asylum at Hartford, the other in connection with the New York Institution. The high class sustains about the same relation to the other classes in an Institution, that a college does to the common school. It is composed of a select number of the graduates of the inferior classes whose talents, acquirements and inclination give promise of their ability to master the higher branches and thus fit themselves for higher walks of usefulness. The reason of the establishment of a high class is the fact that it has demonstrated that the difficulties the deaf and dumb pupil meets with in the acquisition of written language are so great that very few of the graduates of existing institutions acquire such a knowledge of language as to be able to read understandingly the numerous works in the different branches of English literature. The late Dr. Itard of Paris, for nearly forty years physician to the National institution of France, left at his death a perpetual income of 8,000 francs for the foundation of a *class de perfectionnement*, or high class in that institution. The reason he assigns is that to him it is "a demonstrated truth, that nearly all our deaf mutes, at the end of the six years allowed for their instruction, find it beyond their ability to read with perfect understanding the greater part of the works of our language."

To admit such a fact is rather humiliating to the instructors of the deaf and dumb. But it must be remembered that the discovery of the possibility of their education dates back to less than three centuries ago; that very little was done till the genius of De l'Epee demonstrated its practicability; that it is only thirty-eight years since the first school was established in America; that the mute's education does not commence till ten or twelve years

of age, a period when speaking children have acquired not only the use of language, but many of the great facts of history and science; that he has two languages to learn, viz: the language of signs, and written language, the former of which must be first learned as a means to acquire the latter; and that to him the acquisition of a written language is more difficult than Hebrew, Greek, Latin, or any other dead language would be to one of us, for the analogies of written language would greatly assist us while the mute could derive no aid from this great help in the acquisition of different languages.

The course of study pursued in the high class, besides a continuance of the common branches, is to embrace as far as practicable, instruction in Drawing, Natural Philosophy, Natural History, Geometry, Algebra, Logic, Intellectual and Mental Philosophy. The time allotted to instruction in this class is to extend through a period of three years. The success which has attended such an experiment in the National Deaf and Dumb Institution of France, and the result already exhibited in the high classes of the institutions of New England and New York, have demonstrated the wisdom of the projectors of the classes. The benefits anticipated from such a class is that it will enable those who avail themselves of its advantages to understand and appreciate the standard works of English literature, and thus add to their mental enjoyment; that it will qualify them to engage in more remunerative employments than they have hitherto been able; that it will qualify many of them to be able instructors of their fellow mutes; and that the existence of such a class, in an institution, as has been remarked by Dr. Peet in his report of his visit to the European Institutions, "would improve the general standard of scholarship in the infirm classes, stimulating each pupil to strive after the honor of becoming one of its members, circulating new ideas, and encouraging a more elevated style of conversation, by the free intercourse which the members of this class have with the other pupils at the times of recreation;" and that, moreover, it will be a great help in the discipline of an institution for the moral influence of such a

class of young ladies and gentlemen, would be most salutary upon the order of an institution, as the chastened tempers, the refined manners, and correct morals of the high class could be held up to the inferior classes as a standard worthy of their imitation.

The example of the establishment of the high class in the two oldest and most honored of the American Institutions will lead to the establishment of like classes in the other institutions. It will usher in a new era in the cause of deaf mute education, and so enlighten public opinion that it will be no longer a wonder that a mute can be educated, but a disgrace that any should grow up in an enlightened community without having been permitted to reap all the advantages of a well conducted Institution.

CONCLUSION.

In concluding my report, I am reminded, that only six years have elapsed since Wisconsin entered the sisterhood of states, and that our present chief magistrate was the first, I believe who formally presented in his message, the claims of the Institutions for the Insane, the Blind and the Deaf and Dumb to the consideration of the legislature. The response made to his suggestions is, I hope, an earnest of the future interest it will manifest in their prosperity. Happy State! so early in the possession of such retreats for her unfortunates. While I think myself honored in being entrusted with the direction of this noble charity, I am aware of the responsibilities of my position. The experience of the past year to me is full of instruction and encouragement. From it I hope to derive many incitements to the faithful discharge of my duties. May I not cherish the hope that when the 'fever of youth' shall give place to the tranquility of age I shall behold, as the reward of my labors a numerous company of mutes restored to their friends, and to society with minds educated so as to appreciate the privileges of citizenship. I thank you, gentlemen, for the assistance and encouragement you have given me during the past year. May it be permitted us here to behold all the smiles of Provi-

dence, the liberality of the State, and the industry of faithful officers can accomplish for the unfortunate mute.

Respectfully submitted,

LOUIS H. JENKINS,

Principal.

INSTITUTION FOR THE DEAF AND DUMB, }
 DELEVAN, December 25th, 1854. }

ACKNOWLEDGEMENTS.

Many thanks are due H. P. Peet, L. L. D., the President of the New York Institution, for his aid in procuring slates from Europe, and other services so valuable to me in this new enterprise. Also to H. N. Hubbell, Esq., former superintendent of the Ohio Institution, for his selection of a number of books for the library of the institution. The superintendent of the Milwaukee and Mississippi railroad, deserves especial notice for granting free passage over the road of myself and pupils. To the gentlemen connected with the public press of Wisconsin, I would express my gratitude for the interest they have manifested towards the establishment of the institution. They gratuitously inserted numerous articles in their papers, calling the attention of the public to its importance. They freely inserted articles prepared by myself in the most conspicuous columns of their journals. Their reward must be in the pleasant consciousness that they have shared in the honor of ushering into life a most noble institution, and that there are now pupils making advancement in knowledge who otherwise would be groping in ignorance. The editors of the Argus and Democrat, Journal, of Madison; of the Milwaukee Sentinel, of the Morning News, of the Wisconsin, of Milwaukee; of the ——— of Janesville; Chronicle, of Waukesha, and the Rural New York, of Rochester, N. Y., have gratuitously forwarded their papers to the institution. These journals are of great value, for many articles in them are communicated to the younger pupils in signs by their instructors; while those of the pupils who are more advanced take great interest in reading the current events. A continuance of the above journals, and those of other editors, is respectfully solicited.

LIST OF PUPILS DURING THE YEAR.

<i>Names.</i>	<i>Town.</i>	<i>County.</i>
Duane Arnold,	Oak Grove,	Dodge.
Henry L. Bingham,	Koshkonong,	Jefferson.
Amelia Bishop,	Janesville,	Rock.
Mary Bennett,	Waukesha,	Waukesha.
Thomas Clarkson,	Springfield,	Dane.
Austin Churchill,	Waukesha,	Waukesha.
Ariadna P. Cheesebro,	Darien,	Walworth.
James A. Dudley,	"	"
Philip S. Englehardt,	Milwaukee,	Milwaukee.
Washington Farrer,	Summerville,	Rock.
Sarah Fitzgerald,	Milwaukee,	Milwaukee.
Betsey Hews,	Eagle,	Waukesha.
Charles Hews,	"	"
Abram Hews,	"	"
Helen Hews,	"	"
Wm. L. Helmer,	Hartford,	Washington.
Thomas Jones,	Genesee,	Waukesha.
Clarissa B. Kingman,	Dell Prairie,	Adams.
Mordecai Lowe,	La Fayette,	Walworth.
Annie Lever,	Maustown,	Adams.
Patrick Noland,	Aran,	McHenry, Ill.
John O'Donnell,	Milwaukee,	Milwaukee.
Matthew O'Niel,	"	"
Albert Pierce,	La Fayette,	Walworth.
John Rolfe,	Brooklyn,	Green.
Mary Shaub,	Oshkosh,	Winnebago.
John U. Richards,	Delevan,	Walworth.
James Taylor,	Mt. Pleasant,	Racine.
George Laylor,	"	"
Sarah Taylor,	"	"
Harvey Taylor,	Iron Ridge,	Dodge.

Whole number of pupils during the year,

31.

*Expenditures and receipts of the Deaf and Dumb Institute, for
the year, 1854 :*

Provisions, - - - - -	\$989 07
Bed clothing and incidentals, - - - - -	306 89
Salaries of officers, - - - - -	826 68
Furniture, - - - - -	767 67
Labor, - - - - -	200 90
Fuel, - - - - -	77 50
Medical services and medicine, - - - - -	46 58
Books for library, and stationery, - - - - -	68 93
Rent of a hired house, - - - - -	57 70
Postage, - - - - -	8 80
Brick oven, fixtures and repairs, - - - - -	130 47
Slates from Europe, - - - - -	131 28
Exhibition expenses, - - - - -	138 64
	<hr/>
	\$3,751 06
Cash received, - - - - -	3,174 36
	<hr/>
	\$576 70

REGULATIONS

OF THE WISCONSIN INSTITUTION FOR THE DEAF AND DUMB ; ADOPTED BY
THE TRUSTEES, APRIL 10, 1854.

1. The regular meeting of the Board of Trustees, shall be held on the second Wednesday of December and the second Wednesday of June, of each year.

2. At the regular meeting in December, the trustees will appoint one of their number president, and a secretary.

3. The president will preside at the meetings; call special meetings at the request of two members of the board or the superintendent, and sign all orders on the treasurer.

4. The secretary will keep an accurate account of all proceedings of the board, which, when approved, shall be signed by himself and the president.

5. In the absence of the president or secretary, their places shall be filled by *pro tempore* appointments. And in the absence of the president, two trustees may call a meeting.

6. A quorum of the trustees at any regular or special meeting, shall have power to elect any officer of this institution in case of vacancy, resignation or removal from office.

OFFICERS OF THE INSTITUTION.

1. The officers of the institution shall consist of a principal, professors, steward, physician and matron.
2. They shall be elected by the board of trustees, and shall hold office during good behavior and competency to discharge the duties of their several offices.
3. The principal shall have power to nominate individuals for professors.
4. It shall require six of the trustees to displace an officer of the institution during his term; and any officer leaving the institution without the consent of the board of trustees during such term, shall forfeit one quarter's salary.
5. Any individual nominated as professor, shall before his election by the board of trustees, signify his intention in writing of making the business of teaching the deaf and dumb, his profession for life.

THE PRINCIPAL.

1. The Principal shall be the executive head of the Institution, and the organ of communication with the subordinate departments.
2. He shall reside in the Institution, and have the general direction and control of all its concerns, with the counsel and advice of the executive committee. He shall have the power to make such regulations of internal police as he may deem most conducive to the order, efficiency, and practical usefulness of the system of government and instruction, and all orders emanating from him are to be implicitly obeyed by those who shall be engaged as instructors or professors of the institution, or for the discharge of any of the various duties connected with its immediate management. It being understood that he is subject, of course, to the yet higher power of the Board, which may, at its discretion, modify or repeal any regulation which may be made under the provisions of this by law.

3. He shall implicitly obey all orders and instructions of the Board; and carry out, in good faith, any system of operations which they may direct.

4. He shall hire, assign the duties, direct, so far as he may deem proper, and dismiss, when he may consider it necessary, all persons, not officers, whom it may be requisite to employ.

5. No subordinate officer shall contravene, or interfere, in the slightest degree, with directions given at any time by the superintendent to the pupils, or to the persons by him employed; but on the contrary, they are to give their efficient countenance and support to all such directions, and report to him any neglect or act of disobedience.

6. The superintendent shall teach the pupils, and require the persons employed, to respect and obey the other officers, in the proper discharge of their appropriate duties.

7. His government of the pupils, though firm and unwavering, shall be mild and parental.

8. He shall teach the pupils to act from principle, and not from fear. He shall inculcate respect, and govern them, as much as possible, by the influence of moral suasion.

9. He shall superintend and direct the intellectual, moral, and religious instruction of the pupils.

10. He shall pay especial attention to the health and comfort of the pupils. And when the boys are engaged in labor, he shall entrust them to some responsible person connected with the institution.

11. In his management of the finances, he shall practice the most rigid economy, consistent with the comfort of the pupils, and the prosperity of the institution.

12. He shall, from time to time, communicate to the trustees such information as he may think necessary, or as they may require, in regard to the operation of the institution, and the manner in which the various officers perform their duties.

13. He shall frequently inspect all parts of the establishment, and take the most efficient, or even stringent measures for en-

forcing neatness, order, and regularity in all departments. And it shall be his duty immediately to discharge any person employed who shall appear inefficient, neglect allotted duties, or manifest a spirit of insubordination.

14. He shall keep a register of pupils, and such other books as may be designated by the directors, in such form as they may prescribe.

15. It shall be his duty to attend all meetings of the Board of Trustees; and he may speak upon matter under discussion.

PROFESSORS.

1. The Professors shall instruct the pupils under the direction of the principal; perform in rotation the duty of supervision over the male pupils, during the hours of relaxation and study out of school; attend the visitors, and perform such other duties connected with the department of instruction, the library and cabinet, as the principal may, from time to time, delegate to them.

2. Those of them who reside at the Institution, and those who are entitled to the privilege of dining there, shall take their meals at the same hours, and at the same table in the dining-room with the family.

3. During the time allotted to study out of school, they shall see that the boys learn the lessons assigned them, and preserve the same order as in the school rooms.

4. During the hours appropriated to recreation, the Teacher in charge of the boys shall encourage them to take active exercise, under his supervision. He shall be responsible for their safety and orderly conduct while under his supervision, and shall restrain them from visiting all places allotted to the use of the girls, or which may be forbidden them by the superintendent.

5. They shall take such part in the religious instruction of the pupils as may be assigned them by the superintendent.

6. They shall, at all times, give their efficient support to the other officers of the institution, by inculcating in the minds of their respective classes proper principles of good order and obedience;

and they shall never intimate to them matters to the discredit of any officer of the asylum.

7. They shall carefully abstain from all interference with the duties of other officers; and, at no time, use any but courteous and respectful language in their intercourse with them.

8. They are to regard these rules as stating only a few among the numerous duties which they are expected to perform; and are always to manifest their devotion to the interest of the institution, by cheerfully performing any other duties which circumstances, or the directions of the superintendent, may require.

THE STEWARD.

1. The Steward, in addition to the duties prescribed by law, shall act, when required, as the clerk of the superintendent; and, under his direction, he shall perform the following duties:

2. He shall purchase such articles of provisions as may be necessary for the household, and such other things for the institution as the principal shall direct.

3. He shall see that, during the hours appropriated to labor the boys are industriously employed; and to secure this end, he shall labor with them.

4. He shall see that the cellars, and such portions of the pavements and grounds as may be committed to his charge, are kept in the most perfect order.

5. He shall have especial charge of the furnaces and fires about the establishment. He shall, before retiring to rest each night, pass through the cellars and other parts, except the portion occupied by females, where there may have been fires or lights, and see that all is safe, and the doors and windows secured. And he may, on no account, entrust the performance of this duty to another person, unless he previously, in each case, obtain the consent of the Superintendent.

6. He shall attend to the purchase of such articles of provisions as may be brought to the Institution for sale. And, that he

may be found at any time, he shall keep his whereabouts marked upon a slate in the office of the Institution.

8. He shall keep a book containing a regular account of all monies received and expended by him, with vouchers for the same.

8. He shall, at the regular meetings of the Board of Trustees, present an abstract of all classes of expenditure.

9. He shall see that the boys keep their clothes properly arranged in their trunks and drawers.

10. He shall be responsible for the safety of the boys, while at their labor; and while going to and returning from the same.

11. He shall see that the boys rise and retire at the appointed hours; and, with fifteen minutes from the time of their retiring to rest, he shall see that all their lights are extinguished, except such as may be necessary in case of sickness.

12. He shall not consider the above By-Laws as the measure of his duties and responsibilities, but is to render himself generally useful in every way within his power.

THE MATRON.

1. The Matron shall have charge of the girls, when not in school, and also of such parts of the domestic arrangements as may be assigned her by the Superintendent; and under his direction, she will perform the following duties:

2. She will see that, when out of school, the girls are as much as possible secluded from the society of the male pupils; and that, during study hours, they learn the lessons assigned them by their teachers. She will see that the girls are industriously employed during the hours appropriated to labor; that they make, so far as practicable, the clothes for pupils clothed by the Asylum; repair their own clothes and those of the male pupils; and do the ironing for the inmates.

3. She will, at all times, see that the girls take a sufficient amount of healthy exercise and recreation.

4. She will pay particular attention to the cleanliness of the persons, and the neat appearance of the girls.

5. She will teach them those rational principles of refinement peculiar to the female character, and instruct them as to their proper deportment on all occasions.

6. She will see that all parts of the establishment are kept in the neatest order.

7. She will enter, or cause to be entered, in a book kept for that purpose, a list of the articles of clothing belonging to each pupil, and see that the same be carefully preserved.

8. She will see that the washing and ironing be done in a neat and careful manner : that no article be lost : and that the clothing after ironing, be assorted by some careful person.

9. She will see that the provisions be carefully preserved, and economically used.

10. The Superintendent may, at his discretion, release the Matron from the supervision of such portions of the domestic affairs as he may deem proper, acting upon the principle that her services in the care of the young ladies are most valuable to the Asylum.

11. The Matron shall have such control over the persons employed as the Superintendent may deem necessary for the performance of the labors assigned her supervision.

12. After the pupils have retired to rest at night, the Matron will pass through the apartments occupied by the females, and see that the building is safe from fire.

PUPILS.

1. Pupils may be received and dismissed only by the principal and the sanction of the executive committee.

2. Every pupil who has not been vaccinated before being received in the institution, shall be vaccinated without delay.

3. Pupils honorably dismissed from the Institution shall receive a certificate signed by the principal.

R U L E S

FOR THE ADMISSION OF PUPILS, &c.

1. All the Deaf and Dumb of the State, between the ages of ten and thirty years, are entitled to an education, without charge for board or tuition, in this institution, upon compliance with its rules. No certificate of any kind is required for admission. Persons, however, desirous of placing a pupil in the school, should write to the superintendent, informing him of the name, age, residence of the mute, the cause, if any, of deafness, &c. The superintendent will immediately answer, stating the time when the pupil will be received. This course is, in all cases, recommended, though none will be refused who come at the commencement of the session. Applications in behalf of persons of more or less than the required age, will be considered by the trustees, who reserve to themselves the right to accept or reject such applicants, as they may deem just and proper.
2. Pupils from other States are received at the rate of one hundred dollars per annum, for board and tuition.
3. The length of the course of instruction is five years; and, that the pupils may become more proficient in their studies, they are allowed and advised to remain one year more. At the end of six years, the superintendent may select such pupils as he may consider would be particularly benefitted by continuing longer at school; and, if approved of by the Board of Trustees, they shall be permitted to remain an additional year.
4. Pupils will be admitted on the following conditions: 1st. The pupil, well provided with clothes, is to be brought to the institution punctually, at the commencement of each session, for the period of five years, unless detained at home by his or her own sickness. 2d. The pupil is to remain in the school until the last Wednesday in July, of each year. 3d. No parent or guardian shall be allowed to take a pupil out of the school, without the consent of the board of trustees.

5. It is the intention of the trustees, to render the institution self-supporting, so far as practicable, and that every pupil, on leaving its walls, shall be so proficient in some useful occupation or trade, as to be able to procure a livelihood, without reliance on the charities of others. In accordance with this design, all the scholars will be required to labor a portion of each day, the girls in performing the lighter kinds of house work, and in various kinds of needle work, as plain sewing, ornamental work, dress making, or millinery, &c.; and the boys at various trades, the necessary work about the asylum, and the cultivation of the farm and garden.

6. The annual sessions of the school continue ten months, commencing on the first Wednesday in September, and closing on the last Wednesday in June. Every pupil is to come promptly, on or before the first day of the session, and is to remain until the last day of the same. The only exceptions allowed, are cases of sickness, or where leave of absence in writing has been granted, either by the principal, or in case of the absence of the principal, the professor to whom he has delegated the power.

7. No pupil, unless under extraordinary circumstances, can be received at any other time than the commencement of the session.

8. Parents and guardians are required to furnish annually to each pupil, the following supply of clothing :

FOR THE MALE PUPILS.

WINTER CLOTHING.

2 Coats,	5 Pairs of Socks,
2 Vests,	1 Pair of Boots,
2 Pair of Pantaloon,	2 Pairs of Shoes,
5 Shirts,	2 Hats, or 1 Hat and 1 Cap.

SUMMER CLOTHING.

2 Coats,	2 Pairs of Pantaloon,
2 Vests,	1 Palm-leaf Hat.

ADDITIONAL ARTICLES.

- 2 Ivory Combs, 2 Pair Suspenders.
2 Pair of Wooden Combs, 2 Pocket-handkerchiefs.

FOR THE FEMALE PUPILS.

- 3 or 4 Calico Dresses, 2 Pair of Summer Stockings,
1 Woolen or Worsted Dress, 2 Pair of Winter Stockings,
1 Sunday and 1 Sun Bonnet, 2 Night Gowns,
2 Pocket-handkerchiefs, 3 Pair of Shoes,
2 or 3 changes of Underclothing.

ADDITIONAL ARTICLES.

- 1 Shawl, 2 Hair Combs,
1 Coarse and 2 Ivory Combs.

In addition to the above outfit, a sum of not less than \$3 is to be deposited with the superintendent for incidental expenses, repair of shoes, &c.; any part of which remaining unexpended will be returned at the close of the session.

It is not intended that the clothing should be of an expensive kind. For boys' winter apparel, plain home-made cloth is sufficiently good. For summer wear, country-linen will answer for pants, with some kind of dark goods or prints for coats and vests. Girls' calico dresses may be made of a cheap article, which will not fade; and while for older girls, at least, one pair of morocco shoes should be furnished, one or both the other pair should be of good calf-skin. On all articles of clothing which it is possible to mark, the full name of the pupil should be written with indelible ink. Each pupil should be supplied with a trunk or a chest.

10. Those persons bringing pupils to, or taking them away, cannot be furnished with board, lodging, or horse-keeping at the asylum.

11. All business letters, or letters of inquiry in regard to pupils in the asylum, or those whom it may be designed to place there, should be addressed to

LOUIS H. JENKINS,

Principal of the Deaf and Dumb Institution,

Delevan, Wisconsin.

COMPOSITIONS OF THE PUPILS.

ABOUT A WOLF.

Mr. Putnam lived in Connecticut. Mr. P. called his negro. They took his gun. They went into the woods. They called his dog. The dog came to them. They send dog to smell on the snow after tracks. They followed the dog. The dog went to the den. They looked in the den. Mr. P. sent negro to go into the den. But the negro was afraid. Mr. P. tied rope round leg. Mr. P. took his candles in the hand. Mr. P. told negro to hold rope. Mr. P. took his candles, club and gun. Mr. P. went into the den. Mr. P. looked at the red eyes of the wolf which growled. The negro hauled him out of the den. Mr. P. told negro he made a mistake. Mr. P. went into the den. Mr. P. looked at the wolf and red eyes. Mr. P. shot at wolf's forehead. The wolf was killed. The negro hauled him out of the den. Mr. P. put the gun up the tree. Mr. P. went into the den. Mr. P. looked for the wolf. Mr. P. held it. The negro hauled him out of the den. Mr. P. put it on the ground. They looked at the new wolf's sharp teeth. They took it. They carried it to the house. They put it on the floor. Mr. P. called his wife and a woman. She looked at the large wolf. They were pleased.

ABOUT AN INDIAN AND A WHITE MAN.

Some years ago a few white men lived in Virginia. An Indian hunter for the deer in the woods. He was very tired. He saw a

house and he went into the house. He met a man, and the Indian asked for some bread and water. The selfish man did not give some bread and water to him. He told him begone. The Indian was very sorry. The Indian walked some miles, and he arrived at his hut. He was very hungry to eat bread and drink water. Some years afterward the man went the woods, and when the sun set the man lost his way in the woods, and he looked for his house, but he came to the same hut. He asked the Indian to let him stay in his hut. The Indian knew him. The man did not know him. They slept in his hut till sunrise. They ate some food breakfast. The man told the Indian he lost his house. The Indian knew it, and he led him to his house. The Indian asked it, he knew the Indian. The man was ashamed. He was selfish. The Indian told him that if any Indians came and they ask him, must give some bread and water to them. The Indian was a good and kind Indian.

ABOUT MAN AND PRAIRIE WOLF.

A man lived in Texas. He rode a horse into the woods. He travelled through the woods. He heard a wolf howl loudly. He was afraid to ride through the prairie which was on fire. He covered the horse with a blanket. He rode him through the prairie on fire. The wolf did not chase the horse. The wolf ran in the prairie on fire till he was dead. The man rode the horse out of the prairie on fire. It hurt him very severely. The man got off the horse's back. He discovered that the skin was burnt off. He was thirsty and hungry. He heard the wolves howl loudly. The man rode the horse fast. The wolves ran and chased the horse and he stopped his horse and tied him with the reins round

a tree. He climbed up the tree. He stood on the limbs of the tree. He shot some wolves. He could not kill all, and they destroyed the horse. The wolves could not climb up it. They were hungry. They watched him on the tree. They watched the man one day and night. They heard the buffalo run through the woods. They left and ran away. The man climbed down the tree. He cut down small trees and made them to stand round the ground. He made the fire to destroy the trees. The man had to eat the dead wolf but the wolves could not enter the fire. They dispersed through the woods. The man walked to his house. He told his wife and people about the story. The people and the wife laughed at the story. The man was sorry for his dead horse. The horse was worth 100 dollars.

ABOUT HELEN HEWS.

Miss Helen Hews had been at school one and half years. She tried to study her lessons, then she improve fast. Last vacation we took leave of school and went home. Miss Hews, Master Hews and Miss Helen Hews took leave of school and went home. They were very glad to see their parents, brothers and sisters. Last August Miss Helen Hews took leave of home and was walking on the railroad. The locomotive joined to eighteen cars came behind her while she was walking on the railroad. It could not stop, and the cow catcher threw her down. It ran away. Master Hews saw her lying on the ground near the railroad. He was very afraid and soon ran home. He told his parents, brothers and sisters about Miss Helen Hews, who was now mangled and laid on the ground near the railroad. They were very sorry, and ran to her and carried her home. Parents and Doctors watched her,

who was very much hurt. She could not get better, and she died. The parents and some people felt and wept for her. They put her in a coffin and carried it to the grave. They put it in the ground and filled the grave. Mr. Jenkins explained to the deaf and dumb pupils about her who was dead. They felt sad.

ABOUT NOAH.

The people were wicked and could not love God, but Noah was very good and loved him. God loved Noah and blessed him.—He told Noah that the people were wicked and would destroy them. God told Noah to build a new ark, for he would cause the clouds to rain forty days. Noah obeyed and believed God. He went to the wicked people and preached to them about the bible, but they could not love and obey God, and would laugh at him. Noah was very sorry, and chose some hired men to build the new ark. They built it in twenty years; and the wicked people laughed at Noah as being foolish. He was patient and built it in twenty years. Noah sent two kinds of beasts to go into the ark, and Noah and his family went into the ark. God caused the door to shut. The wicked people could not enter it. God was angry and caused the clouds to rain forty years. They were very afraid of it raining for forty years. They ascended up the mountains, but it increased and covered the mountains with water. They were drowned, and it had rained forty years. Noah and his family were very happy and loved God, because God took care of them in the ark that could not drown in the water. The water abated down to the ground. They went out of the ark, and the sun shine on the world, which was dry again. Noah and his family went out of the ark, and the two kinds of beasts went out of the ark, and

played with each other. They made an altar with stones, and caught the little lamb and put it on the stone. Noah sacrificed it to God, and they thanked God, then he blessed them. They were very happy, for it was a pleasant day. The family had many children, and the world increased in people. They must love and obey God. Noah and his family were pious.





REPORT
OF THE
BOARD OF TRUSTEES
OF THE
WISCONSIN INSTITUTION,
FOR THE
EDUCATION OF THE BLIND,
DECEMBER 31, 1854.

MADISON:
BERIAH BROWN, STATE PRINTER.
1855.

THOMAS

REPORT TO THE

COMMISSIONER OF THE

GENERAL LAND OFFICE

1880

1880

OFFICE OF THE COMMISSIONER

1880

OFFICERS

OF THE WISCONSIN INSTITUTION FOR THE EDUCATION OF THE BLIND.

A. HYATT SMITH, *President.*
LYMAN J. BARROWS, *Secretary.*
J. BODWELL DOE, *Treasurer.*

TRUSTEES:

REV. HIRAM FOOTE,
A. HYATT SMITH,
IRA MILTIMORE,

J. BODWELL DOE,
J. F. WILLARD,
J. D. REXFORD.

Visiting Physician—LYMAN J. BARROWS, M. D.
Superintendent—C. B. WOODRUFF.
Matron—MRS. C. B. WOODRUFF.
Music Teacher—MRS. ELIZA WALLS.
Assistant Teacher—MISS SARAH ELLSWORTH.

OF THE

OF THE WISCONSIN INSTITUTION FOR THE EDUCATION OF THE DEAF

A. H. AYER & SONS
LYMAN J. B. BROWN
J. B. BROWN

THE

OF THE WISCONSIN INSTITUTION FOR THE EDUCATION OF THE DEAF
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REPORT OF THE TRUSTEES:

TO HIS EXCELLENCY, WILLIAM A. BARSTOW,

Governor of the State of Wisconsin.

The Board of Trustees of the Wisconsin Institute for the education of the Blind, have the honor herewith to submit their fifth annual

REPORT:

The fifth year of the Institution commenced on the first Monday of October last. The present number of pupils in attendance is sixteen, being an increase of three over the number in our last annual report. Their names, ages, residence, place of nativity, number of years blindness, and date of admission, will be found in the report of Mr. C. B. Woodruff, Superintendent, which is herewith submitted.

The two years experience we have had in the Mechanical and Handicraft department, both male and female, serves but to strengthen our convictions of its present and prospective advantages to the pupils, and to the institution. For the results of this department, we would respectfully call your attention to the report of the Superintendent.

The sum of Thirty-five hundred dollars was appropriated for the support of the Institution for the year commencing October 1st, 1854, and for the purchase of a piano for the use of the pupils. By the most rigid system of economy, the trustees will be enabled to keep within these limits.

For a statement of the names of the persons in whose favor orders have been drawn on the Treasurer of the Institution, by order of the Board of Trustees, for the year ending December 31st. 1854; for what the same were drawn, and the several amounts thereof, we respectfully refer you to the report of the Treasurer, marked, A., which is herewith submitted.

The outstanding accounts against the institute, not yet audited by the Board of Trustees, and the amount of salary due the Superintendent, teachers and matron, for the quarter ending December 31st, 1854, will be met by the money to be drawn from the State Treasurer on the first day of January, 1855, under the appropriation made by the legislature at its last session.

The number of pupils, as will be seen above, has increased from thirteen to sixteen since our last annual report, which is the full number the present institute building can accommodate; and in fact more, for with our present number we are compelled to use a part of the work-shop as a dormitory. To support and properly instruct this increased number of pupils during the year commencing Oct. 1st., 1855, an appropriation of not less than Four Thousand dollars, will be requisite. This sum the trustees hope will be sufficient to meet the ordinary expenses of the institution, and to purchase some necessary furniture, and school-room and work-shop apparatus.

At the last meeting of the legislature, the liberal sum of Twelve Thousand dollars was appropriated, for the construction of the central main building of the institute.

The Board of Trustees finding after repeated trials, that it was difficult to make a satisfactory contract for the erection of the building, inasmuch as none of the funds appropriated for that purpose could be realized until after the first day of January next, determined to commence the work themselves, and prosecute it as far as possible the present season. They appointed two of their number a building committee, and would refer to their report hereto attached, marked, B., for the result of their labors.

By reference to the act of the legislature, it will be seen that the appropriation was made for the purpose of constructing the center main building, but the building committee became satisfied soon after entering upon the discharge of their duties, that a proper regard for the stability of the whole structure, and judicious economy, required that the east wing should go up along with the main building. The Board of Trustees adopting the suggestions of the building committee, and heartily concurring in their views, determined to adopt the plan proposed by the committee. The committee's reasons are fully given in their report.

The expense of the completion of the whole building will, of course, exceed the amount of the appropriation made for the specific object of constructing only the main center building, and inasmuch as the rapidly increasing necessities of the institution growing out of the increase of pupils, cannot be met until further accommodations are furnished, the Board of Trustees feel constrained to respectfully, but earnestly, ask that an appropriation of Five Thousand dollars be made by the legislature at its coming session, for the purpose of completing the building now in process of erection. That sum the Board hope will be sufficient with what remains of the appropriation of the last legislature to fully complete the work they have undertaken.

Feeling that this is an institution in which the state at large is interested, and that its wants cannot be fully understood, nor the truth be known, whether the Board are wisely expending the money entrusted to them, without the personal oversight of the people or their servants, we would cordially invite a committee from the legislature, to visit the institution the coming session at such time as may seem to them most convenient, and personally examine the building and the management of the institution.

The institute for the blind has now been established nearly five years, and under the merciful care of Divine Providence, continues to prosper.

In closing this report the trustees take pleasure in recording

their testimony to the fidelity and increasing energy of the Superintendent in the discharge of the various duties assigned him; also, to the excellency of all the officers connected with the management of the "interior affairs" of the institution.

Respectfully submitted.

A. HYATT SMITH,

President of the Board of Trustees.

LYMAN J. BARROWS, Secretary.

Janesville, Dec. 31, 1854.

APPENDIX.

Wisconsin Institute for the Education of the Blind.

In account with J. BODWELL DOE, Treasurer;

Order

DISBURSEMENTS.

No.	Balance due Treasurer as per last report	\$779 44
52	Cash paid S. C. Spaulding, repairing clock	1 18
53	do Jesse Miles, wood	25 00
57	do R. Hill, blacksmithing	4 08
66	do Ola, cutting wood	62
69	do George Miltimore, salary as steward	59 21
70	do Jane Miltimore, salary as matron	33 38
71	do Dorothy Ellick, house work	8 25
92	do Cooley & Babcock, merchandise	52 76
93	do O W Norton, groceries	184 96
94	do J. A. Turner, broom clamps	10 43
95	do Lyman J. Barrows, med. services	15 25
96	do Jackman & Smith, flour,	14 25
97	do R. B. Treat, M. D. med. services,	10 50
99	do Jackman & Smith, flour,	14 75
100	do C. G. Gillett, groceries,	29 67
101	do S. C. Spaulding, clock,	1 50
103	do Alden & Holt, advertising,	2 00
104	do Azel Baxter, repairing chimneys	4 00
105	do Levi Moses, furniture	2 75

106	Cash paid	J. M. Riker, repairing harness,	1 50
107	do	John Tompkinson, blacksmithing,	17 82
108	do	Wood & Moore, livery,	5 00
109	do	Doe & Cuoley, merchandise	65 21
110	do	A. St. John, provisions,	5 00
111	do	A St John, provisions	2 50
112	do	George Miltimore, salary as steward, in full	30 00
113	do	Jane Miltimore, salary as matron,	10 00
114	do	J. Horton, wages hired man,	25 00
115	do	Angeline Mikkell, house work,	16 79
116	do	Rachel Mikkell, house work,	18 95
117	do	Mrs. L. Walls, salary as teacher,	128 00
118	do	Miss M. A. Weed, salary as teacher,	20 00
119	do	C. B. Woodruff, salary as superintendent,	325 00
120	do	C. B. Woodruff, contingent expenses,	27 67
121	do	H. & G. Scarecliff, meat,	152 15
122	do	H. S. Woodruff, repairing harness,	98
125	do	H. Rice & son, groceries,	20 79
126	do	C. B. Woodruff, broom corn,	27 00
127	do	J. F. Williard, provisions	5 00
128	do	E. H. Strong, postage,	1 72
130	do	E. L. Roberts, provisions,	4 06
131	do	Hunt, provisions,	4 04
132	do	West & Doolittle, glazing,	1 63
133	do	Langden & Clow, hay,	12 00
134	do	Dorsey & Pottinger, Livery,	2 50
135	do	J. Allen, 20 cords wood,	65 00
136	do	Charles Colby, 30 cords wood,	78 75
137	do	Jane A. Woodruff, salary as matron,	53 17
138	do	Trask & Howland, livery,	4 50
139	do	Trask & Howland, livery,	1 00
140	do	George W. Taylor, broom handles,	12 50
141	do	A. S. Dodge, interest on note,	14 32
142	do	J. B. Doe, interest on note,	7 44
143	do	Wm. Truesdell, flour,	7 00
144	do	James Sutherland, stationery,	7 17
145	do	J. H. Budd, castings, &c.,	14 46

146	Cash paid	E. J. Fenton, livery,	12 00
147	do	Ann Brown, house work,	11 35
148	do	C. B. Woodruff, contingent expenses,	9 40
149	do	John W. Brown, butter,	2 97
150	do	McKey & Brother, merchandize,	15 00
151	do	J. B. Davis, livery.	10 00
152	do	C. B. Woodruff, type,	3 00
153	do	G. W. Taylor, broom handles,	29 36
154	do	J. F. Willard, 20 cords wood,	60 00
155	do	O. W. Norton, groceries,	31 96
156	do	Carter & Sawyer, groceries,	6 27
157	do	C. W. Woodruff, hay,	9 00
158	do	Wm. P. Burroughs, stage fare of children to Madison,	38 00
159	do	R. Hill, blacksmithing,	3 75
160	do	Jesse Miles, 2 cords wood,	5 00
161	do	Secretary, expenses of children to Madison,	50 76
164	do	J. Pond, broom-corn,	37 36
165	do	Wm. Truesdell, flour,	15 00
166	do	C. B. Woodruff, hay, &c.,	19 27
168	do	Mrs. C. B. Woodruff, salary as matron,	34 00
169	do	Secretary, services,	10 00
170	do	Secretary, services,	5 00
172	do	E. H. Strong, postage,	3 65
173	do	P. A. Pierce, provisions,	15 00
175	do	H. Rice & Son, groceries,	25 76
176	do	E. L. Roberts interest on note,	12 66
177	do	J. B. Doe, expenses to Madison,	10 00
178	do	J. R. Eaton, glazing,	1 00
179	do	J. F. Willard, oats, &c.,	14 00
180	do	Insurance,	30 00
181	do	J. Pound, provisions,	7 31
184	do	John F. Rague, specifications, &c.,	20 00
185	do	Jed Rook, moving work-shop,	45 00
190	do	Norwegian, cutting wood,	3 68
191	do	E. H. Strong, postage,	2 65
193	do	J. F. Willard, oats,	5 00
199	do	Joseph Horton, wages—hired man,	76 00

200	Cash paid	Betsey Osborn, house work,	3 00
201	do	C. B. Woodruff, salary for himself and wife,	158 00
102	do	Amelia Higby, house work,	25 27
203	do	Mary A. Weed, salary as teacher,	58 00
204	do	Mrs. L. Walls, salary as teacher,	60 00
205	do	C. B. Woodruff, contingent expenses,	27 16
		Balance on hand,	30 70
			<hr/>
			\$3,405 84

RECEIPTS.

1854—Jan. 2,	By cash from State Treasurer, due 1st July, 1853,	500 00
Jan. 16,	By cash from State Treasurer, due 1st October, 1853,	625 00
Jan. 26,	By cash from State Treasurer, due 1st Jan. 1854,	625 00
Feb. 3,	By cash from State Treasurer, balance due from ap- propriation of 1850,	405 84
Mch. 28,	By cash from State Treasurer, due 1st April, 1854,	625 00
July 8,	By cash from State Treasurer, due 1st July, 1854,	625 00
		<hr/>
		\$3,405 84

REPORT OF THE BUILDING COMMITTEE.

To the Board of Trustees of the Wisconsin Institution for the Education of the Blind:

GENTLEMEN: Your Building Committee having performed the duties assigned them by you, submit the following

REPORT:

The foundation and basement of the main building and east wing of the same which you placed under our charge for construction is completed, and is now ready for the superstructure.

You are aware that from unavoidable circumstances you did not authorize us to enter upon our duties as building committee, until the season was far advanced.

This circumstance in connection with the fact, that we had made no previous arrangement for procuring materials, and also being destitute of funds with which to prosecute the work, has rendered our labors somewhat difficult and arduous; and these causes have contributed to retard the completion of the work much more than we could have wished. The want of funds has caused us no little inconvenience in procuring sufficient help to advance the work as fast as was desirable.

When we commenced the work, the erection of the east wing was not anticipated by your board, for the present at least, but subsequently as the excavation for the main building progressed, it was seen to be all important, in fact absolutely necessary to the permanency of the whole structure, to extend the excavation for the east wing, and lay the foundation of the wing at the bottom of a sub-cellar.

Afterwards upon excavating for the sub-cellar it was ascertained that by removing the gravel in a trench about three feet below the bottom of the cellar, the foundation of the whole building might be based and lie upon the solid rock or ledge. This, in view of the trouble experienced by the settling of the west wing, which was based upon a gravelly foundation merely, in the opinion of your committee, and being sanctioned by you, seemed an object very important to be obtained. The sub-cellar and extra excavation and masonry, to place the whole upon a solid foundation, has added a considerable item to the expense, say ten hundred dollars.

We feel assured, however, that an intelligent community will heartily coincide with us in the propriety of incurring it in consideration of the object accomplished. When you had decided to have a cellar under the basement of the east wing, it seemed important to deviate slightly from our original plan of basement with respect to having a hot air furnace for warming the building. Our plan locates the furnace room in the basement of the main building, but it seemed to us much more convenient, and a great saving of room, as also lessening materially the expense in fuel, to place it adjoining the sub-cellar and under the basement of the main building.

The floor of the furnace-room is three feet below the bottom of the sub-cellar, and consists of solid rock. The fuel to supply the furnace will be passed into the sub-cellar, and from thence very conveniently conveyed to the furnace. The furnace room is of solid stone work, arched overhead and perfectly fire-proof.

We have built a flue 4x4 feet into the same from the outside of the main building, to supply it with pure fresh air, which is to be heated and conveyed through the whole building.

The air flue is entirely below the floor of the basement of the main building, thereby saving much room and being much more convenient for the supply of air to the furnace.

We will not enter into further detail of this part of our work at present, but should your board desire more minute description than is herein contained, we shall cheerfully respond to the request.

In prosecuting the work as above specified, we have deemed it the interest of the institution and the state at large to do our work in the very best manner possible, and use nothing but the best material in the construction of every part of the work.

Having obtained a liberal contract for the quarrying and delivery of the stone, and being in close proximity to one of the best quarries in the state, we have been enabled to select as good material as could be desired for constructing a foundation and basement, which should be perfect so far as solidity and durability are concerned, and we believe we have succeeded in constructing one for the institute which will loose nothing in comparison with any foundation to be found in the whole west, and while we have studied economy, and scrupulously avoided adding any unnecessary expense, we have not blinded ourselves to the fact that we were erecting a benevolent institution for the state of Wisconsin, and as such have had some regard to its external and characteristic appearance, consequently we have built those portions of the basement exposed to view with cut stone which will correspond equally well with cut or sawed stone, in the superstructure, as your board may in future determine, and we have no doubt but you as well as the citizens of our state will coincide with us in the sentiment above expressed, and erect a superstructure upon the basement now completed worthy the object it is intended to promote.

Another matter entrusted to our charge, was the removing of the work shop, and the boys' dormitory, which occupied a part of the ground needed for the main building. We let the job for removing which, to its present convenient site, for forty-five dollars.— By removing it we deprived the institute of a cellar which had been constructed under it, and as it was not probable that we immediately should have an appendage of that kind attached to the new building we excavated and built a cellar in connection with the underpinning of the work shop, which together with the other repairs on the wordshop and sleeping rooms will amount to two hundred and twelve 54-100 dollars. Without the conveniences

afforded by this building for work shop, sleeping rooms, &c., it would be impossible to accommodate our present number of pupils.

Among the other duties assigned us was the making some imperatively necessary repairs about the present institute buildings.

These improvements had been quite too long delayed; they consisted in grading and filling in the earth on the west side and putting in curbing stones instead of an area wall, as was originally designed, to protect the foundation from currents of water accumulated by rain storms, &c.

Also stone steps leading under piazzas flagging both front and rear piazzas with stone, building three cess pools, stone sinks, conduit pipes, &c., all of which has been done in a good substantial manner and at as low a price as possible, viz: four hundred and sixty-seven 15-100 dollars.

In excavating the cellar and basement of new buildings we made our contracts so that we could have the gravel and earth delivered at such points within the institute grounds as we might choose, so that with a trifling additional expense we have grveled thoroughly one hundred and fifty rods of drives and walks on the institute grounds, and filled in around the west wing, and the work shop seven hundred yards of earth, and in addition saved all the sand we have used in our present work, and have on hand nearly if not quite enough to complete the institute buildings, which latter item alone obtained through the usual means would have cost as much as the whole expense of excavating and depositing all the earth removed for the whole building.

The accompanying statement will exhibit to you the amount of expences of the different departments of work given us in charge.

Moving and improvements on work shop	212,54
Repairs and improvements about the west wing	467,15

Expenses incurred in excavating the cellar and constructing the centre main building and east wing as far as completed	5,202,36
	<hr/>
	\$5,882,05
Tools and materials on hand	304,50
	<hr/>
	\$5,577,55

All of which is most respectfully submitted,

IRA MILTIMORE

J. F. WILLARD,

Building Committee.

Janesville December 16th, 1854.

REPORT OF THE SUPERINTENDENT.

To the Board of Trustees of the Wisconsin Institute for the education of the Blind.

GENTLEMEN: I have the honor to present you a fourth annual report of the Institution under my care.

The institution has been under my charge nearly two years, and it gives me pleasure to state, that the pupils have never appreciated their advantages more, nor improved them better than during the past year.

Our number of pupils is sixteen, or three more than during the previous year.

The annexed schedule, "A," shows the names, ages, residence, place of nativity, number of years blindness, date of admission of the several pupils now in the institution.

We have now as great a number as can be accommodated in the present building. When the other portion of the building is completed, we anticipate a considerable accession to our present number.

The measles made its appearance among the pupils of the institute about the middle of February last, and from that time until the middle of April, we were afflicted with the disease, taking in its range eight or ten of our number.

In a disease like the measles, much depends upon care. They were attended by Dr. L. J. Barrows, who gave unremitting attention to the pupils during the entire time of their sickness, and to whom in behalf of the pupils and others, I tender grateful thanks.

After the measles had left us, Miss Frances Raleigh was taken with a very serious lameness, which continued so long that it was

thought advisable to send her home, which was accordingly done about the first of May last, and she did not return until the beginning of the present term.

Dr. C. G. Pease, in the absence of Dr. Barrows, attended the pupil last mentioned. August Cale was detained at home by illness until the first of the present month.

Our workshop has been an invaluable aid during the past year in enabling the boys to learn the manner of manufacturing brooms.

The scarcity of material for brooms has been a great detriment to the work. It is with the greatest difficulty that any broom corn can be obtained, and when found a most extravagant price is asked.

I would respectfully suggest to the board the propriety of making a contract with some person to furnish the institute with a certain amount of broom corn. By this means we can secure a sufficiency, which I think cannot be obtained in any other manner without travelling hundreds of miles.

Previous to last April the boys had been allowed a certain sum upon each broom manufactured after they had made the number required by the institution.

By this arrangement they were induced to occupy much of their time while out of school, in the manufacture of brooms. During the hours employed by the boys in the shop, the girls are engaged, under the superintendence of Mrs. Walls, in knitting. This consists of the manufacture of tidies, sacks for children, chair armlets, cake covers, ottoman covers, &c., &c.

The girls provide the material for the manufacture of these articles and have the avails.

They will commence the manufacture of bead baskets before the 1st of January next.

It is quite desirable that the pupils time should be well employed except the time necessary for exercise. It gives them a substantial trade conducive to both pleasure and profit, cultivating habits of industry, and to those who once enjoyed the pleasure of looking upon our beautiful fields, and gazing with never ending delight at the great treasure house of nature, it casts aside the past and brings the present home with all its exciting reality; it occupies their time and prevents many a sad and lonely hour.

The annexed schedule, "B," shows the cost of implements for broom and brush manufacture, material for manufacturing broom brushes, &c. &c.

We expect to commence the manufacture of brushes about the tenth of this month. The work has been delayed a long time for want of necessary implements and patterns to arrange the shop. These could not be obtained especially from another state without the money, and we have labored under the same disadvantage in every thing else, for which the Board of Trustees is not in the least responsible, as our quarterly appropriations could not well be drawn from an empty State Treasury.

In accordance with a resolution passed in October last by the Board, I have employed a young man by the name of Andrew Keikle, as foreman to our shop. He had formerly been engaged in a work-shop in the Ohio Institute for the blind. He understands his business thoroughly, and comes with high recommendations from the Superintendent of that institution.

The pupils have improved much during the past year in music, under the instruction of Mrs. L. Walls.

The discriminating ear of the blind, renders them well adapted to learn the science of music, and they should be encouraged, for it may be a means of much pleasure and employment in the future.

The piano bought last spring has done excellent service during the summer, and proves to be one of the most durable kind.

The situation of assistant teacher in the literary department, occupied during the past year by Miss Mary A. Weed, is now filled by Miss Sarah Ellsworth, who is a thorough teacher and performs her duties admirably.

The order of daily exercises is as follows:

All rise at the ringing of the bell in the morning at six. The family breakfast at a quarter before seven, the pupils at a quarter past seven. The pupils are assembled at ten minutes before eight; a portion of the scripture is read; then the daily studies are commenced, which consist of reading, writing, spelling, written and mental arithmetic, grammar and algebra, and thus the time is passed until twelve, and from one till half past two, at which time the pupils meet for singing class, which continues one hour. At half past three the boys go to their work in the shop.

You will observe that the boys are employed more than eight hours in their various exercises, and the girls about seven. It is arranged so that the piano can be occupied all day. It is done by giving the pupils their music lessons while free from other tasks.

The blind are often able to perform mental feats, which to those blessed with sight are truly astonishing. It is the result of concentration and cultivation of the mental faculties undisturbed by surrounding influences. The manner of teaching the blind being mostly oral, is calculated to impress the subject upon the mind. Also the habit of relying almost entirely upon the mental faculties gives a power of arranging subjects in the memory, of which few people are aware. Therefore, if a pupil wishes to succeed well he must enter the institution with a fixed determination to become the master of every branch.

Perhaps it is too often the case, that parents, feeling solicitous for the welfare of a child deprived of one sense, bestow unusual care upon it, and under its influences grow up many pernicious habits, causing the child to become petulant and fault-finding. In so doing the parent makes a great mistake. It should receive superior advantages to the other children—not more indulgence.

During the past summer an admirable system of draining the yard by cess pools, has been adopted, which has contributed very much to the convenience and comfort of all living in the institute.

There can be only one opinion as to the manner the funds appropriated for the building have been expended, and that is, judiciously. The Board acted the part of wisdom, by going on with the work, and the building committee have performed their work nobly.

The following newspapers have been sent to us regularly and gratuitously, for which, in behalf of the pupils, I return thanks to the gentlemanly proprietors of the same:

Wisconsin,	Daily,	.
Madison Argus,	do	
Democratic Standard,	Weekly,	
Janesville Gazette,	do	
Free Press,	do	
Badger State,	do	
Beloit Journal,	do	
Monroe Sentinel,	do	
Milwaukee Sentinel,	do	

We have cause to feel a just pride in the advancement of our state, increasing her population by thousands each year. Rich in agricultural and mineral wealth, only six years a state, yet bearing upon her bosom, cities with their thousands. This state

has ever held forth her liberal hand to the institution for the blind, and the deaf and dumb, and the insane, and those unfortunate classes will always hold in grateful remembrance the efforts made in their behalf.

Respectfully submitted.

C. B. WOODRUFF,

Superintendent.

WIS. INST. FOR BLIND, Dec. 5, 1854.

SCHEDULE "A."

Showing the names, ages, residence, place of nativity, time of admission, &c., of the several pupils in the Institute:

Names.	Age.	Residence.	County.	Place of Nativity.	No. of years Blindness.	Date of Admission.
Eliza Brown	12	Delavan	Walworth	New York	12	Oct. 1, 1850
George Ross	17	Backwoods	Jefferson	Canada	14	Oct. 1, 1850
Oliver Van Zaub.	15	East Troy	Walworth	Ohio	8	Oct. 1, 1850
John Shaler	21	Fulton	Rock	New York	21	Oct. 1, 1850
F. A. Raleigh	14	Whitesville	Racine	New York	14	Oct. 1, 1850
Carrie Porter	17	Hebron	Jefferson	Vermont	15	Mch. 20, 1851
Andrew Siversrude	29	Ixonia	Jefferson	Norway	5	Nov. 11, 1851
Joseph Miller	16	Milwaukee	Milwaukee	Canada	15	Oct. 6, 1851
Mary Fitzgerald	32	Milwaukee	Milwaukee	Ireland	5	Oct. 6, 1851
Lucy Randall	30	Hustisford	Dodge	New York	14	Oct. 3, 1853
Maria M. Slaughter	18	Cottage Grove	Dane	Ohio	18	Oct. 3, 1853
Fidelia Blood	13	Monticello	La Fayette	Illinois	11	Oct. 4, 1853
August Cale	14	Milwaukee	Milwaukee	Germany	14	Oct. 18, 1853
Louisa Smith	21	Janesville	Rock	New York	8	May 25, 1854
Sylvester Van Alstine	24	Kenosha	Kenosha	New York	2	Oct. 6, 1854
Henry Oleson	11	Koshkonong	Jefferson	Norway	10	Oct. 6, 1854

SCHEDULE "B."

Work shop, in account with Institute:

To 1 ton Broom Corn.....	\$86 00	
" 16 lbs Wire	7 00	
" 1600 Broom Handles.....	32 00	
" 12 lbs Twine.....	19 00	
" Fixtures and implements on hand for making Brushes and Brooms.....	47 00	
		194 00

Or.

By Brooms sold and stock on hand	\$266 00	
Balance in favor work shop.....		\$72 00
		\$266 00













FIRST ANNUAL REPORT

AND

COLLECTIONS

OF THE

STATE HISTORICAL SOCIETY,

OF

WISCONSIN,

FOR THE YEAR 1854.

PART I. VOL. I.

MADISON:
BERIAH BROWN, PRINTER.

1855.

THE NEW YORK PUBLIC LIBRARY

ASTEN LENOX TILDEN FOUNDATION

STATE HISTORICAL SOCIETY

OF

NEW YORK

FOR THE YEAR 1901

NEW YORK: THE NEW YORK PUBLIC LIBRARY, ASTEN LENOX TILDEN FOUNDATION, 1901.

MADE IN U.S.A.
NEW YORK: THE NEW YORK PUBLIC LIBRARY, ASTEN LENOX TILDEN FOUNDATION, 1901.

1901

OFFICERS FOR 1855.

PRESIDENT:

Gen. WM. R. SMITH, Mineral Point.

VICE PRESIDENTS:

INCREASE A. LAPHAM,	-	Milwaukee,
HON. NELSON DEWEY,	-	Lancaster,
GEN. ALBERT G. ELLIS,	-	Stevens Point,
HON. MORGAN L. MARTIN,	-	Green Bay,
CYRUS WOODMAN,	-	Mineral Point,
HON. GEO. R. McLANE,	-	Pine Lake.

Corresponding Secretary—LYMAN C. DRAPER.

Recording Secretary—JOHN W. HUNT.

Librarian—S. H. CARPENTER.

Treasurer—PROF. O. M. CONOVER.

CURATORS:

HON. L. J. FARWELL,

“ J. P. ATWOOD,

“ D. J. POWERS,

BERIAH BROWN,

DANIEL S. DURRIE,

HON. SIMEON MILLS,

“ JOHN Y. SMITH,

“ H. A. WRIGHT,

COL. DAVID ATWOOD,

JULIUS T. CLARK.

OFFICERS FOR 1882.

EXECUTIVE

Gen W M S SMITH, Milledgeville, Ga.

JOSEPH A. HARRIS, Milledgeville, Ga.
 HENRY KIRK, Milledgeville, Ga.
 ALBERT W. HARRIS, Milledgeville, Ga.
 J. M. HARRIS, Milledgeville, Ga.
 J. M. HARRIS, Milledgeville, Ga.
 J. M. HARRIS, Milledgeville, Ga.

JOSEPH A. HARRIS, Milledgeville, Ga.
 HENRY KIRK, Milledgeville, Ga.
 ALBERT W. HARRIS, Milledgeville, Ga.
 J. M. HARRIS, Milledgeville, Ga.

JOSEPH A. HARRIS, Milledgeville, Ga.
 HENRY KIRK, Milledgeville, Ga.
 ALBERT W. HARRIS, Milledgeville, Ga.
 J. M. HARRIS, Milledgeville, Ga.

REPORT.

TO HIS EXCELLENCY, WILLIAM A. BARSTOW,

Governor of the State of Wisconsin:

SIR:—In accordance with the act granting to the State Historical Society five hundred dollars annually, we, the undersigned Executive Committee of the Society, herewith render the Treasurer's annual report of the manner of expenditure of the appropriation, with the vouchers therefor. The receipts of the year are there shown to have been \$552 52, and the disbursements \$497 10, leaving a balance in the treasury of \$55 42.

The organization of such a society was first suggested and urged by CHAUNCY C. BRITT, Esq., in the Mineral Point Democrat of Oct. 22, 1845, and though the newspaper press of the Territory approved the proposal, nothing was done till the 30th of January, 1849, when the STATE HISTORICAL SOCIETY OF WISCONSIN was fully organized at Madison. But in the infancy of the State, and the too common neglect to preserve, by means of associated effort, memorials of the history of the past and passing events, little was accomplished till the year just drawn to a close. An act of incorporation was obtained in March, 1853; and, in January, 1854, the Society was re-organized with a view to more efficiency, when the

chief labors and duties were assigned to an Executive Committee, who were to meet monthly, and oftener when necessary. The last Legislature was memorialized for the small annual appropriation of \$500, to be expended in making collections illustrative of the history of Wisconsin, no part of which should ever go to pay for services rendered by the officers of the Society; and the amount asked for, was granted in February last. This, together with the few volumes of state publications placed at the disposal of the Society to aid in effecting literary exchanges, has placed the Society upon a firm basis, and enabled it to enter at once upon a prosperous and honored career of usefulness.

In January last, the number of volumes in the library was fifty. During the year past, the Society has purchased a complete set of *Niles' National Register*, containing a most valuable current history of the times from its commencement in 1811, to its termination in 1849, in seventy-six volumes; and also fifty-four volumes of rare historical works, relating mainly to the West and North West. Among them may be particularly mentioned a copy of Lescarbot's History of New France, published in 1609; two volumes of the old *Jesuit Relations*, 1643 '44; a full set of the *Lettres Edifiantes et Curieuses*, in twenty-six volumes, containing much rare historical matter recorded by the early Catholic missionaries in the North West, commencing in 1672; Evans' large and rare Map and Analysis of the Middle Colonies and the West in 1755; Carver's Travels in Wisconsin, with a portrait of that early western traveller; Mackenzie's Travels, and other early and valuable works. Beside these one hundred and thirty volumes purchased, eight hundred and seventy volumes have been received by the Society during the past year, either as donations or exchanges, from nearly two hundred different sources; making the present number in the library one thousand and fifty volumes.—Of these, seventy-five volumes are quartos, sixty-two volumes of newspapers, and the remainder chiefly of octavo size. They may be classified as follows:

Works on history, including newspaper files, and publications of Historical Societies	- - -	466 vol's.
Congressional publications	- - -	132 "
Agricultural, mechanical and scientific	- - -	124 "
Miscellaneous	- - -	197 "
State Laws and Journals	- - -	65 "
Unbound Works	- - -	66 "
Total		1050 "

There are sixty-two volumes of newspapers, besides Niles Register, all either bound or in process of binding; and several of these volumes embrace a period of two or more years; so that the entire series, including Niles, make about one hundred and forty years of printed matter, or over one hundred years aside from Niles' Register; and the Wisconsin papers alone comprise one half of these yearly files, commencing with the pioneer publication of Wisconsin, the *Green Bay Intelligencer*, which first appeared Dec. 11th, 1833. This collection of papers, large for the brief period the Society has made it a special object to secure them, is a matter of much felicitation to the members of the Executive Committee, knowing their inestimable value to the present and future historians, legislators and jurists of our State. But the collection, large as it may appear, is by no means complete; there are many files of Wisconsin papers extant that should early find their way to our library. The names of the donors of these several newspaper files are, Darwin Clark, Wm. N. Seymour, W. W. Wyman, Beriah Brown, David Atwood, L. C. Draper, J. W. Hunt, O. C. Britt, and S. G. Benedict, of Madison; E. Beeson, and Royal Buck, of Fond du Lac; Gen. A. G. Ellis, of Stevens' Point; John Delaney, of Portage City; E. B. Quiner, of Watertown; W. E. Cramer, of Milwaukee, and Patrick Toland, of West Bend. From the latter, a venerable volume of the Pennsylvania Evening Post, from August 1776, to August 1777. Ex-Gov. Doty has most kindly and liberally tendered the Society several files of newspapers published while Wisconsin was a part of Michigan

Territory, and which must prove a peculiarly valuable acquisition to our collection, and whose arrival may soon be expected.*

The Society has also been fortunate in securing, at a moderate cost, eighteen volumes of newspapers, published in [the Atlantic States, in various years, from 1784 to 1832, containing much frontier historical matter, particularly relative to the war of 1812-'15, and the Black Hawk war; and these may be expected to reach here early in the ensuing spring.

Since March last, the Society has been in the receipt of twenty-nine Wisconsin papers, five from other states, and four magazines; all most generously donated by their publishers or editors. There are also preserved for the Society, by members of the Committee, nine Wisconsin papers, and three from other states. These fifty publications are all carefully filed for binding as often as there shall be enough of each to form a suitable volume; and they are deemed, not only by the Committee, but by all enlightened men, to be among the most important labors engaging the attention of the Society. This department alone of the Society's collections must speedily become vast in extent, and valuable beyond all estimation for purposes of reference, and as treasuries of the history, growth and progress of Wisconsin.

The department embracing the published transactions of kindred Historical Societies, and other learned institutions of our country, has received the early and constant attention of the Committee, and very gratifying success has attended their efforts. Prior to the past year, the Smithsonian Institution and Rhode Island Historical Society had alone furnished their publications; and, during the year just closed, the Society has received the published Transactions and Collections of the Historical Societies of New Hampshire, Massachusetts, New Jersey and Ohio, New England Genealogical Society, Essex Institute, American Ethnological So-

* They have since come to hand—a bound file of the *Detroit Gazette* from 1818 to 1822; the *Galena Miner's Journal*, 1829-'30, and others. Gov. Doty has also forwarded a most interesting series of laws which governed this country under the British regime, the North West, Indiana, and Michigan Territories.

ciety, American Institute, and the publications of Harvard College. The American Philosophical Society has liberally voted ten quarto volumes of its Transactions to our association and placed our society upon its list of exchanges, and these valuable works may early be expected. Assurances have also been received from the Historical Societies of Pennsylvania, Maryland and Georgia, the American Antiquarian Society, and the American Geographical and Statistical Society, of their friendly co-operation, and of their readiness to enter upon a system of exchanges with us; so that but three efficient Historical Societies of our country, those of *New York, Maine and Virginia*, remain unrepresented in our library or list of exchanges. The large measure of success attending this department of our collections, is mainly attributable to the liberal policy of our State Legislature in placing at the disposal of the Society a few volumes annually of the State publications to use in effecting exchanges; together with the confidence of the kindred institutions of our country, that this Society will soon enter upon the regular publication and distribution of its manuscript collections. It is extremely desirable, that such publications be commenced without delay, as multiplying and diffusing copies of rare historic documents greatly increase the means of their usefulness, as well as tend to avert their irretrievable loss by accident. The dissemination of such publications would be well calculated to exert a most favorable influence abroad respecting the intelligence, foresight and public spirit of the people of Wisconsin.

Quite a respectable number of the volumes added to the library during the past year, relate to State, County and Town histories of various portions of the Union, family genealogies, historical addresses, eulogies, and funeral discourses; which, with the Transactions of the Historical and Genealogical Societies of the country, will prove invaluable in tracing the ancestry and antecedents of such of the present and future leading and influential men of our State as may deserve to be ranked among our public benefactors. The published collections of the Massachusetts Historical Society

alone extend to thirty-one volumes, covering a period of sixty-two years. Of a character somewhat similar to the publications of such societies, and also valuable for the same general purposes, are the twenty-four volumes of Records and Archives, published by the State of Pennsylvania, extending from its first settlement in 1682 to 1790—a gift from the authorities of that State.

Among the manuscript collections of the year, may be mentioned a copy of the unpublished *Journal of Lieut. James Gorrell*, while British commandant at Green Bay, from 1761 to 1763, from Francis Parkman, Esq., of Boston, the learned author of the *History of the Conspiracy of Pontiac*; *Reminiscences of Green Bay*, in 1816-'17, by James W. Biddle, Esq., editor of the *Pittsburg American*; a paper on the *Indian Nomenclature of Northern Wisconsin*, with some account of the Chippewas, their manners and customs, by Hiram Calkins, Esq., of Wausau; and a paper on *Indian Poetry*, by Caleb Atwater, the well known venerable antiquarian of Ohio, and one of the commissioners at the Indian treaties at Prairie du Chien in 1829. These form but a part of the Society's manuscript collections.

A most valuable and interesting collection of autographs of distinguished personages has been commenced, and already includes among the number those of Patrick Henry, John Adams, Jefferson, Jay, Morris, Madison, Sherman, McKean, Rodney and Trumbull; Generals Wooster, Knox, Wayne, Potter, Wilkinson, Dearborn, and Col. Allen McLane, of the Revolution; Gov. Thomas Penn, son of William Penn, Anthony Benezet the philanthropist, Conrad Wieser, who for forty years, in Colonial times, served in the capacity of Indian agent, messenger, and interpreter among the Indian tribes of New York and Pennsylvania; and of our recent or present statesmen, John Quincy Adams, Woodbury, Forsyth, Poinsett, King, Mahlon Dickerson, Pierce, Buchanan, Louis McLane, John Branch, and others. Autograph letters of most of the distinguished living literary men of our country have been received, including Irving, Prescott, Sparks, Bryant, Everett, School-

craft, Hildreth, Charles Francis Adams, Squier, Parkman, Quiney, Kennedy, Longfellow, Brodhead, Halleck, and others.

A fine miniature likeness of WINNESHEEK, taken in 1829, when he was principal chief of the Winnebago village of La Crosse, and now head chief of the Winnebagoes in Iowa, has been presented to the Society by Caleb Atwater, with three drawings of Wisconsin natural history, made at the same period; also drawings of ancient pottery found in La Crosse county, from J. Quintus, Esq., of Sheboygan; and from Stephen Taylor, Esq., of Philadelphia, his original drawings of a number of the ancient animal mounds so peculiar to Wisconsin, made in 1842. We have also secured several rare early maps of the West.

From Thomas H. Clay, Esq., of Kentucky, have been received four silver medals, struck by order of the first Napoleon, and obtained in Paris and brought to this country by Hon. Henry Clay, and generously presented by his son as personal memorials of his venerable father. They were severally designed to commemorate the following events: i. *The Confederation of the Rhine*, 1806. ii. *Battle of Jena*, 1806. iii. *Battle of Wagram*, 1809. iv. *Marriage of Napoleon and Maria Louisa*, 1810.

Personal memorials of the FATHER OF OUR COUNTRY, from his venerable step son, George W. P. Custis, of Arlington, and of DANIEL WEBSTER, DEWITT CLINTON, and PRESIDENT HARRISON, are also kindly promised for the cabinet of the Society. Some specimens of Continental paper money have been presented by Wm. A. White, Esq.; an autograph letter of Washington may soon be expected to be added to our collections; and a miniature statuette of GEN. JACKSON has been promised by Clark Mills, the distinguished artist. Among the more important works generously tendered the Society by their authors, and which may be expected during the year upon which we are now entering, are those of Wm. H. Prescott, Charles Francis Adams, Wm C. Bryant, Benson J. Lossing, Wm. W. Campbell, John R. Bartlett, Rev. Dr. Davidson, Alfred B. Street, Edmund Flagg, and S. Augustus Mitchell. Mons.

A. Vattermare, of Paris, has also most kindly promised to include our Society in his noble system of International Literary Exchanges.

A PICTURE GALLERY has been commenced under the most flattering auspices. The veteran artist, Thomas Sully, of Philadelphia, has painted and presented to the Society a copy of STUART'S WASHINGTON, pronounced to be a faithful and valuable copy by the venerable President of our Society, who was personally acquainted with Gilbert Stuart, and has often seen the original painting as well as the venerated Washington himself. From Clement R. Edwards, a celebrated artist of Cincinnati, has been received a fine copy of Jarvis' portrait of GEN. GEORGE ROGERS CLARK, the Washington of the West, and a portrait of DR. WM. BYRD POWELL, of Kentucky. It was by the genius and conquest of General Clark during the Revolutionary War, that the country north-west of the Ohio, including our own Wisconsin, became American territory, and the Legislature of our State has worthily commemorated his worth and services by naming a county after him.

Robert M. Sully, of Richmond, Virginia, who in 1833, painted from life, spirited and truthful portraits of BLACK HAWK, HIS SON, and THE PROPHET, is making copies of them for our Society; and from his skilful pencil our collection is furthermore to be enriched by a beautiful portrait of the renowned Indian Princess, POCAHONTAS, and a painting of the RUINS OF JAMESTOWN, from drawings made by the artist upon that classic ground. Mr. Sully also hopes to be able to make for the Society a copy from his original portrait of CHIEF JUSTICE MARSHALL. As Mr. Sully has intentions of soon making our favored State his home, how appropriate that the delineator upon canvass of Black Hawk and two of his noted followers upon the war-paths of our soil, should visit in our midst and paint the battle-fields of the old chieftan, to be sacredly preserved in the Hall of our Society!

John R. Johnston, of Cincinnati, had made for the Society a

copy from his original portrait of GEN. JACKSON, but recently both were unfortunately consumed by the burning of the building in which they were ; but the persevering and skilful artist writes, that he yet hopes to be able to fulfil his original intention. Those talented brothers, G. N. and John Frankenstein, one of New York and the other of Ohio, have each generously tendered the Society a portrait or historical piece from his pencil. An anxious desire to secure the portraits of those who have presided as governors over Wisconsin, is likely to meet with the most gratifying success. GEN. CASS, who was so long Governor of Michigan Territory when Wisconsin formed a part, GOVERNORS DODGE, TALLMADGE, DEWEY, FARWELL and BARSTOW, have severally signified their intention to comply with the wishes of the Society. When all these promised paintings are received, our Gallery will number eighteen, and will prove not only an interesting collection of works of art, but many of them will serve to illustrate the history and historic men of our State.

During the past year, thirteen hundred circulars, published by the Society, fully setting forth its aims and wants, have been sent to men of learning and genius in our own and other countries, and more especially to those known as lovers and promoters of history, and many of them have kindly responded to the appeal of the Society, contributing rare and noble works to our library and collections, and warmly commending the wisdom and forethought of the Legislature of our State, in having been the first in the Union to lend its aid in founding such an institution as ours, which must soon exert a marked influence in the historical literature of not only our own State, but the whole North West. Beside these circulars, over three hundred official letters have, at the same time, been sent forth in the name of the Society in furtherance of the objects of its formation.

A singular instance of the appreciation of such societies may be found in the fact that Mr. MOSES SHEPPARD, of Baltimore, a venerable member of the Society of Friends, and an active member of the Maryland Historical Society, sent to our Society a donation

of twenty-five dollars. Such an example should serve to quicken the state pride of our own citizens, who may have it in their power to contribute in building up a society in our midst, which, in almost a single year, since its efficient re-organization, has outstripped the most flourishing kindred institution in the West, one which has been nearly a quarter of a century in existence. The most able and enlightened men of our age and country, have warmly commended the labors and objects of Historical Societies. "The transactions of public bodies," says Webster, "local histories, memoirs of all kinds, statistics, laws, ordinances, public debates and discussions, works of periodical literature and the public journals, whether of political events, of commerce, literature, or the arts, all find their places in the collections of Historical Societies. But these collections are not history; they are only elements of history."

At the recent semi-centennial anniversary of the New York Historical Society, the Hon. R. C. Winthrop very justly remarked, that "the Historical Societies of the different States of the Union—and I am glad to remember that there are now so few States without one—are engaged in a common labor of love and loyalty in gathering up materials for the history of our beloved country. But each one of them has a peculiar province of interest and of effort in illustrating the history of its own State. * * *

"None of us," continues Mr. Winthrop, "should be unmindful, that there is another work going on, in this our day and generation, beside that of writing the history of our fathers, and that is, *the acting of our own history*. We cannot live, sir, upon the glories of the past. Historic memories, however precious or however inspiring, will not sustain our institutions or preserve our liberties.

"There is a future history to be composed, to which every State, and every citizen of every State, at this hour, and every hour is contributing materials. And the generous rivalry of our societies, and of their respective States, as to which shall furnish the most brilliant record of the past, must not be permitted to render us

regardless of a yet nobler rivalry, in which it becomes us all even more ardently and more ambitiously to engage. I know not of a grander spectacle which the world could furnish, than that of the multiplied States of this mighty Union contending with each other, in a friendly and fraternal competition, which should add the brightest page to the future history of our common country, which should perform the most signal acts of philanthropy or patriotism, which should exhibit the best examples of free institutions well and wisely administered, which should present to the imitation of mankind the purest and most perfect picture of well regulated liberty, which should furnish the most complete illustration of the success of that great Republican Experiment, of which our land has been Providentially selected as the stage."

This "*acting our own history*," conveys to us an impressive and suggestive admonition. As we are now gathering up and preserving the acts of those who have gone before us, and aided in laying the primitive foundations of our State, so very soon will others, after us, be similarly engaged with reference to those now prominent on the stage of action. HISTORY is a stern, impartial judge, deducing truth, justice and right from the acts of the conspicuous men of the age; and by these, rather than subserviency to party behests, or playing the part of mere time-serving demagogues, must the character and worth of our public men be ultimately judged and determined.

May our STATE HISTORICAL SOCIETY, faithful to the purposes of its formation, never falter in its noble mission of gathering from the mouldering records of the past, the scattered fragments that yet remain, and securing complete memorials of the present, to render ample justice to all the worthy sons of Wisconsin, who may be earnestly laboring in any department of science, legislation, literature, mechanism, philanthropic or industrial effort, to advance the honor and prosperity of our State, or to enlighten, improve, or ameliorate the condition of man!

As an evidence of the worth and interest of the manuscript pa-

pers we have already collected on Wisconsin history, as well as an earnest of what may be more fully expected hereafter, we append a few that are deemed particularly worthy of notice and publicity.

All of which is respectfully submitted,

WM. R. SMITH,
JOHN W. HUNT,
J. P. ATWOOD,
L. J. FARWELL,
SIMEON MILLS,
BERIAH BROWN,
DAVID ATWOOD,
O. M. CONOVER,
S. H. CARPENTER,
H. A. WRIGHT,
LYMAN C. DRAPER,
Executive Committee.

Madison, January 2, 1855.

APPENDIX.

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APPENDIX NO. 1.

STATE HISTORICAL SOCIETY OF WISCONSIN.

MADISON, January 2, 1855.

To the Society :

The Treasurer of the Wisconsin State Historical Society, respectfully presents the following statement of the receipts into the Treasury, and disbursements therefrom, during the year ending this day :

Receipts.

Feb. 23, 1854.	From former Treasurer,	9 52
" " " "	Recording Secretary,	2 00
" 24, " "	" "	2 00
" 28, " "	State Treasurer,	500 00
Mch. 15, " "	Recording Secretary,	3 00
Apr. 18, " "	Moses Sheppard, Balt. Md.,	25 00
June 6, " "	Recording Secretary,	1 00
July 10, " "	" "	2 00
Sept. 12, " "	" "	1 00
Jan'y 2, 1855, " "	" "	7 00
Total,		\$552 52

Disbursements.

Mch. 15, 1854,	Ber'ah Brown for printing circulars,	15 00
" " "	Weed & Eberhard, paper for circulars,	10 50
" " "	John N. Jones for postage,	17 58
" " "	Chas. B. Norton, for books,	100 00
Apr. 1, " "	J. Holton, express charges,	3 00
" 8, " "	J. N. Jones, postage,	16 16

May 4, 1854.	Express charges,	18 82
June 8,	" "	3 00
July 11,	" Sundry bills for books, freight, &c.	253 11
Aug. 1,	" " "	28 10
Sept. 12,	" C. R. Edwards, boxing pictures,	1 00
Oct. 3,	" Postage and freight,	6 53
Dec. 5,	" Express charges,	19 30
Jan. 2, 1855,	Postage, &c.,	4 00
" 2,	" Book,	1 00
Total disbursements,		\$497 10
Balance on hand.		55 42
		<hr/>
		\$552 52 \$552 52

Vouchers for each of the foregoing disbursements are herewith presented.

Respectfully submitted,

O. M. CONOVER, Treasurer.

Audited and found correct,

LYMAN C. DRAPER,

JOHN W. HUNT.

APPENDIX NO. 2.

GREEN BAY IN 1726:

CHARLES WHITTLESEY, Esq., of Eagle River, Lake Superior, an intelligent and accomplished scholar, sent the following translation of a French manuscript, relating to the early history of Green Bay, to Hon. C. D. ROBINSON, by whom it was kindly communicated to the Society. It was, with many others of a similar nature, brought from France by Gen. CASS, when he returned from his mission, who loaned them to Mr. WHITTLESEY for perusal and translation. He promises copies of others, which will no doubt prove interesting and valuable.

Mr. Whittlesey thinks it is not easy to determine by whom this memoir was penned, or to whom it was directed. He suggests that a part of it has the air of a circular addressed to the Commandants on Lake Michigan and the Illinois by the head of Indian Affairs; but most of its sentiments and many of the phrases agree with a letter of June 19, 1726, by M. DeLigney, from Green Bay, to M. DeSiette, among the Illinois.

Memoir concerning the peace made by Monsieur DeLigney (or Signey) with the Chiefs of the Foxes (Renards), Sauks (Sakis), and Winnebagoes (Puans à la Baie), June 7, 1726.

To make the peace which has been effected by M. DE LIGNEY with the Foxes of the Bay, and the Puants (Winnebagoes), of the 7th of June last, certain and stable, it is thought proper to grant to Ouchata, the principal chief of the Foxes, his particular request to have a French officer in the country, which will, he says, aid him in restraining his young men from bad thoughts and actions.

We think, moreover, that it will be necessary that the commandant at La Pointe, *Chegoiwagon* (Lake Superior), should for his part labor to withdraw the Sioux from an alliance with the Foxes, to detach them by presents, and allow them to hope for a missionary and other Frenchmen as they have desired.

The same thing should be written to the officer commanding at the post of Detroit, and at the river St. Josephs, in order that the nations adjacent to those parts, may be detached from the Foxes, and that those officers, in case of war, have a care that the way shall be stopped, and the Foxes prevented from seeking an asylum with the Iroquois, or in any other nations, where they may secrete themselves.

Monsieur DE SIETTE, who now commands in the Illinois country in place of M. DE BOISBRIANTE, has written to M. DE LIGNEY, that the Foxes are afraid of treachery, and that the surest mode of securing our object, is to destroy and exterminate them. That he has made the same proposition to the Council General of New Orleans, and has given to the gentlemen, who are Directors of the company of the Indies, the same opinion.

We agree that this would be the best expedient, but must maintain that nothing can be more dangerous or more prejudicial to both colonies than such an enterprise, in case it should fail. It would be necessary to effect a surprise, and to keep them shut up in a fort, as in the last war; for if the Foxes escape to the Sioux, or to the Agouais, (Iroquois?) they would return to destroy us in all the Upper Country, and the French of both colonies would be unable to pass from post to post, except at the risk of robbery and murder. If, however, after our efforts to cause the peace to be durable and real, the Foxes fail again in their promises, and take up the hatchet anew, it will be necessary to reduce them by armed forces of both colonies acting in concert.

In the meantime, it is proper that M. DE SIETTE should cause to be restored to the Foxes by the Illinois, the prisoners that they may have with them, as M. DE LIGNEY has made the Foxes promise to send to the Illinois their prisoners; and that you do not follow

the example of other commandants before you, who have thought to intimidate the Foxes, and cause them to lay down their arms by burning Fox prisoners that fell into their hands, which has only served to irritate that people, and aroused the strongest hatred against us.

If, with these arrangements on the part of the Illinois, the Foxes can be persuaded to remain in peace from this time a year, we shall be able to have an interview with M. DE SIETTE, at "Chicagoux," or at the Rock (on the Illinois), from whence to make an appointment for the Chiefs of the Illinois nation and of the Bay, (Green Bay), where they can agree upon the numbers of French and of Indians, on the part of the Illinois and on the part of Canada, who shall meet at a fort to be built at an agreed place designed for the meeting.

After this, the treaty of peace with the Foxes and their allies, can be renewed, and the following summer we can cause "Ouchata," and the war-chiefs of the Foxes, with a train of their allies; the Puants, Sauks, Kickapoos, Maskoutens and Sioux, to descend the Lake to Montreal, where we can enquire of them their disposition and intentions, and also learn the desires of the King from France.

It would be apropos that Ouchata should publicly demand a chief from the French in presence of his chiefs, and of those of the Santerns, (Chippeways,) Potowatamies, Outawas, (Ottaways,) and other nations, whom it may also be proper to bring down, and a chief or two on the part of the Illinois, to be witnesses of the matters concluded with the Foxes. There will be no difficulty in granting them a French officer, although it may not coincide with the wishes of the Commandant at the Bay, who will doubtless be opposed to this establishment, only on account of private interests, which ought always to yield to the good of the service of the King and the Colonies.

APPENDIX No. 3.

LIEUT. JAMES GORRELL'S JOURNAL.

[Introductory note by the Corresponding Sec'y of the State Historical Society of Wis.]

The late venerable Robert Gilmor, of Baltimore, obtained from Horatio Ridout, Esq., of Whitehall, near Annapolis, Maryland, quite a collection of rare and curious manuscripts relative to the old French and Indian war, and among them this journal of Lieut. Gorrell. Mr. Ridout's father was John Ridout, who was Secretary to Gov. Horatio Sharpe of Maryland during the French and Indian war, and thus became possessed of these valuable papers. Mr. Gilmor presented them to the Maryland Historical Society.

Francis Parkman, Esq., of Boston, when collecting materials for his able work on border history, the CONSPIRACY OF PONTIAC, procured a copy of Gorrell's journal, and has kindly communicated a transcript of it for the use of our Society. So interesting a memorial of the early history of Wisconsin, never before published, cannot but be received with favor.

Of Gorrell himself, it is to be regretted that we know so little. In addition to this journal, he left another of Maj. Wilkins' expedition from Niagara to Detroit, in the fall of 1763. This is the last trace we get of him. As his name does not appear in the British Army Register for 1780, of which we have a copy, it would seem that he had died prior to that date.

A few explanatory notes are added by the editor to the journal.

L. C. D.

LIEUT. JAMES GORRELL'S JOURNAL.

Commencing at Detroit, September 8th, 1761, and ending at Montreal, August 13th, 1763, containing an account of several councils held with the Indians;—also, showing the villainy used by the Canadians to corrupt the Indians, and excite them against the English; with a brief account of the number and strength of the Indians, and their commerce in that quarter.

Detroit, Sept. 8, 1761.—Captain Belfour of the 80th Regt., was ordered to march with a detachment of the 60th and 80th Regts., to take possession of, and leave garrisons at the posts on Lakes Huron and Michicon, viz., at Mishamakinak, La Bay,* afterwards called Fort Edward Augustus, and St. Josephs.

Sept. 28th.—We arrived at Mishamakinak, when Capt. Belfour called a council of what chiefs of the Indians were then there, and gave them a belt and some strings of wampum. Here we left Lieut. Leslie, of the Royal American or 60th Regt., with one sergt., one corporal, one drummer, and twenty-five privates of the same regiment.

Oct. 1.—The rest of the detachment sailed with a fair wind for La Bay; went that evening sixteen computed leagues, and notwithstanding we were detained by contrary winds, &c., four days at the Grand River, we arrived at La Bay on the 12th, which is computed eighty leagues from Mishamakinak, at a time when there was but one family of Indians in the village—they being gone a hunting, according to their custom, at this time of the year, and return commonly in the months of April, May, and June, according to the distance they go, and the openness of the season. There were several Frenchmen who had gone up the river that forms the

* This taking possession of these western posts previously occupied by the French, was in consequence of the conquest of Canada the previous year by the English and Colonial forces, and the surrender of the Marquis de Vaudreuil, Governor General of Canada; and *La Bay* was our own Green Bay of Wisconsin, or, as the early French writers termed it, *la Baye des Puants*.

Bay which comes from Lake Puan,* about fourteen leagues up. These traders have since gone up as far as the Soust† country, near two hundred leagues from La Bay, and as they went past this post, notwithstanding those very Frenchmen were employed by the English traders from Montreal that came to Mishamakinak by virtue of Gen. Gage's license, did all that laid in their power to persuade the Bay Indians to fall upon the English on their way, as they heard of our coming, and telling the Indians that the English were very weak, and that it could be done very readily. Some of the young warriors were willing, but an old and great man of the Sack Nation whom they call Aking (and whom the French call Dierpo,) told them they were the English dogs or slaves now that they were conquered by the English; that they only wanted his men to fight the English for them, but he said they should not, and called the French old squaws, and obliged the warriors to desist, which they did, and went to their hunting. I was informed by an English lad, and a New England Indian that was with them, of this in the spring following, but when I got an English interpreter, the Indian told me of it, as will appear hereafter.

We arrived at, and took post at La Bay, the 12th October; found the fort quite rotten, the stockade ready to fall, the houses without cover, our fire wood far off, and none to be got when the river closed. The 14th, Capt. Belfour departed, leaving me with one Serg't., and corporal, and fifteen privates at La Bay, a French interpreter, and two English traders—viz: Messrs. McKay from Albany, and Goddard from Montreal.

When I left Detroit for St. Josephs, and had received my orders from Capt. Donald Campbell, of ye 60th or Royal American Regt., I found in his orders very little respecting Indians, for which reason I applied to him to know if he had any other instructions, upon which he referred me to Sir Wm. Johnson†, who was then there, to whom I applied. He told me verbally that unless I did my best to please the Indians I had better not go there;

Winnebago Lake. † Sioux. ‡ Superintendent of the Northern Indian Department.

he told me he would leave belts of wampum with Capt. Campbell as soon as the council was over, to be sent to the different posts, though I never received any, as I imagine the captain never had it in his power to send them. Understanding shortly after my taking command of the post, that there was a vast number of Indians dependant on it, more than was ever thought of, I found that I should have to send to Detroit for belts to give them on their arrival in the spring. For this purpose, I at three different times attempted sending expresses, both by way of St. Josephs and Mishamakinak, but I could never do it.

Therefore, as I could not get any from Detroit, and could not do without it, I was obliged after getting what Mr. Goddard had, to borrow of the Indian squaws, and pay them some twelve hundred for a thousand. I also made use of some I had from Lieut. Brehm, which was for his own use. That borrowed from the Indians, I was obliged to repay on the arrival of the first trader that brought wampum. So that I had six belts made, one for each nation that visited that place, but I found that some nations required two, some three, and some four, as they had towns. The French, in their time, always gave them belts, rum, and money, presents by which they renewed their peace annually.

Nothing material happened from this till the May ensuing.— We mostly busied ourselves during the winter in repairing the fort, houses, etc., as we had by the Canadians many various accounts, differing from one another, of the Indians intending to attack us, which accounts we had all the reason afterwards to believe were propagated to hinder the trader from coming up to that post.

Some few young men of the different tribes or nations of Indians came at different times to know how they would be treated, and were agreeably surprised to find that we were fond of seeing them, and received them civilly, contrary to the account given them by the French. They asked for amunition, which I gave them at different times, as also sent flour to some of their old men, who, they said, were sick in the woods. There being no

chiefs here at our arrival, we had no council with them until the 23d of May, 1762, on which I delivered the following speech, the chiefs of the Folles Avouines,* and of the three Puan chiefs, being present; and agreeably to my orders from Capt. Campbell, I gave them belts of wampum, and strings of the same, for the return of prisoners:

BROTHERS!—As you may have lost some of y'r brothers in the war in which you imprudently engaged with the French against your brothers, the English, and tho' by it you ought to have brought a just indignation upon you, yet we will condescend so far to forget whatever hath happened, that I am glad to take this opportunity to condole with you on the loss you have met with. At the same time, by these belts, I wipe away all the blood that was spilt, and bury all your brothers' bones that remain unburied on the face of the earth, that they may grieve you no more, as my intention is henceforward, not to grieve but to rejoice among you.

BROTHERS!—I hope also by these belts to open a passage to your hearts, so that you may always speak honestly and truly, and drive away from your heart all that may be bad, that you may, like your brothers the English, think of good things only. I light also a fire of pure friendship and concord, which affords a heat sweet and agreeable to those who draw nigh unto it; and I light it for all Indian nations that are willing to draw nigh unto it. I also clear a great road from the rising of the sun to the setting of the same, and clear it from all obstructions, that all nations may travel in it freely and safely.

BROTHERS!—As you must know the arms of the great King George have entirely subdued all the French dominion in Canada, as you must also know the just causes that obliged him to make those conquests, in consequence of which, and agreeably to terms of capitulation made last year, by which, as before mentioned,

* The French name given to the Menomonees, meaning Wild Oats, alluding to the wild rice, which grew abundantly in the country, and from which they derived their name.

Canada, with all its dependencies, was ceded to the Engignkhils' my master and your father, I am sent here to keep the best order and administer the strictest justice amongst you, as also to protect all the Indians that will by their good behavior deserve his royal bounty. He hath also recommended it to all his subjects who are come amongst you to trade, to bring whatever necessaries you may want, and save you the trouble of going so far yourselves; in consequence of which, I have brought one along with me, who, you'll find, will use your people well and sell everything as cheap as possible to them, which some of them have already experienced. Therefore, I hope you will, on your part, behave well, and give convincing proofs of your good intentions to keep a good understanding with him by paying him always whatever he may credit you, as your brothers the English do. If you have any just complaints against him, or any others of the English or French traders, or people otherwise employed amongst you, let me know, and you may depend upon having justice done you. It is for these purposes that I am sent here, which you may plainly see by my bringing few men with me; and always depend that I shall be glad to serve you in doing justice. In one word, by these belts, I renew and confirm all the treaties and covenants of peace which formerly subsisted between your ancestors and ours, which was lately renewed by your neighboring chiefs at Niagara and Detroit. I expect you'll hold fast and often record it in your minds, as by that means you'll study your interest, and ever give us good proofs of your friendship and good meaning towards us. I also recommend it to you to take care and use well all who have or may come, and look upon them as your friends and brothers, as they are subjects of His Majesty, and we form one body and blood, and since we are joined by friendship, henceforth we shall be one people.

BROTHERS:—In consequence of this and the several treaties held with you and your neighboring chiefs at Niagara, Detroit and Mishamakinak, these strings are to open your eyes and hearts, to follow their example to bring in all the English prisoners who yet remain with you or your people, that they may be returned to us. You

know they are our own blood, and you are sensible that it would vex you to have your blood with any nation. Your great father, the King, will be very angry if you don't comply, and send as many men as there are trees in the forest to compel you to a compliance.

To this the Folles Avoines, on whose land the fort stands, answered :

That they were thankful for the good speech I had made them, as also for the presents ; and said they were very poor, having lost three hundred warriors lately with the small pox, and most of their chiefs by the late war in which they had been engaged by the then French commander here against the English.

That they were very glad to find the English were pleased to pardon them, as they did not expect it, and were conscious that they did not merit it ; but that I might depend they would adhere to whatever instructions the commanding English officers might give them, for the future, as they had always done with regard to the French.

They begged I would send for a gun-smith to mend their guns, as they were poor and out of order ; the French, they said, had always done this for them, and their neighbors at Mishamakinak had had this favor granted them. They said the French commandant always gave them rum as a true token of friendship. In regard to prisoners, they said they had none amongst them, nor ever had ; for what English prisoners they had taken during the war, they had always left at Montreal. They expressed great satisfaction that the English traders were coming among them, and seemed desirous that they should continue to come, as they found by experience that the goods were half cheaper than when the French were amongst them, and said they would use the traders well, oblige their young men to pay their credits, and assured me they would willingly partake the influence of the pure fire of friendship I had lighted for them. They thanked me for my advice in desiring them honestly and sincerely to speak their sentiments, which they always would do, and acquaint me with any

bad talk that might be amongst them, or the neighboring Indian Nations, as there were five more that depended on that post. They returned thanks to the great God for sending them such a day for their council, which they looked upon as an omen of lasting peace with them.

To which I gave the following answer :

That I would write to Capt. Campbell, commanding at the Detroit, for a gun-smith as soon as possible, and made no doubt he would send one. To their request for rum, I told them that their great father, King George, knowing that they were poor, by being so long at war, had ordered no rum to be brought amongst them to sell, lest they should neglect their clothing, their wives and children, until such time as they might be clothed, which I hoped would be in a few years.

The Puan Chief returned the same answer with the rest, with a demand for a gun-smith ; and added, that he would send the good road I had given him, meaning the belt, to the two other chiefs of his nation, and he did not doubt they would come down very soon.

No Indians came here till the 29th, when a party of Toways,* who lived at Little Detroit, arrived. I spoke to them as I had done to the rest, and gave them strings of wampum for the return of prisoners, and made them some small presents. As they lay between this and Mishamakinak, they promised they would use the English and French well who would be coming thither. They went a way well pleased.

June 5th, 1762.—Ambassadors from the Sacks and Reynards, with a chief belonging to the second Puan town, arrived here, to whom I made a speech to the same purpose, and also gave them each a belt and strings of wampum. Their answer was nigh to the same purpose as the former, with a demand for the English traders to go to their towns. I told them I would write to my commander at Detroit, and await his answer.

* Ottawas.

I received a letter from Capt. Campbell, dated at Detroit in September, [1761,] which never had an opportunity of coming before from Mishamakinak, wherein he said that it was against the General's instructions to give the Indians more presents than were absolutely necessary to keep them in temper. These orders made me uneasy, as I was assured I could not keep so large a body of Indians in temper without giving them something, as they had always been used to large presents from the French; and at the same time, if I did not give each nation the same I had given those that had been to see me, all would be lost to me and the service. I, therefore, sent my interpreter, who could acquaint Capt. Campbell best about it, with letters to him, and engaged his cousin at his recommendation, who had just come from the Sous country, as interpreter. He behaved very well for a Canadian for sometime, but I was convinced soon to the contrary, as will appear in the sequel.

There are by both French and Indian accounts, 39,100 Indian warriors, besides women and children, depending on this post for supplies, and they are as follows:

Taways, et.c,	100	Little Detroit and Milwacky.
Folles Avoines,	150 warriors.	They live at La Bay, in two towns.
Puans,	150	{ At the end of Puans Lake, and over against Louistonstant.
Sacks,	350	{ Above Louistonstant, in ye. gov- ernment of Louisiana.
Reynards,	350	On the River Reynard.
Avoys, (Ioways?)	8,000	On each side Mississippi.
Sous,	30,000	{ On west side Mississippi, near 300 leagues off.
Total,	39,100	

I had an answer from Capt. Campbell as soon as could be expected, in which he was pleased to signify his being satisfied that I had done all in my power for the benefit of his Majesty's service. He said he had written to the General, and had let him know that the number of Indians at my post was great, and hoped to know his Excellency's orders to enable him to supply them with what

would make them easy ; at the same time desiring I would continue to keep them in as good humor as possible, consistently with frugality. He also sent 200 lbs of tobacco for them. Lieut. Leslie sent me 100 lbs, which I made the most of by giving it very sparingly, as the traders who come to this place bring very little of that article.

June 24th.—Ambassadors from the Chippewas, a nation dependent on Mishamakinak, came to negotiate the adjustment of a quarrel with the Folles Avoines respecting a man killed at Mishamakinak, belonging to the latter tribe. They brought a letter from Lieut. Leslie, commanding at Mishamakinak, in which he warmly recommended it to me to assist the Chippewas in that negotiation, as it would be very prejudicial to the trade and communication between the posts if any such quarrels should take place ; for which purpose, I called the chiefs belonging to the post together, and was under the necessity of giving them a few small presents.

June 25th.—Mr. Thomas Hutchins,* now Ensign, came, with Mr. George Croghan's instructions to enquire after Indian affairs. It being Captain Campbell's orders to me to assist him, I called what Indian chiefs were then there, consisting of the Folles Avoines, Sacks and Reynards. When he had let them know his business, they immediately demanded of him colors and commissions, such as the French superintendents used to give them ; to which he replied, that he would report of it to the superintendents who sent him.

* This early Anglo-American visitor to Wisconsin was a native of New Jersey. In 1763—'64, he served under Col. Bouquet at Fort Pitt, and subsequently in West Florida. He was in England at the commencement of the Revolution, where his zeal for his native land caused him to refuse tempting offers, and finally led to his imprisonment, and the loss of twelve thousand pounds in a single day. When liberated, he went to France, and thence to Charleston, where he joined the army under Gen. Greene. He was soon appointed Geographer General of the United States, and died in that service at Pittsburgh, in April, 1789. He was remarkable for his piety, charity and benevolence; and was the author of two descriptive works, one on Pennsylvania, Maryland, Virginia and North Carolina, and the other on Louisiana and West Florida.

July 12th.—A Reynard came who said he was a chief, and demanded leave to buy seven barrels of powder, presenting me with a large belt of wampum. Having reason to suspect his intentions, I refused to allow him to buy any more than would serve him to hunt, until I should have a council with his chiefs, and I gave him a belt, desiring his king might come to me very soon.

Aug. 6th.—Three Puau chiefs, with four ambassadors from the Avoy nation, came. I made the same speech to them as to the rest. The chief of the third town of the Puans brought me a large belt, confirming what both the others had said before, telling me that he had seen the belts I had sent, and that he had never been at war with the English, nor could the French commander persuade him to it. He brought the other chiefs to confirm what he said, as he never knew any harm the English had done him. He made the same demand for traders, with the same promises of protection for them, and also asked for a gun-smith, and rum. The Avoys then spoke, and said they had come very far, and brought no belts, as they had come to see if I would shake hands and forgive them, as I had done the rest. I gave them belts and strings of wampum for the return of prisoners. They said their king would come in the spring and see me.

Aug. 13th.—The King of the Sack Nation came, to whom I made a speech of the same purport as to the rest, and his answer was nigh the same; that he had seen the good road I had given his brothers, but as he understood I would not let any English come amongst them till he came to see me, he had left home in company with 250 of his warriors to wait on me and know my commands, and also to get English traders; but as the news came after him that the town was threatened with an invasion by the Isle Anox* Indians, he had to send his warriors back to guard the

* Probably the *Illinois* Indians. Illinois, according to Farther Marquette, meant "the men," as if other Indians compared with them were mere beasts. It is possible, that the Indians alluded to by Lieut. Gorrell, belonged on some *Isle aux Noix* or Walnut Island.

women and children. As I had now given a good road, he would take care to keep it open and clear, and if any trees should spring up to obstruct the way, he would not only beat them down, but tear them up by the roots. He brought with him a pair of French colors, flying on board his canoe, and excused himself by saying he knew no difference, and hoped I would give him English colors, which I did, and he burnt the French ones. I also gave him a belt of wampum and other presents. He was the only Indian that disapproved of rum being given to the Indians. He had never seen an English officer before. He showed me a commission signed by the French superintendent, giving him command of the whole nation. I sent a copy of it to Capt. Campbell, and promised the Indian, at the same time, that he should have one from the English.

Aug. 21st.—A party of Indians came from Milwacky,* and demanded credit, which was refused, as they properly belonged to Mishamakinak. They also made great complaint of the trader amongst them, but as he came from Mishamakinak, and did not touch at this place, I desired them to go there and make their complaint, and they would be redressed. They promised to come to this place to trade in the spring; I made them a small

* This is the earliest notice, it is believed, of *Milwaukee*, and indicates that it was then, 1762, quite an Indian town, with an English trader residing there. Col. Arent Schuyler De Peyster, who commanded the British post of Michillimackinac from 1774 till the autumn of 1779, has left a volume of Miscellanies, in which he has recorded the substance of a speech he delivered to the Indians at the Ottawa town of L'Arbre Croche, on the shores of Lake Michigan, some distance west of the fort at Michillimackinac, on the 4th of July, 1779; in which he speaks of "those runegates of Milwackie—a horrid set of refractory Indians." In the same speech, in another connection, he alludes to "*Weenip-pe-goes*, a sensible old chief at the head of a refractory tribe"—probably the Milwaukee band, who seem not to have been subservient to British rule during the American Revolution. According to a statement dictated by several Sac and Fox chiefs, appended to Dr. Morse's Report of his Indian Tour in 1820, *Mil-wah-kie* was settled by the Sacs and Foxes, and the name is derived from *Man-na-wah-kie—good land*. The table already given by Gorrell of the Indian nations dependent on La Bay, mentions Milwacky as being then inhabited by "Ottawas, etc."

present, and told them if they did, they should be well treated and not imposed on.

Aug. 25th.—The king of the Reynards came, to whom I made the same speech as to the rest. He answered to the same purpose with the king of the Sacks, but he let me know that he had routed those bad men who demanded the seven barrels of powder; and promised protection to all traders that came amongst his people. I made him a present of a stand of colors and other things.

Sept. 1st.—The chiefs of the Folles Avoines came and demanded credit for their young men, which the traders here granted, on the chiefs giving their word for payment in the spring.

From this to March 1st, 1763, nothing remarkable happened, except the arrival of several English and French traders, some of whom went up the country, and most sent up the largest part of their goods. Several Indians of the nation belonging to this place, came in at different times during the winter for necessaries. This day twelve warriors of the Sous came here; this nation's number I have before given. It is certainly the greatest nation of Indians ever yet found. Not above two thousand of them were ever armed with fire-arms, the rest depending entirely on bows and arrows and darts, which they use with more skill than any other Indian nation in North America. They can shoot the wildest and largest beasts in the woods, at seventy or one hundred yards distance. They are remarkable for their dancing; the other nations take the fashion from them. It is said they keep regular guards in their chief town or metropolis, relieving once in twenty-four hours, and are always alert. They proffered me the command of their warriors, being 30,000 in number, to keep clear the road I had opened for them.

This nation is always at war with the Chippewas, those who destroyed Mishamakinak. They told me with warmth, that if ever the Chippewas, or any other Indians, wished to obstruct the passage of the traders coming up, to send them a belt, and they

would come and cut them off from the face of the earth, as all Indians were their slaves or dogs. I told them I was glad to see them, and hoped to have a lasting peace with them, etc., rehearsing the same speech I had made to the other Indians. They then gave me a letter wrote in French, and two belts of wampum, from their king, in which he expressed great joy on hearing of there being English at this post, and great desire of making peace with them, and having English traders. The letter was written by a French trader whom I had allowed to go among them last fall, with a promise of his behaving well, which he did better than any Canadian I ever knew. They said they found the road very bad, and would have turned back but for meeting a chief of the Folles Avoines who prevailed on them to come; but as they had now got a good road, they could travel on it without fear, and hoped to come again in the spring with their king.

With regard to traders, I told them I could not allow any to go amongst them, as I then understood they lay out of the government of Canada, but made no doubt they would have traders from Mississippi in the Spring. They went away on the 3d, extremely well pleased. What was remarkable, when they went to give dances to the people, agreeably to the Indian custom, they began with the soldiers saying, they were the people who should have the most honor paid them, as they fought for it; but being told I was a soldier as well as commander, the chief said he regarded me doubly.

March 25th.—Read letters from Mr. Lottridge, who lived all this winter, in the trading way, up the river with the Indians; that he understood one Goddard, a trader from Montreal, sent orders to his clerk, a Canadian, who lay at the same place with Mr. Lottridge, to send word to the Milwacky Indians, and desire them not to come here, but stay at home, and he would send goods to them in the spring, the contrary to what he told them last fall.

* * * * *

Several Indians came from this to the 15th May, when almost the whole nation came together from their hunting. On the 18th,

I was informed that some young men had threatened to attack the fort, and as there were some Taways here, I did not doubt but they would help them, upon which I called together the chiefs of both parties, and told them what I had heard of their design. The Taways declared they knew nothing of it, which I believe was true. The Folles Aveines' chiefs said, if anything made their young men uneasy, it was on account of the colors and medals Mr. Hutchins had promised. There were none of the old chiefs here at the time, but a few days later they came in. I held council with them, and in it, by a belt and some strings of wampum, I renewed all former treaties. They all seemed well pleased, only they wanted the promised colors and medals. The chiefs were much displeased at the Carroy's getting a present from Mr. Goddard of a fine suit of embroidered clothes. This Carroy was much thought of by the French. I changed my interpreter the 20th inst., and employed the English lad of Mr. Moran's above mentioned, at which the Indians were generally pleased.

June 14th, 1763.—The traders came down from the Sack country, and confirmed the news of Landis and his son being killed by the French. There came with the traders some Puans, and four young men with one chief of the Avoy nation, to demand traders to go amongst them. They promised that four hundred and fifty other men would be down in August to trade. I gave them presents.

Agreeably to Capt. Campbell's letter last fall, wherein he told me that he had either lost or mislaid my last year's account, and also from Maj. Gladwin at the same time, I had made up my account both for last year and this separately; one for Capt. C. during his command, the other for the Major's time; and had given them to Mr. Moran, a trader going to Detroit, who was this morning, June 15th, to set out, when about nine o'clock came ten Taways and Frenchmen, and brought the following instructions from Capt. Etherington:

"Mishamakinak, June 11th, 1763."

"DEAR SIR:

"This place was taken by surprise on the fourth instant, by the Chippewas, at which time Lieut. Jamet and twenty more were killed; and all the rest taken prisoners; but our good friends the Ottawas have taken Lieut. Lesley, me, and eleven men out of their hands, and have promised to reinstate us again. You'll therefore, on the receipt of this, which I send by a canoe of Ottawas, set out with all your garrison and what English traders you have with you, and come with the Indian who gives you this, who will conduct you safe to me. You must be sure to follow the instructions you receive from the bearer of this, as you are by no means to come to this post before you see me at the village twenty miles from this. Leave the French clerks with their masters' goods, as the Chippewas have offered no violence to any Frenchman.

"Bring with you what provisions you can. Your batteau will bring you and your garrison, and the merchants can come in a canoe. Tell the savages that you are obliged to come here to open the road which the Chippewas have shut up, that the merchants may have leave to come to them, and the bearer of this will make the same speech to the Indians. If there are any English traders that are not at your post, you must not wait for them, but recommend them to the care of the Indians till you come back, which will be very soon; and if you find it absolutely necessary, you may make them some presents. I must once more beg you'll lose no time in coming to join me; at the same time, be very careful, and always be on your guard. I long much to see you, and am, dear sir,

"Your most humble serv't.,

GEO. ETHERINGTON.

"J. GORRELL,

"Royal Americans."

"Tell the traders to bring what provisions they can with them, and be sure to bring all your ammunition; and recommend the care

of the fort to the Indian chief, that it may not be burnt before your return. Let no person know but that you are to come straight to the fort, as the knowledge of our design might be attended with bad consequences.

(Signed,)

"G. E."

The same day and date, received the following from the same, by same bearer:

"Michillimackinac, June 11th, 1763.

"Dear Sir:—I forgot to tell you before I sealed the letter I just now wrote you, that if the Indians I send you should want any belts to speak upon, you will give them what they want, and likewise give each of them a shirt to encourage them. In the other letter I wrote you, I said my letter would be given you by an Indian, but as the Frenchman that I sent with him has a little box, I gave the letter to him. Please lose no time in coming to me, and believe me,

"Your most obedient servant,

"GEO. ETHERINGTON."

Agreeably to these orders, I gave the ten young Ottawas clothes, and also five belts of wampum to speak for the English, or rather for themselves.

I called the Folles Avoines chiefs together, and all their young men, and informed them, with a belt, of their brother Capt. ETHERINGTON's distress, (giving them large presents,) and asked their counsel and assistance; whereupon they called their whole town together, and all unanimously agreed to come along with me, and sent several of their young men to the lower town to dis[patch] them on their march. The seven young men I also clothed.

June 17th.—I made every thing ready to set off with the garrison and all the English traders, but contrary winds prevailed.

June 18th.—About 1 o'clock in the afternoon arrived ——— chiefs of the Sacks, Reynards, and Puans, who said their young men were coming, and desired me not to trust myself and garrison with the Taways, as they had seen the belts, and they were not

sincere; they desired me to stay for them, which I did till the 19th, when they arrived, and with them came one PENNENSHA.— This PENNENSHA is the same man who wrote the letter the Sous brought with them in March, and at the same time held council with that great nation in favor of the English, by which he much promoted the interest of the latter, as appeared by the behavior of the Sous thereafter. He brought with him a pipe from the Sous, importing that after their ambassadors or chiefs returned, they had called a council of most of the warriors, in which it was agreed to send the following speech to the Indians depending on the Baye,—that I had received a belt from them, with a road plain and easy to be found; they therefore desired, that as the road is now clear, they would by no means allow the Chipewas to obstruct it, or to give the English any disturbance, or prevent the traders from coming up to them. If they did so, they would send all their warriors and cut them off.

This speech had its desired effect, as it changed the minds of the Ottawas very much, and settled those of the rest in favor of the English interest, who came with PENNENSHA, very happily for us. When all the young men of those nations had arrived, they told me all their nation was in tears for the loss of two English traders who were killed by the French in their lands, and begged leave of me to cut them all in pieces. They seemed well pleased that I had got an English interpreter, as they could tell me their mind more plainly than by a Frenchman. I called a council of the Four Nations, to whom I gave large presents; and to the three last nations, each a belt. I also made a speech to them in the best manner I could, informing them of Capt. ETHERINGTON's distress, and that I was going to relieve him if possible, and return to them again after we had cleared the road; and that I hoped, as they had always shown themselves brothers, they would go along with me, and assist in that good work. I was going to try to reinstate their brothers and mine, so that they might be supplied with goods for their wives and children. Upon this, the old Sack chief, who was with me last summer, and brought the French

colors as before mentioned, addressed the rest of the chiefs as follows :

That he was very sorry for the distress of his brother, the English chief at Mishamakinak, and hoped they'd open their eyes and be strong and of good courage to let their new [British] Father know how they had his interest at heart, and not to believe all the bad things the French had told them last winter. He then advised the other Indians to follow his example and show the English how much they had their interest at heart. He could, he said, give no greater proof of this, than by giving himself and taking his young men with him, and he hoped they would do the same. He said he knew that their new Father would have pity on them, and send up traders.

They all agreed with this, and said they were glad they could now show the English how much they loved them, and that I should find they would keep their promise of the year before.

By request of the Four Nations, I sent off the ten Ottawas, to inform Capt. ETHERINGTON I was coming. They promised to meet me at the Fishing Place at the Pilote-Traverse.

June 20th.—The Indians busied in gumming their canoes, and getting ready.

June 21st.—I set out, [accompanied by] part of the Four Nations, viz : the Folles Avoines, Sacks, Puans, and Reynards, sailed about fifteen leagues to the Lower Folles Avoines' town—encamped.

June 22d.—Set out, and arrived about ten o'clock at the mouth of the river, on which the village stands. Went on shore; walked up to the town, and was saluted by the firing of guns by about fifty warriors of that town, who discharged their guns three times. Called a council and spoke to them in the same manner as I did to the others, and gave them large presents. They sent two chiefs with twenty warriors with me. Contrary winds obliged us to stay all next day, being the 24th.

June 25th.—Set out escorted by ninety warriors exclusive of

my garrison and the English traders, and crossed the Bay. Came to Little Detroit, where a party of the Ottawas lived, to whom I gave presents, and some strings of wampum, which pleased them. They sent six young men more with me.

June 26th.—Crossed the Bay again, and encamped on a little island.

June 27th.—Went about ten leagues; encamped at the mouth of the river, called the Fishing Place.

June 28th.—Went to the Chippewas' fishing place. Here the Indians who were with us apprehending they might meet with the Chippewas, who might be there to waylay us, sent ashore forty warriors to reconnoitre the woods before we landed, which they mostly did during our journey, and always made us encamp in the center. The King of the Sacks always went in the batteau with me, and would always lay in the tent—so great was their care.—We waited for the return of the Ottawas' canoes, as they had promised to meet as here as was before mentioned, but they did not come.

June 29th.—Set out and came to Isle Castor. Here we were alarmed with great smoke rising in the Isle, in different places, and at different times, while we were crossing the Traverse; and as the Ottawas had not met us according to promise, our Indians mistrusted their sincerity. When we came near to the Island, our Indians halted, and made all preparation imaginable for an action. They obliged the English canoe to go in the center; the Folles Avoines went foremost, stripped ready for action. We went about half a league, when turning a point, we saw three or four Indians on the shore, naked, with lighted pipes, who called in the Ottawa tongue for us to come ashore; which our Indians did, perceiving them to be the Ottawas who were to have met us yesterday. They brought me a letter from Capt. EETHERINGTON, which, after passing the pipe, they delivered. It was as follows:

“ OTTAWA VILLAGE, June 28th, 1763.

“ DEAR SIR:—Your's I received this morning, and am glad to

hear you're coming. Agreeably to your desire, I have sent the canoe of Ottawas to conduct you to this place, and keep all the English you have together. I hope to see you soon, and am, dear Sir,

"Your most obedient and humble servant,

"GEO. ETHERINGTON."

N. B.—On the other side was wrote, viz: "The Sautons* or Chippewas continue their mischief. They have plundered all the canoes they have met with since I wrote you last, and are now encamped on the great island near the fort, to which place they all repaired on the appearance of a canoe.

"Lt. J. GORRELL, Roy. Americans."

G. E."

We lodged on this island this evening; during which canoes came from Mishamakinak with Indians. They had been plundering there as our Indians apprehended. Upon their arrival, one of our Indian chiefs, who had a relation killed last summer by the Chippewas, and thinking those Indians or some of them were Chippewas, went with tomahawk and knife to their canoe to kill them; but found no Chippewas nor plunder, as they had hid the latter on an island not far off.

June 30th.—I set out and arrived at the Indian village where Capt. ETHERINGTON was, about thirty miles above Mishamakinak. The Ottawas received me with great joy, by the firing of several guns, three times each. They also presented us with nine pipes of peace. It was on our arrival here, that we expected to have our allies' sincerity tried, as we heard it reported last night that, on our arrival, our arms would be taken from us, and we would become prisoners, like Capt. ETHERINGTON and his party. I told my Indians of it, at the same time letting them know that none of my party should give up their arms, as this was their fixed resolution. The Indians all said they would stand by us. However, on our arrival, no attempt of the kind was made, nor did they ever look on me or my party as prisoners—but to the contrary.

* Sautours, probably.

July 1st.—Nothing of consequence, but feasting, dancing, and smoking.

July 3d.—I gave the Indians that came with me a belt of wampum, and they called a council of the Ottawas, and gave them a large belt of wampum, and returned them thanks for taking care of Capt. ETHERINGTON and the rest of the prisoners. The Ottawas gave the Indians that came with me several barrels of powder and many other presents, and returned them thanks for bringing me and the garrison down safe. They sent to the Fort for some Chippewa Chiefs to come to them. The same [day], the Indians that came with me and the Ottawas renewed their old alliance.

July 4th.—The Chippewas arrived and held a council. The La Bay Indians took great pains to get the Ottawas to join them, to get Capt. ETHERINGTON re-instated, which they refused, but said they would do all in their power to take us to Montreal. The La Bay Indians said that if they did not, they would have no more to do with them, but would break off former friendship. They also spoke to the Chippewas, but could not bring them to consent to their proposals. Nothing but councils till the 7th.

July 7th.—The La Bay Indians came and told me that they were going to the Fort to speak for the last time, and make the Chippewas lay down their arms to let us pass for Montreal. I gave them two large belts. They likewise said, that if the Chippewas would [not?] consent to their proposal, they would take me and my garrison back with them, and take care of us till such time as they would [go with] their warriors and open a road themselves. This day they went to the Fort, and took with them most of the traders that came with them. On their arrival, the Indians belonging to the Isle Castor took one Mr. Lottridge and Mr. Croghan; the former was taken from them by a chief of the Sacs, to whom he gave considerable presents; but the latter was obliged to buy himself clear.

July 8th.—They continued in council till the 11th, in which time

they got all the prisoners clear, except myself, Mr. HENRY*, a trader, and two soldiers; and the same day, being the 11th, we all arrived, the men, the traders, and most of the Indian women, from the Ottawa village.

July 12th.—The La Bay Indians and the friendly Ottawas informed us that the road was clear to Montreal, and that they had appointed several Ottawa chiefs and warriors to convey us there; upon which we and the traders promised they should be well rewarded.

July 13th.—About eight or ten of the principal Indians that did the mischief, came to Capt. ETHERINGTON, and made the following speech, viz: That they would know if he would shake hands with them. Upon being refused, they said it was not on account of the Tawas that they saved Capt. ETHERINGTON and the rest of his garrison, but on account of the Indians from La Bay with me, who came with their pipes full of tobacco for them to smoke; and if they were all under arms and ready to fire upon us, they would be obliged to lay down their arms on account of an old alliance between them. They said that though it was the Chippewas that struck, it was the Ottawas that began the war at Detroit, and instigated them to do the same. They said, at the same time, that if the General† would forgive and shake hands with them, they would never do the same again. Upon this, Capt. ETHERINGTON said, that if they expected any mercy, or that he should speak in their fa-

* This was ALEXANDER HENRY, who was born in New Jersey, in August, 1739. He accompanied Amherst's Expedition in 1760, and was present at the reduction of Fort de Lévi, and surrender of Montreal. In descending the river, he lost three boats of merchandize, and only saved his life by clinging to the bottom of one of them. Possessing an enterprising spirit, he soon after visited the Upper Lakes, and engaged in the fur trade. He was captured with Capt. ETHERINGTON's party at Mackinaw, and subsequently resumed the occupation of a fur trader. He was the author of an interesting work of Travels in Canada and the Indian country, between the years 1760 and 1776. He died at Montreal, April 4, 1824, aged eighty-four years. He was a man of warm affections, domestic habits, and a generous mind.

† Sir Jeffrey Amherst was then British Commander-in-chief in North America.

vor, they must give up all the prisoners, which was their only method of getting forgiveness.

July 14th.—The La Bay Indians came to me and demanded commissions. I gave them eight certificates, which answer the same end as commissions. The Chippewas then said, that if they had some rum they would go and consult of it. Having no rum to give them, they went away and said no more to us. Afterwards they went to the La Bay Indians, who desired them to deliver up all the prisoners, as the only method to get forgiveness.

July 18th.—Capt. ETHERINGTON made them some small presents, and thanked them for their good behavior; and at the request of the chiefs, Messrs. BRUCE, FISHER, and ROSEBOOM, a trader from Albany, returned with them to La Bay. The same day, the wind being fair, we embarked for Montreal, consisting of forty canoes of soldiers, traders and Indians. Nothing of consequence occurred till we came near the French river, where we met a party of Missasaga Indians. The next day, we entered the French river, when the chiefs called a council, in which it was ordered that Capt. ETHERINGTON, Lieut. LESLIE, and all the master traders, should go in the Indian canoes, and make what haste they could to Montreal. I was left with all the soldiers and traders' hands to guard the peltry. Lieut. LESLIE being an elder officer, insisted on staying on that command, but an Ottawa chief who had taken him from the Chippewas, and adopted him as his son, would not let him, as he said he would take him to the General and give him up. And they proceeded. After a tedious passage of thirty-two days, I reached Montreal the 13th Aug. 1763, with all my garrison.

I was so much hurried after receiving Capt. ETHERINGTON's *

* Capt. ETHERINGTON, it would appear from GRAYDON's Memoirs, was probably a native of Delaware, early entered the army, and served as drummer and sergeant. A wealthy widow of Newcastle county becoming enamored of him, purchased him a commission. After the loss of his post at Michillimackinac, we find him stationed at Philadelphia; and in September 1775, he was promoted from a Major to a Lieutenant Colonel in the Sixtieth or Royal American Regiment, which rank he held in 1780—between which latter date and 1792, he must have died, as his name does not appear in the British army register in the latter year. He was a man of superior height and large frame, which gave him a commanding air. Though extremely deficient in education, he possessed a strong, acute intellect, and had a happy talent at repartee.

letter the 16th June, 1763, that I could not put the particulars in the margin, as in the former, but was obliged to refer the amount of the sundry presents given to the Indians since the above date, to the traders' accounts below mentioned, viz:

Messrs. Moran and Company's accounts,	£935	12	2
“ Goddard & Co.,	191	2	6
John Abeall & Co.,	23	8	3
Messrs. Lery & Ezekiel Solomon, 4 bags corn,	10	0	0
Henry Bostwick, for corn,	5	0	0
Total,	£1165	2	11

This exclusive of 21,800 wampum, not charged in trader's accounts, being belts received from different nations, as pledges of their fidelity; the most of which necessity obliged me to have made over again, lest they should be known.

Montreal, Aug. 16, 1763.

APPENDIX NO. 4.

RECOLLECTIONS OF GREEN BAY IN 1816—'17.

BY JAMES W. BIDDLE, OF PITTSBURGH, PA.

My first visit to Green Bay was in the fall of 1816. I was concerned with Col. JAMES THOMAS in the supply of the troops at Detroit, Mackinaw, Chicago, Green Bay—provided, said the contract, that a military post should be established at the latter place within the year. The post at Mackinaw was then under command of Brevet Col. TALBOT CHAMBERS; but in August, or thereabouts, Col. JOHN MILLER, afterwards Governor of Missouri, arrived, and taking command, determined on establishing a post at Green Bay.

Vessels were accordingly chartered, and, I think, three companies of riflemen and infantry were put on board. I furnished the required amount of provisions and they all arrived safe, though this was the first instance of merchant vessels navigating the Bay. The leading or most reliable commodore of the fleet was Capt. DOBBINS of the "Washington," belonging to Erie, Pa, of hundred tons, the largest vessel at that time on the Lakes, though they spoke of the "Wellington," of one hundred and thirty tons, belonging somewhere in Canada, which *had been* on the Lakes, but found too large or drawing too much water for lake navigation, and had then disappeared. DOBBINS sounded the whole way up the Bay, and on his return gave the worst account of the navigation—all shoals, said he, and rocks, with no harbor, river, or creek

to put into, or island to take shelter under, excepting two at its mouth.

This account was all gammon, as I conjectured at the time, as, though not contradicted by the other masters of vessels, it was not confirmed by them. They were, however, under some kind of *cow* to DOBBINS, who besides being in some capacity in the U. S. service, was of a lordly, imperious disposition, and commanded the finest vessel on the Lakes, and was, moreover, acquainted with the fact, that I had further and large supplies to forward. He first asked \$10 per barrel freight, then \$7—\$5—\$3 50, and finally closed with my offer of \$1 50 per barrel, at which I loaded his own and four other vessels of forty and fifty tons each—schooners and sloops. This gives you an idea of the price of freights at that time, the general rule being \$2 per lake for a barrel bulk—that is, from Buffalo or Erie (Cleveland not being much known then) to Detroit or Malden, \$2; to Mackinaw \$5, St. Clair Lake being called half one. Chicago then had no trading reputation, vessels only visiting it to carry troops or provisions to supply them; and these provisions and supplies up to that time, were principally brought from Pittsburgh, including pork, flour, whiskey, soap, candles, vinegar, conveyed by keel-boats up the Alleghany, and French Creek, to Le Boeuf, or Waterford, and thence wagoned over to Erie.

At this date, Ohio first began to furnish pork and flour for these posts; both, however, were held as inferior, the hogs being light, and the flour dark or yellowish. Michigan farmers then raised little or nothing to sell. They were French, settled on so many arpents* of land, fronting on Detroit river, and limited back, I think, by no defined line; it never entering their grave heads that any man would locate himself without a river front. Here they raised a few vegetables which they preserved through the winter, and some wheat and corn, which they ground by wind mills, still to be seen on the points of land along the Detroit. The town of

* An arpent is about one-seventh less than an English acre.

Detroit was of some business importance, but Mackinaw was the great emporium of trade of the North American Fur Company, at this time embodied in JOHN JACOB ASTOR. Here his agents resided, and from hence were fitting out his trading boats for the various Indian regions, north, east and west. I think in 1816, he fitted out two hundred and forty boats, each one containing two traders and from four to six hands. The *two* traders were only for this year, Congress having by law forbidden *foreigners* being licensed to trade with Indians—all his traders had hitherto been Canadians. ASTOR was compelled that year to send United States' citizens, and sent out two hundred young clerks from city counting-houses of whom to make Indian traders. As they knew nothing of the *traps* connected with the business, ASTOR had to send his old traders with them as *hands*. But a single year sufficed to make them all first-rate men—the Yankees being always at home at a trade, and they easily took up with the traps, leaving the Frenchmen to seek other pursuits.

I did not visit Green Bay until October or November, 1816. I found the troops in quarters prepared for them by Col. GRATIOT, the engineer, who accompanied Col. MILLER* to the post, which the latter left in command of Col. CHAMBERS, and returned to Mackinaw, and afterwards to Detroit, that year, leaving the post at Mackinaw in command of Brevet Col. JOHN McNEIL, brother-in-law of the present President PIERCE; at which post were also stationed at the same time, Capt. BENJ'N. K. PIERCE, and Lieut. JOHN PIERCE, of the Artillery, both brothers of President PIERCE. The former, now Gen. B. K. PIERCE, I believe is still living, and still in service—at least he was in 1848, when I had the pleasure to see him in this place by receiving a call from him when passing through.

* Col. JOHN MILLER, the first American officer in command at Green Bay, was a native of Virginia. He had served with great reputation during the war of 1812-15. After his command at Green Bay, he was appointed register of the public lands in the Howard district, Missouri, and was subsequently elected governor of that State, and for several years a member of congress. He died near Florissant, Mo., March 18th, 1846. L. C. D.

The fort at Green Bay, I think called FORT HOWARD, was built lower down Fox river, and nearer the lake than any of the settlements, and on the right as you ascended the river. The settlement was a promising and a pleasant one, having comfortable houses, framed buildings of two stories, with numerous small farms under good cultivation, and the land very productive in corn, wheat, grass, &c. So rapid was the vegetation, that it was gravely asserted that they could hear and see the corn growing.

Col. MILLER experienced no difficulty from the Indians in establishing his post, though something of this had been anticipated from the Winnebagoes, a bold and warlike tribe who lived at Lake au Puant, or Stinking Lake—now Lake Winnebago—some sixty miles up Fox river. None was apprehended from the Menomonees or Wild Rice Indians, who resided at the mouth of the river. A deputation of the Winnebagoes came down and remonstrated with Col. MILLER against what they termed an intrusion; and inquired why, and for what purpose, he was about to establish a fort there? MILLER gave them what he had in explanation, and that his purpose, though armed for war, was peace. The Winnebago Chief then made to him the celebrated remark of the Armenian Prince, I think it was, to LUCULLUS, “that if his object was peace, he had brought more with him than was necessary to treat; but if his object was war, he had brought too few to fight.” MILLER told him that he had not seen all the force he had with him, and invited him down to the river bank, among the grass of which he showed him some ten or twelve large cannon lying, which the Indian had not before seen; but upon viewing them, he said that Col. MILLER probably had enough to make good his right—broke up the conference, and gave no farther trouble. The Winnebagoes seemed to be a different race of people, and were so regarded, from the Chippeway, or rather Ojibway, of which great family, nearly, if not all, the other tribes in that region were branches—their language being totally different, having a guttural sound like the German.

The Menomonees at Green Bay were a small and generally

peaceable tribe, but had, at this time, a very remarkable man as their chief—one held in much awe by the surrounding Indian nations, and in high respect by the whites. His name was TOMAH, whom I personally knew, and I may say, venerated. I learned from those who were acquainted with his history, many marked occurrences of his previous life. He had no hereditary claim to the chieftainship. This was held, at the time, by a man nearly as old as himself, who was an idiot, but who they always took with them in their excursions. TOMAH merely ruled as the acknowledged strongest man of the nation, and this he had continued to do for a great many years. The Indian tribes around were represented to me as all afraid of him, though they mentioned it as a singular fact, that he had never engaged in war with any of them while in control of the nation.

An interesting illustration of this I received from several persons, as occurring upon an interview he had with TECUMSEH in 1810 or 1811, when that remarkable man was forming his great combination for driving the Americans back, who like the waves of the sea, were encroaching upon their hunting grounds. With this view he visited Green Bay, obtained a council and hearing from TOMAH and his people, whom he addressed in a manner he best knew how to do; and in the course of which, in true Indian spirit, he pictured the glory, as well as certainty of success, and as omens of this, recapitulated to them his own hitherto prosperous career—the number of battles he had fought, the victories he had won, the enemies he had slain, and the scalps he had taken from the heads of warrior-foes. TOMAH appeared sensible of the influence of such an address upon his people, and feared its consequence, for he was opposed to leading them into war. His reply was in a tone to allay this feeling, and he closed with the remark to them, that they had heard the words of TECUMSEH—heard of the battles he had fought, the enemies he had slain, and the scalps he had taken. He then paused; and while the deepest silence reigned throughout the audience, he slowly raised his hands, with his eyes fixed on them, and in a lower, but not less prouder tone, continued

"but it is my boast that these hands are unstained with human blood!" The effect is described as tremendous—nature obeyed her own impulse, and admiration was forced even from those who could not, or did not, approve of the moral to be implied, and the gravity of the council was disturbed, for an instant, by a murmur of approbation—a tribute to genius, overpowering, at the moment, the force of education and of habit. He concluded with remarking, that he had ever supported the policy of peace, as his nation was small and consequently weak; that he was fully aware of the injustice of the Americans in their encroachments upon the lands of the Indians, and for them feared its consequences, but that he saw no relief for it in going to war, and therefore, as a national thing, he would not do so, but that if any of his young men were desirous of leaving their hunting grounds, and following TECUMSEH, they had his permission to do so. His prudent counsels prevailed.

I always thought this an odd speech—a very remarkable one to come from a savage, for such TOMAH was by birth and education, but by nature I always thought him one of the grandest specimens of humanity I had ever seen. I had not met with him at Green Bay; I was only a few days there in 1816, and hurried with business, nor did I hear much, if anything, of him, until after meeting with him the next year at Mackinaw. The first I heard of him, was a prescription of his to Col. JOHN BOWYER, the Indian agent at Green Bay, for the gout, of which my brother, EDWARD BIDDLE, told me, and a very rational one I thought it—"to drink no whiskey, live on lean meat and wild rice, and *scarify his feet.*" This lead me to make inquiries about him, when I found, that my brother had become a warm friend of his—an admirer of him.

When at Mackinaw, early one morning in the latter part of May or early in June, 1817, I had come out of my lodgings, and observed approaching me, one of the many Indians then on the Island, and taking a look at him as he emerged from the fog, then very heavy, I was struck, as he passed, in a most unusual manner by his singularly imposing presence. I had never seen, I thought, so magnificent a man. He was of

the larger size, perhaps full six feet, with fine proportions, a little stoop-shouldered, and dressed in a somewhat dirty Indian blanket, and had scarcely noticed me as he passed. I remember it as distinctly as if it was yesterday. I watched him until he disappeared again in the fog, and remember almost giving expression to a feeling which seemed irresistably to creep over me, *that the earth was too mean for such a man to walk on!* The idea, to be sure, was discarded the moment it came up, but existence it had at this my first view of TOMAH. I had no knowledge at the time who he was, or that TOMAH was on the Island, but while standing there before my door, and under the influence of the feeling I have described, HENRY GRAVERAT, the Indian interpreter, came up, and I enquired of him whether he knew of an Indian who had just passed up? He replied yes, that it was TOMAH, chief of the Menomonee Indians, who with his people had arrived late the evening before, and were encamped at the "Point;" that TOMAH had just been with him to ask a council with the Indian agent, Maj. WM. H. PUTHUFF. The council was held at 10 o'clock, and I made it my business to attend.

To understand what follows, I must make a short digression.—The British for many years had paid annual contributions, termed by them Indian annuities, giving each member of the tribe a suit of clothes, consisting of a shirt, leggins, breech-clout, and blanket—and each family, a copper kettle, knives, axes, guns, amunition, &c. For these, each tribe came regularly in the spring or fall, either to Mackinaw or Drummond's Island, or the Sault Ste. Marie. TOMAH was a British Indian. He had not himself engaged in the war, but his feelings were with the British, as were personally some of his young men. He had arrived on Mackinaw Island with his whole people on their way to Drummond's Island to receive their usual annuity, and had stopped at Mackinaw to rest over night. There was nothing novel to us in this, as a number of tribes had previously arrived, stopped and had a council, at which they told their story, always winding up with professions of love for their "*Chemuckiman Nosah*," or *American Father*, who, they hoped,

would open his heart, and give their people some meat to stay them on their journey, and his breasts to give them some milk—i. e. whiskey—to make them joyful. This was the usual winding up of all such councils. When the council in this instance had met, and the proper time offered, TOMAH arose and stated to Maj. PUTHUFF, that he had arrived with the Menomonee Nation, the night before, on their way to visit their British father, and that having stopped on the Island to rest over the night, he had thought it his duty to report the fact to his American father. With this simple announcement, he sat down. PUTHUFF, a little nettled, made a short reply, and the council broke up.

Coming out of the council house, I waited for Maj. PUTHUFF, and remarked to him that TOMAH would want some provisions for his people, and that I wished he would give me an order for that purpose. “D—n the rascal, why did ’nt he ask for it, then?” “I suppose,” said I, “being a British Indian, he is too proud.” “Well, let him starve, then.” “If all are to starve who are proud, God help many that I know of, Major.” I had no difficulty in prevailing in the matter, as government had made provision for such issues to Indians, and GRAVERAT and I made out an estimate proper under the circumstances to give, and TOMAH and his people continued their voyage.

In a few days he and they returned, dejected and disconsolate. A change had come over the spirit of British policy. They had just come out of a long and exhausting dance led them by Napoleon, and were counting the cost. They had been casting around to find where surest and readiest to cut off drains upon their treasury, and judging that they had no further need of Indian services, lopped off the whole list of Indian annuities. This was already known at Mackinaw, and had been told to TOMAH upon his first arrival, but he would not, or did not, believe it. He found it, however, too true. There were no annuities there for him, or for any other tribes, many of whom were there; and it was anticipated at one time, that they would rise upon the British force there, and take what they could get. But this was not attempted.

My brother Edward, then and now at Mackinaw, had been well acquainted with TOMAH at Green Bay, and immediately after his return to the Island, he came into the store, spoke a few words to my brother, and left. I had seen the interview, and watched the result, without making any enquiry, for I saw that my brother, who greatly loved TOMAH, was imbued with all his melancholy. In a few moments a young Indian came in with a three gallon keg, which my brother bade the young man in the store to fill with whiskey, which was charged on the books to TOMAH. I was looking over the books but a few years ago, and saw the entry on the ledger, which brought with it a train of wild and melancholy thoughts. This insult from the British authorities, as he took it, was more than his proud heart could bear. For himself he might have borne up against it, but for his people, and in the sight of those whose good offices he had refused to ask, he could or would not. The keg was brought to him in his tent, from which he drank alone, and to an excess, that relieved him the third day of pride, grief, joy and care. He was buried on the Island. I was present at his funeral, and witnessed his daughter, a young girl of nineteen or twenty, as she mournfully sang his death song at the head of the coffin, just before lowering into the grave all that was mortal of TOMAH. I never saw so distressed and broken-hearted a people. They said they were no longer a nation—no longer any thing. TOMAH could alone command and keep them together, but now they would be scattered and lost. We made a collection, and bought them provisions which carried them home, where they organized under some other chief, until driven from their old hunting-grounds by you land-grasping Wisconsiners !*

* Of TOMAH, or THOMAW, or THOMAS CARRON, we have found but little in print. He seems to have been the great Indian chieftain of the Wisconsin tribes; our PHILIP of POKANOKET—our PONTIAC—our TECUMSEH; not so well known, to be sure, and figuring on a smaller theatre, but exhibiting traits of character none the less noble—none the less extorting our admiration. Col. DE PEYSTER, in his rare work previously alluded to, thus spoke of him in 1779;

“While none on earth live more at ease,
Than *Carong's* brave Menominees;”

The settlement at Green Bay in 1816, as I have remarked, was a very clever one. They had comfortable houses and good farms. It was composed mainly of old *engagers*—Canadian boatmen, who had withdrawn from the employment of the fur companies, and fixed themselves down on a piece of land *fronting on the river*, and married to whole or half-breed Indian women. The custom I found prevailing here was somewhat unique of its kind, as a leading feature of the community, though something of the kind still exists at New Orleans among a distinct class. You Wisconsiners may smile, or grin, or scowl at it, but you cannot alter the facts as I found them at that time. The young people there were generally a cross between the French Canadian and Indian, and marriage between girls of this class and the white men arriving, was of a conventional or business kind, to suit the convenience of the case, the residence of the men not being permanent, or intending to be so. Marriage, therefore, was limited as to time, and was contracted either for life, or for six, or twelve months, as the case might be—with the white men arriving, it was generally of the latter kind. The lover having made choice of a girl, applied to her parents, with whom he entered into a limited marriage contract—specifying the amount to be paid them for deprivation of her services—the amount to be paid her in hand for her own benefit, and the amount per week for her boarding and rent

and added, that he was “a very clever fellow, chief of the nation of Menominees—the handsomest man among the Indians.”

DR. MORSE, in his Tour among the Indians, in 1820, speaks of him as “the celebrated THOMAS, who died, and was buried, at Mackinaw, and over his grave Mr. John Law of Green Bay, erected a monument with the following inscription :

“Here rests the body of THOMAS CARRON, Grand Chief of the Folle Avoine (Menominee) nation, who departed this life July 8th, 1818, aged 56 years, regretted by all who knew him.” This date makes his death occur a year later than Mr. Biddle, who thinks he cannot be mistaken ; and TOMAH must have been fully ten years older than the age upon this monument represents, judging from the fact of his being a prominent chief as early as 1779. His son MAU-CAU-TAU-BEE, or CARRON, of whom Dr. MORSE spoke as a modest, sensible man, is one of the present chiefs of the Menomonees, and has so been ever since his father’s death, and has attained the age of fifty-five years.]

L. C. D.

of a room in the house, if to remain in the dwelling of her parents. These payments were generally made in provisions, clothing, &c.

In case the lover or husband removed from the place before the expiration of the time agreed on, he had the right—as in the case of the *engager*—to transfer his marital claim thus acquired, to another; so that during the term of the stipulated coverture, the girl might find herself the wife of two or more husbands. I knew of several marriages of this kind during the few weeks I was at the Bay in 1816 and '17. I could state that of Capt. ———, of the U. S. Army, but I decline any reminiscence of names. I was so far intelligent of this, as to be called upon by the Captain, an old acquaintance, to heal some breach between him and his thus acquired wife—for the reason that I could speak some French, which he could not. She was in high *tantrems*, he said, about something which he could not understand. He wanted that I should go with him to ascertain what *could* be the matter. Of course I went, and found the fair dame sulky and sullen, but with an eye flashing high anger. I easily got the truth from her. Her jealousy had been excited or roused by some tale-bearer. I gave her the explanations and details he tendered, with promises of caution and good conduct for the future; and having restored peace between man and wife, I went merrily home. The contracts entered into in this manner were regarded by them as sacred, and no evidences were adduced or known of infidelity on the part of the women, and were consequently highly resented if occurring on the part of the spouse.

The Bay was unblessed at this time with any thing in the nature or calling of a priest, but it did rejoice in the possession of a magistrate, who had enjoyed the office of judge time without memory of when it began; and long had all the business of the colony been regulated and kept in order by the awe-inspiring authority and portly person of Judge REAUME. No person there could tell when his official duties first devolved upon him, nor from whence his authority was derived. It was sufficient to ob-

tain obedience, that it existed, and no one disputed his authority or appealed from his decision, for, in truth, there was no power above him. Before him all complaints were brought, and all wrongs redressed, and marriages celebrated—for doing which he had fixed fees. In the case of marriage, of which it was discovered he kept some kind of record, if you remained in cohabitation beyond the stipulated time, he would send for you; have you to renew the engagement, or punish you by fine for contumacy or neglect—thus securing a new fee for his own pocket, and enforcing a proper respect for the laws and customs of the country. While I was there, a vagabond French desperado was arrested for an act of violence to a half Indian girl. The case was rather broadly made out against him, which excited the ire of the good Judge to such a degree, that he sentenced the fellow to buy the girl a new frock—it having been proven that her own had been torn in the scuffle, and to work one week in his, the Judge's, garden!

It was reported, but I know not with what truth, that his library was enriched with two odd volumes of Blackstone, but whether in French or English I did not learn. A gentleman, a friend of mine, had a dispute with a troublesome fellow about some trifle, and upon whose application, REAUME sent my friend a summons—instead of paper with name and seal, the constable exhibited the well-known large *jack-knife* of the Judge, which had long been made to serve that purpose. On the day of appearance, defendant broke ground for the Judge's, and stopping at a store on the way, bought some cheap article. On approaching the office, he found the Judge at the door, who exclaimed to him in broken English, "You may go away—go away; I has given judgment against ye." "Good morning, Judge." "Good morning; I has given judgment against ye." "Coming along by Burgan's store, I saw this small coffee-pot hanging out, and I bought it to present to you, Judge; will you do me the pleasure to accept it?" "O—yes, tank ye—tank ye kindly—very much 'bliged to ye." "Judge, I don't owe that fellow any thing." "You don't?" "No, I have really overpaid him." "The rascal; I reverses my judgment, and he shall pay de costs."

Now it must not be imagined from this, that Judge REAUME was a bad man. He was the reverse of this, but followed the temper of the times, and bowed to the current of the country's customs, rather than undertake the labor of changing or rising above them. The quiet acquiescence of the people to his authority for so long a time, and the sufferance of his rule and sway under British and American supremacy—and possibly under French, too—for he may not have surrendered until long after Montcalm and Cornwallis did, is an argument at least in favor of the mildness of his administration. Nor was he deficient in intelligence, and possessed much of the natural politeness of the better class of rural French.* The most considerable man however, in the settlement, the one of most intelligence and enterprise—the *substantial* one of the colony, was JOHN LAW, who occupied a fine farm on the left bank of Fox river as you ascend, which he afterwards sold to JOHN JACOB ASTOR, and which now, I think, forms a part of the town of Green Bay.

There is, or was, a natural phenomenon at Green Bay, which I have before made public notice of, and repeat here; I mean a re-

* Judge CHARLES REAUME was probably a native of Detroit—at least, in 1777, there was a prominent resident of Detroit, named PIERRE REAUME; and in 1778, CHARLES REAUME, was a captain in the British Indian Department, at Detroit, and accompanied Gov. HAMILTON in his expedition against Vincennes in December of that year, and when the American Col. GEORGE ROGERS CLARK recaptured that place in February, 1779, Capt. REAUME was among the prisoners, who taking the oath of neutrality, was permitted to return to Detroit. Gen. CLARK's *MS. Papers*, in the writer's possession, prove this fact. From MORSE's Indian Report, it appears that Capt. REAUME settled at Green Bay in 1790, and probably derived his early commission of Judge from the British authorities at Detroit; and anticipating perhaps, the early transfer of Detroit to the American government, may have had something to do in hastening his departure. When Brown county, in which the Green Bay settlement was and is still situated, was organized under the authority of Michigan Territory, in 1818, Judge REAUME was appointed by Gov. CASS an Associate Justice, and Justice of the Peace; in July, 1824, another filled his place on the bench—hence it would appear, that he died sometime between 1818 and 1824.

gular ebb and flow as of a tide, in the waters of Fox river.* I noticed it every day for about ten days that I staid there in 1817. The rise and fall was, I think, twelve to eighteen inches, and occurred regularly at the same hours every day—being greater or less in its rise and fall as the wind was up or down the Bay. I published a notice of this in the Pittsburgh Gazette in 1818-'19, which was copied into various papers, and came under the notice of Judge WOODWARD, of Detroit, a gentleman of much learning and science, who visited Green Bay and examined into it, and, in a published report, confirmed the existence of the ebb and flow as I had found and described it.

Now, don't set me down as delving behind CHATEAUBRIAND.—POOR CHATEAUBRIAND had been landed on the wild shore in Canada from a boat on Lake Ontario, and ran into the woods to enjoy the luxury of the wild, unstinted freedom of Nature in all her glory of forest and flowers; and in the ecstasy of excitement, he was hugging the trees, he tells us, when he heard a loud and rumbling roar, which alarmed and brought his mind back to earth from elysium, and caused him to run to his comrades in the boat to see what was the matter. The alarm, he said, had been causeless: *It was only the tide coming in!* This is not worse than Oliver Goldsmith, good honest fellow as he was, who, in an old and honored school book, gave a very fair, true and faithful description of Niagara Falls—the perpendicular height and vastness of the column precipitated; and then, after writing all this, and seeing what he had written, quietly and calmly remarked, that notwithstanding the height of the fall, and the power of the current, Indians had been known to pass down it in their canoes in safety! I well re-

* An able article upon the tides of the North American Lakes, written by the late Col. HENRY WHITING, of the U. S. Army, may be found in *Silliman's Journal*, and also in *Historical and Scientific Sketches of Michigan*. Col. WHITING argues that there is no sensible lunar tides on the Lakes, and is sustained in this opinion by Gen. CASS and HENRY R. SCHOOLCRAFT, Esq.; that there are probably planetary influences operating on the lake waters, but that the changes in the level of the waters are mainly produced by atmospheric phenomena.

member reading it in my own old school book, fifty years ago, and of being bothered about it; but that passage about the canoes has been dropped in all the later editions.

The fowl-game at Green Bay were the duck and prairie hen—both abundant. The ducks used to rise like large dark clouds, subsisting probably on the wild rice growing near the head of the Bay. I wonder, by-the-by, if it grows there still! The Indian women used to make a favorite dish of wild rice, corn and fish, boiled together, and called *Tassimanonny*. I remember it to this day as an object of early love.

Pittsburgh, Pa., Jan., 1854.

TO LYMAN C. DRAPER, Esq.

APPENDIX NO. 5.

RECOLLECTIONS OF A TOUR THROUGH WISCONSIN IN 1832.

BY COL. CHARLES WHITTLESEY, OF EAGLE HARBOR, LAKE SUPERIOR.

In the Spring of 1832, vessels were unable to reach the Upper Lakes until the first week in May. We were detained at Mackinaw a few hours, and were landed at Green Bay about the 15th of that month. The weather was cold and boisterous, which rendered the delay at Mackinaw agreeable, enabling the captain to lay in a supply of trout, and those who by reason of sea sickness had found the stomach a very uncomfortable place, to settle that organ, and treat it to a little food. Here we found the garrison and the inhabitants in a state of the most pleasurable excitement. Our vessel and another in company were the first of the season. The ice had left that part of the Lake long since, yet no sail had made its appearance in these waters till to-day. During the winter, residents upon the Island are in a state of complete separation from the rest of the world. The postmaster at Detroit was authorized to procure a foot-mail once a month, after the swamps and rivers were sufficiently frozen, and a Frenchman sometimes succeeded in taking a letter-bag through the wilderness, but papers and pamphlets directed to this quarter spent the winter in Detroit.

The first vessel therefore brought up the arrears of news, and produced those who had escaped in the fall to enjoy life and civilization in the cities. It opened a passage for the trader who for half a year had looked out upon snow and ice, to flee to the genial south, promised a renewed communication with friends and kindred, when he who had enjoyed only the range of a barren Island, could strike across the Lakes and the States to the Sea, mingling with old comrades and new friends. When transplanted from the contact of the gleeful Canadian and the boisterous Indian, he could taste the sweets of refinement, and partake of the delicious and chastening society of accomplished women.

Such had been the delay of our arrival that the anxiety of these exiles had become intense. All had partaken of the expectation, from the officer to the voyageur, and from morning till night they lingered in little knots upon the heights about old Fort Holmes, straining their eyes to catch the first glimpse of the first topsail on the clear line of the horizon. A dim speck, the canoe of the Indian, a floating log, a fragment of ice, or even a fleeting wave, by force of imagination and hope, righted up into a mast-head and colors peeping across the convexity of the watery surface.

At length a ship makes its appearance, and under full press of sail rounds the Island of Bois Blanc, and stands in for the anchorage. The passengers from its deck may see a commotion among the people on the brow of the hill, the swinging of hats, and the waving of handkerchiefs. But he cannot hear the acclamations, the almost frantic shouts of the Islanders.

The striped banner ascends the flag-staff of the fortress, while the American flag greets its fellow in the wavings of the breeze at the main peak, and the heaviest gun upon the works awaking from a winter's slumber, sends its heavy tones along the shore.—As the first boat grazes the pebbled beach, a congregation has clustered around the spot. Then follows the hearty gripe, the soul-felt recognition, and the silent, yet deep congratulations to which every organ except the eye refuses utterance.

The individual who had seen Mackinaw (or according to Noah Webster, Michillimackinack) as early as 1832, had been to the verge of civilization, and was expected to produce a description in detail. By the rapid enlargement of American occupation, it has now ceased to be a point of great interest, and will soon attract attention only for the historical reminiscences that attach to the name. Always the resting place of the Indian wandering from one Northern Sea to another, his camp-fire was seldom extinguished upon its shore.

About 1650, the countrymen of Father Hennepin and La Salle came along to dicker for furs, mingling the gibberish of the Frenchman with the gutturals of the native. Then the Englishman located himself there, with a half civil, and half military possession under the treaty of 1763. By the Revolution, the Americans acquired title, and in 1794 obtained possession of the Island.* The military occupied the old British fort, named Holmes by the Americans, in the rear of the present stockade, until 1812, when it fell by surprise into the hands of the English. The issue of the war made it again American ground, and since 1819 a small garrison has been in occupation, being the center of fur trading operations in the North-West till within two years.† It was the neutral ground of the Indian who came from beyond the Mississippi to get goods, presents and whiskey, and the harvest ground of the white man who took his furs, for a penny, and sold them to his brother or sister for a pound.

But the red man is no longer congregated here, and the white man has gone after him to "Fond du Lac," at the extreme of Lake Superior. The garrison is therefore unnecessary, the missionary deserted by his flock removed to "Ile Point," everything points to the speedy decline, if not the abandonment of this wild spot. The

* The British acquired possession of Mackinaw in 1761, by the surrender of Canada and its dependencies; and Detroit and Mackinaw were detained as British posts until 1796, when they were delivered to the American government under the provisions of Jay's Treaty.—L. O. D.

† That is to say, till 1836, for this paper was written by Col. WHITTLESY, in 1838.

Island is limited in extent, rocky and steep, the main land adjacent rough and mountainous, but in summer a most delightful residence.

My passage through Wisconsin resulted from employment which detained me at Green Bay till September. Not having contemplated a description of any thing which transpired, or which I saw in that region, the present observations are mere gleanings of memory, unassisted by a single note, date or memorandum. They will be impressions rather than facts, the remains of marked incidents and events not yet obliterated by subsequent affairs.

Our schooner entered the Bay during the night, nearing the mouth of Fox river, where the settlement is, before morning. Emerging from the companion-way about sun-rise, we found ourselves midway from each shore, distant five or six miles, the land sloping on either hand towards the water. During the progress of the voyage no signs of vegetation were apparent, and the unbudded trees along Lakes Huron and Michigan still retained the bleakness of winter. The direct rays of the sun illuminated the western shore, leaving the dark shadows of morning still resting upon the east. Judge of our surprise and pleasure, when at the first glance, we saw the forests of both shores clothed with young leaves, rich in the velvet green of spring. We had left the realms of rough winds and floating ice, and were transferred in one night to calm and clear waters, and the gentle fannings of a southern breeze. Our latitude was higher than the lowest part of Lake Huron, yet the season was more than two weeks in advance of that spot. Whether the original discoverers came into this place under like circumstances and gave it a name accordingly, I am not informed, but the propriety of its title will strike every one who does.

The garrison is situated on the west side of Fox river, about one mile from its mouth. The old settlement occupies both sides of the river for about eight miles. Opposite to Fort Howard the town of Navarino had been built on paper, and some good houses were actually completed. The old village of "Shanty Town," otherwise "Menominee," already showed symptoms of a decline, being two miles further up the river. Around the head of the

Bay, the land is a wet prairie and marsh, with long grass, furnishing musketoos in inexpressible numbers. But the land on the east of the Bay rises gradually from the water's level, covered with scattering oaks and occasional thickets of low timber. It is a limestone region, supporting a good soil, which bears in many places the marks of ancient cultivation. In the direction of Duck Creek there is some poor land. But receding from the river and the Bay on all sides, there will be found a fine agricultural country. The bottom lands are occupied by descendants of the French, who were here about a century and a half ago. Their locations are in the French style, narrow upon the river, and running back great distances. Beyond these claims, most of the country lies in a state of nature.

The Menominee Indians had but lately held the title to most of it, for a circuit of sixty miles, raising a few patches of miserable corn, on the low grounds. About eight miles south-west, a party of Stockbridge* Indians had been located by government, and were in the cultivation of lands as a civilized community. At the Great Kakalin, about twenty miles up the Fox river, a missionary establishment succeeded in bringing many of the Menominees to clear land, build comfortable cabins, and practice the art of husbandry. Some half-breeds occasionally preferred a hut to a wigwam, and raised a little corn, and a few potatoes. With these exceptions, this interesting tribe existed in a state of worse

* Or rather chiefly Oneidas. Rev. Eleazer Williams, with a deputation of the Oneidas, first visited the Green Bay region with a view to finding a new home, in the summer of 1820. Reporting favorably, in August 1821, Williams again repaired to Green Bay, himself as the deputy of the St. Regis Indians, accompanied by a delegation of Oneidas, Stockbridges, Onondagoes, Senecas, and Munsees, who made a treaty with the Menomonees and Winnebagoes, and purchased a considerable territory from them.— In September, 1822, this territory was largely increased by an additional purchase. The New York Indians emigrated from time to time in bands, and settled on their purchase. The writer of this note, well remembers seeing a party of Oneidas passing through Lockport, N. Y., on canal boats, on their way to Green Bay in 1826 or 1827, and among them were some very pretty, well behaved females, dressed in the costume of the whites.

than savage wretchedness. They are naturally a good natured people, and less ferocious than their Northern brethren. The Indian thirst for fire-water, however, reigned with them, even beyond the usual limit of aboriginal desire. As a consequence, murders were of common occurrence, and when committed beyond the reach or knowledge of American authorities, were not scrupulously noticed.

In person, they are of a thick-set frame, less tall, and in better condition than most Indians, and at least equally indolent. The thief is not so common a character with them, as with many other tribes. Their attachment to the United States, has not been exceeded by any Indian people. But the gratification of a never satisfied craving for whiskey, has debased them to the lowest point of human degradation. OSHKOSH was at this time hereditary chief, and about twenty-one years of age.* He was a young chief, of strong sense, a murderer of one of his tribe, and a lover of strong drink. In council, he withheld his speech till late in the debate, but spoke with firmness and effect. The GRIZZLY BEAR† is well known as the orator of the the nation. He had a commanding manner in speech, but his talk exhibited more of the energetic declaimer than the speaker. There was in his character little to admire, being a great drunkard. His wife lay at night in the wigwam asleep, when he came in, ferocious, and overcome by liquor, and made a pass at her head with his tomahawk. The hatchet grazed the side of her head, through the unsteadiness of his aim, and sank into the earth. This was not occasioned by any quarrel

* OSHKOSH was much older. In March 1855, he represented himself to be sixty years of age, and those who know him say, that he appears to be about that age. His name and that of JOSETTE CARRON are attached to the treaty of Butte des Morts, in August, 1827. Oshkosh signifies brave. The ages of other Menomonee chiefs at this time, March, 1855, are—SOULIGNY, *Head War Chief*, 70; CARRON, 55; NA-MOLTE, 42; OSH-KEE-HE-NAW-NIEW, or the *Young Man*, 49; AH-KE-NO-TO-WAY, 37; SHOW-NE-ON, or *Silver*, 28; CAS-A-GAS-O-E-GAY, 45. See *Milwaukee Sentinel*, March 8, 1855. L. C. D.

† KAUSH-KAU-NO-NAIVE, or *Grizzly Bear*, signed the treaties of 1831 and 1832, but not that at Cedar Point in 1836—and hence was not probably then living. L. C. D.

or malice against her, and the blow was not repeated. The taking of life in that way, is a common occurrence, resulting from an inherent blood-thirstiness, roused into action by excessive drink.

At "Shanty Town" there was an Episcopal Mission, very ably conducted by Rev. Mr. C——. The prospect of enforcing civilization was certainly discouraging, and in examination of the school, though it exhibited the highest proofs of the perseverance, and benevolence, of its conductors, left no room to doubt the entire failure of a scheme so dear to American philanthropists. It is not necessary to determine, whether the Indian is, by a rule of heaven, destined to reject forever the blessings of education and agriculture, but it seems plain that before he will secure them, his present feeling must undergo a radical change. If it arose from a mere want of ability, or simple indifference, a hope of ultimate success might be indulged. The condition of his intellect is sound, but the inclination of his mind is adverse. There is an affected stupidity, an obstinate resistance, in relation to the reception of all learning; an innate distaste to all mental application, which hermetically seals up the talent of the race. If by any fortune, they had fallen prisoners into the hands of the ancient nations, as the spoils of conquest, and their native indolence had been overcome by servitude and the lash, as with the Helots of Greece, a few generations would have resulted in an amalgamation of blood, an exaltation of character, and the heroes, the orators, and the admirals, of the subduing nation, would have borne the mixture in their veins. Perhaps the same result would not follow a course equally rigorous and unjust, if adopted between the American and the Indian. But an entire revolution is to take place in the tendency of their present career, if, a century hence, the only living monuments of the red race, east of the Rocky Mountains, shall not be the half-breed and his descendants.

As has been observed, the original white settlers of the valley of the Fox river were French. In point of refinement and enterprise, they were advanced a degree above the aborigines with

whom they intermarried. They are a very brisk, lively people, who dance, sing, drink, and run horses, in winter drawing a meagre sustenance from the soil and the fur trade. There are now, however, some very respectable and educated persons in that vicinity, of Indian and French parentage.

During this spring, the "British Band" of the Sacs and Foxes returned to their grounds on Rock River, in Illinois, which gave rise to a border war. The circumstances of this affair have been so variously stated, that it is difficult to come at the truth. An important matter, to be settled on the part of the United States, by the expedition, was at that time considered to be, the punishment for murders committed at Fort Snelling the fall previous, by a party of Sauks and Foxes upon a body of Menominees. The assailants, ancient enemies of the Menominees, came up the river silently during the night, and sprang upon the lodges so secretly that the sentinels of the fort, though within cannon range, had no notice of their approach till the butchery began. It was near day light in the morning, and the offending party escaped before a force could reach the spot. The Menominees were faithful friends of the United States, and considered themselves under their protection. Justice required the interposition of our government to punish the murderers, and good policy demanded that these two Indian tribes, full of the bitterest enmity, should not be suffered to wage war among our frontier settlements. The Menominees were restrained in executing their vengeance, and promised that the murderers should be obtained, and tried. The Sauks refused to deliver them up, a measure which of itself would probably have led to a conflict if persisted in.

In the meantime, the return of BLACK HAWK took place, and the Illinois militia made an attack upon him at the Sycamore Creek. The defeat of the whites at this place encouraged the Indians and exasperated the frontier men, putting an end to all hopes of an amicable arrangement. If this rash affair had not happened, there is very little doubt but a reconciliation might have been effected. BLACK HAWK was opposed to war. He had seen the pow-

er of the whites, but his young men had not. He was over-ruled by them, sustained as they were by NAHPOE the Head Chief, and the PROPHET,* who was a half-breed Pottawatamie priest of great influence. But when put at the head of their forces as the first War Chief of the nation, he determined to make the most of circumstances, and when General ATKINSON sent him a talk, urging him to yield without bloodshed, and stating "that his troops would sweep over them like the fire over the prairies," the old chief replied "that he would find the grass green, and not easily burned."

When the Sauks and Foxes had retreated as far up Rock river as Lake Koshkonong, the settlement at Green Bay began to feel apprehensions. The picketing of Fort Howard had become rotten, and much of it was removed. There were but two companies in the garrison, one of which left for Fort Winnebago about mid-summer.

Preparations were made for receiving the citizens and their property within the stockade, having been patched out, by horizontal timbers, across the curtains. There was very little cause, however, for alarm, surrounded as we were by Menominees, who could muster a respectable band of warriors, and only waited for permission to do so. But the settlement was kept in a state of anxiety, during most of the summer, by false news, business and travel being in a measure suspended.

During this year, no steamboat came to the Bay, and vessels

* As this page is going through the press, the noble portraits of BLACK HAWK, his SON, and the PROPHET, painted by ROBERT M. SULLY, have safely arrived, and been placed in the rooms of the STATE HISTORICAL SOCIETY. Those of NA-SHE-A-KUSK, or LOUD THUNDER, son of BLACK HAWK, and WA-PE-SHE-KA, of THE LIGHT CLOUD, better known as the PROPHET, are originals, taken from life, in May 1833, at Fortress Monroe, Old Point Comfort, Va.; and that of MAK-KA-TAI-MEH-SHI-KA-KA, or BLACK HAWK, is a copy from the original taken at the same time—the copy being deemed, in tone and execution, superior to the original. The countenance of the PROPHET indicates a malignant leer, which, with his dark massive locks, is in perfect keeping with his character; while old BLACK HAWK exhibits a noble, benevolent, intellectual physiognomy, so well befitting one of NATURE'S NOBLEMEN. There is nothing particularly remarkable in the appearance of BLACK HAWK HIS SON.

reached there but seldom. The troops under General Scott, who were expected to enter the country through this point, engaged most of the Upper Lake craft, and instead of proceeding by way of the Fox river, landed at Chicago. Under these circumstances time passed slowly.

About the first of September, after procuring horses and equipments, a stock of provisions, blankets, coffee, and liquor, a company of four took their departure for the Portage. The road since constructed between Forts Howard and Winnebago, not being then laid out, our route lay along the Fox river. The station we had just left, though sufficiently endowed by nature, had nothing in its then condition to cause regret on leaving it. Had the contrary been the case, the pleasant scenery of the river and the singular mixture of civilization and barbarism exhibited by the few people we saw; the unusual combination of valley and hill, of prairie and woodland, that distinguished the country, would have banished all regret. During the second day, we passed some most lovely situations on the banks of the river. The most romantic boarding-school miss never imagined a more enchanting display of nature. The country was elevated into rolling meadows fifty or sixty feet from the bed of the stream, and covered with scattered oaks, beneath which the coarse grass flourished in high luxuriance.

This river is obstructed by four considerable falls, beside rapids, but the only communication for goods, provisions, &c., to the military and trading posts in that quarter, is by navigation on this stream. At high water, a small river boat, of fifteen to twenty tons, is pushed against the current, till it comes to a fall, or "chute;" the cargo is here taken out until the "voyageurs" can force the craft up the rapid by main strength. In low water, it is with difficulty a bark canoe will swim. An Indian farm showed itself occasionally on its banks, but our path generally lay through a wild pasture, well stocked with the prairie hen. Near night we passed the "Little Butte des Morts," or *Hill of the Dead*, where the treaty of 1827

was held. It is a large mound apparently artificial, on the summit of which still stood the flag-staff of the American commissioners. The mound is reputed to contain the relics of departed warriors. Early in the day, we had crossed an open space of a few acres, where the Sauks once met the French in battle ; which contained several small mounds, but apparently the result of winds acting upon a light soil. We slept at a hut on the southern shore of Lake Winnebago, near where the Fox river empties into it. From the rapids below the Lake to the Portage, this stream is sluggish, and though crooked, is of sufficient depth for transportation of boats. It is rather a succession of shallow lakes than a continuous river, bearing the wild rice in endless profusion. This plant strongly resembles the southern rice in the kernel, and somewhat in taste, furnishing excellent food for ducks and Indians. Where the water is still, it comes up from a depth of ten to fifteen feet, extending above the surface, in a dense green mass, about as high as grown flax. In the fall and winter, the Indian pushes his canoe through it, and shakes out the seed over the gunwale into his boat. It also serves to shelter him in his insidious designs against the wild ducks, who congregate among it, and lay claim to what they wish to eat. After pushing our way in a flat through a thick growth of this vegetable, about two miles, we were on the opposite shore of the river, near the spot where the father of "GRIZZLY BEAR" is said to have lived, raised pumpkins and entertained the whites.

Here commences a low, rolling prairie that continued about fifty miles. The trail passed two Winnebago villages, one of which was called YELLOW THUNDER, from its chief. The Winnebago is the reverse of a Menominee. Tall in figure, haughty in his mein, proud of his nationality, and ever ready for war, he indulges in less drink and idleness than his neighbor, practices theft and murder, and repulses the advance of the white man. We had too often seen their treachery and duplicity, to be anxious to spend much time with them, and would have been quite willing that they had dispensed with following us out of the village on horseback.—

Though professedly friendly, they had acted as purveyors and spies to the Sauks and Foxes during the entire campaign. For this reason, they had been refused admittance into the forts at Green Bay and Winnebago, which apparently grieved them very much. But they only waited for a safe opportunity to appear as belligerents among BLACK HAWK's band, and if they had succeeded in entering Fort Winnebago, were to remain till an assault could be made from without, and join in the fight. The rations dealt out occasionally to friendly Indians, at the frontier posts by order of the government, were by them carried into the Sauk camp. Many of the murders charged to the latter, were actually committed by them, and particularly the cattle and goods so frequently stolen from the settlers by supposed enemies, were in truth appropriated by these professed friends.

We arrived at Fort Winnebago late at night, having made one hundred and forty miles in two and a half days. Fifty miles of this day's travel lay in a rolling prairie, over which a two-horse carriage travelled in company, although no road had been constructed. Nothing occurred to hinder the progress of a vehicle except an occasional marsh. On the right of our track lay at irregular distances the Fox river, and "Opukwa" or *Rice Lakes*, which were distantly seen as we rose the swells of the country. The garrison is at the portage between the Fox and Wisconsin rivers, on a handsome rise, overlooking the immediate valley of both streams. This valley is a meadow or swamp about half a mile across, over which the waters of both channels mingle in time of flood, floating boats from the valley of the Mississippi to the valley of the Lakes. Goods destined for posts on the Upper Mississippi from the east, are here carted across and committed to the current of the Wisconsin. This river has capacity for steamboat navigation, but is filled with moveable sand bars from the portage to its mouth.

From the fort there were travelled roads leading to the Mississippi at Prairie du Chien, or Fort Crawford, at the mouth of Fever River near Galena, and at other points. After two days rest, we

took the route for Galena by way of the "Blue Mounds." At the distance of about fifteen miles in a south-westerly direction, the traveller discovers that he has imperceptibly attained an elevation commanding the timbered valley of the Wisconsin, and from which the stockade and white houses of the garrison are distinctly visible. On the east and north-east the Baribou hills rise out of the flat woodland and stretch away northwardly towards Lake Superior. He stands upon an eminence of five hundred feet, sloping gently down on all sides, covered with waving grass. On the east and south as far as the eye can distinguish, he perceives a succession of similar hills, their rounded summits ranging irregularly around, not a tree, nor a stone, nor any fixed object, to be seen in the whole prospect. In the spacious valleys that intervene, millions of small flowers mingle their bright colors with the green of the meadows, chastening and ruralizing the scene. An excitable person would exclaim at the sublimity of such a prospect, having the grandeur of a mountain without its loftiness, and the command of the sea without its monotony. A painter would pass from the grand outlines and dwell with delight upon the beauty of its details.

It was through such a country, varied by a few small lakes, that we spent this day. We started a plenty of grouse, and frequently saw the deer quietly feeding on the hill sides, secure from our rifles in the distance. The sight of a prairie wolf was not an uncommon thing. This animal differs materially from the common wolf, being less in size, of a gray color, and wanting in speed. It feeds upon the mice and small animals of the low prairie, seldom assaulting the farm yard. He is less ferocious than the fox-tailed wolf, and may be soon overtaken with a fleet horse. Their uniform practice in regard to us, after running away at a moderate step a couple of hundred yards, was, to face about and examine the company. There were no Indians along the route. The Winnebagoes, following their established customs, had abandoned their allies after their defeat at the "Bad Axe" about four weeks previous, and were in pursuit of the fugitives who had made off northwardly during the engagement, towards the Sioux country.

At night we slept upon the ground occupied by a war-party of the Menominees a fortnight previous, on the banks of a clear little brook. The transparency of running water in the prairie districts, is a matter of general surprise. A glass of this liquid taken from Apple Creek, a stream about sixty links wide, which puts into the Mississippi from the east, twelve or fifteen miles below Galena, would not suffer by a comparison of its purity and clearness, with the water of Lake Huron. The war party had left a good supply of odd fire-brands and chunks, for the purposes of our cookery and evening comfort. They had beaten down the grass, making a smooth place for our blankets, upon which were deposited our bodies, after the Indian fashion.

This tribe, though not in a war-like mood, had become impatient of the delay attending the subjugation and punishment of their late murderous and ancient foes, the Sauks. They had collected their warriors at the Agency, three miles up the Fox river from Fort Howard, anxious to avenge themselves. Col. STAMBAUGH, the agent, had at length promised them, if the war was not ended by a certain date, that they might march under his direction to the Wisconsin and take part in the work of our troops. Their progress *en route* was about twenty miles a day, marching in a single file, which of course left a distinct trail upon the ground. Our own men made twenty-seven miles a day on foot over the same country. About sun-down the Indian soldiers would collect themselves at a convenient spot, generally near a thicket, and always near water. They build fires, and set up a row of posts or crotches in front, and lay poles from one to the other, as a protection against the enemy. After the evening meal, they frequently hold a dance about the leading chief, accompanied by a due proportion of songs, and threats against the foe. Then all compose themselves in perfect security about the fires, entrusting the guardianship of the camp to the watchfulness of their little dogs. Sentinels were sometimes persuaded to take post a few yards in advance; but they also betook themselves to their blankets, and slept till day-light.

It was now early in September, and everything conspired to nerve the system and animate the senses. The sky had not shown a cloud for many days; the air was cooled by an ever moving breeze; countless flowers shone in purple and gold about us, and wherever we chose to move, the ground was firm and smooth as a turnpike. A new and unmingled pleasure diffused itself through the company, of which even the animals seemed to partake.

The path wound around the northern shores of the Four Lakes, from which Gen. DODGE, with a band of mounted militia of the mining district, had lately driven the remnant of BLACK HAWK's force. The scattering trails of the retreating Indians were still distinct. Sometimes they would all converge into one broad and plain track, then again radiate in different directions, continually branching and spreading over the country, dwindling to a mere trace. This resulted from their method of travel, sometimes in a body, then in classes, these again subdivided, and so on, for the double purpose of deceiving their pursuers in regard to their true route, and also of dispersion and escape in case of attack. It proved one of the greatest annoyances and hindrances of the expedition. In the present instance, delay on the part of General DODGE became a matter of life and death. From April till the latter part of July, they had evaded the white forces. During this period, they had been driven but little over an hundred miles, that is, from the Sycamore Creek to the Four Lakes. Much of the time their exact position could not be known. They were now suffering by famine, and found it necessary to cross the Wisconsin into the timber country north of that stream, for subsistence. Probably there is not a known instance where attachment to a cause and to a leader has continued under circumstances of such discouragement. They were encumbered with women and children, and had been so closely watched for two months, that little opportunity occurred to fish or to hunt. They had lived upon roots, boiled grass, bark of trees, anything capable of sustaining life, before they would kill the horses upon which the squaws and papooses rode. They were now reduced to a state of utter starva-

tion, with thirty miles of country to be traversed, and the whites had discovered their camp-fires the night previous across a small lake. If they could cross the Wisconsin before an attack was made, the fish of the stream would furnish them a meal, and the river itself a protection. The militia were in motion at day-light, and within a few miles of the forlorn band. Along the trail lay the bodies of famished men, women and children; some dead, others helpless and exhausted to the last degree by fatigue and hunger. These wretched and worn-out creatures, if still living, were bayoneted upon the spot. The exasperated frontiersman now finding his victim within reach, imbibed the ferocity of his enemy, dealing instant death to every one that fell in his power. In fact, early in the season, Gen. ATKINSON had found it necessary to place a guard over his Indian prisoners, in order to save their lives.

An instance is known of a decrepid old man, to whom a loaf of bread had been given, and he suffered to depart. He had not passed out of hearing, when he was dispatched by the bayonet, and his food distributed among the murderers. At a fight near the Mississippi, just previous to the final action at the Bad Axe, a fine young chief about fourteen years of age, was taken, with silver bracelets on his arm. The militia-man who captured him was only prevented from butchering him on the spot, by a threat from a lieutenant of the regular service, that his own life should instantly answer for that of the prisoner.

In such plight were the fugitives, and with such a spirit their pursuers were rapidly approaching. The foremost of the mounted men fell in with the scattered divisions of the enemy about two miles from the river. The party attacked fought desperately. The mounted squaws, provided with rifles, joined in the engagement, and the main body succeeded in crossing, with the loss of about thirty. Their fate is well known.

On the second day we passed the foot of the Blue Mound. It is a high hill of regular ascent, overlooking the country, and serves as a beacon to the traveller thirty miles distant. At night we slept in a Block-House in the mining district. Within sight of the sta-

tion, a newly made grave lay at the road-side in the midst of a solitary prairie. The person over whom it was raised had ventured too far from the house, and approached a thicket of bushes. Suddenly a band of concealed Indians sprang upon him, with the fatal whoop on their tongues; his scalp, heart, and most of his flesh, were soon stripped from the body, and a savage dance performed about the remains.

The country is still prairie, with scattering tufts of inferior timber. The huts of the miners had been deserted on account of the difficulties now terminated, and the business of making lead was about to re-commence. Occasionally a farm might be seen running out from an island of timber, and supplied with comfortable buildings. But most of the improvements were of a temporary nature, consisting of a lead furnace and the cabins adjacent. The process of reducing lead ore is very simple and rapid. The furnace is a face wall, about two feet thick, located upon a gentle slope of the ground, with an arch or passage through the center; on each side of the arched opening, and in the rear or up-hill side, two wing walls run out transversely to the face wall, between which the wood is laid. The ore is placed upon it, and a continual fire kept up. The lead gradually separates from the dross, and runs into a cavity in front of the arch.

The "Mining District" east of the Mississippi, must include ten thousand square miles. Galena or lead ore is found in veins or threads, more often in a square form, of various sizes, and running in all directions with the horizon. They are liable to disappear suddenly, to enlarge and diminish in size, to combine with other materials, rendering the operations of mining very uncertain. Their course is generally straight and not curved, seldom exceeding a foot in breadth. The analysis yields 85 to 90 per cent. of lead, of which the first smelting of the furnace extracts about 75 per cent. It requires skill and experience to discover the vein, but very little of either to work it when discovered. The limestone formation of Green Bay and Lake Michigan extends to this region, embracing copper ore at "Mineral Point," and at other

places. At this time the government leased the ground to practical miners, who rendered a proportion of the product in kind. In consequence of the derangements of the times, although the supply was small, lead was then dull at three cents per pound. The supply appears to be inexhaustible. In one respect, this region differs from the mineral regions of other countries. There are but few veins that justify a pursuit to great depths, and although they are very numerous, the pits and trenches are easily filled up, and the rich soil left capable of cultivation. The great drawback upon the agricultural prospects of the Mining District, arises from the consumption of the little timber that grows there, in melting the lead. How long the presence of this mineral has been known, and its value understood, is not exactly known; but there are mines which were worked by the French, soon after they ascended the Mississippi. The Indians could scarcely have found use for it before the introduction of fire-arms among them.

Arriving at Galena, we found the place crowded with people. The mineral riches of the Dubuque country were well known, and it was expected that General Scott would secure the title to a considerable tract west of the river, including the richest mines.—The negotiation was still pending at Rock Island relative to the purchase. Thousands of adventurers lined the eastern shore of the Mississippi, ready to seize upon the possession and pre-emption rights in the new territory the moment they became perfect. In this case as in many others, guards of soldiers were necessary to keep the whites from taking unlawful occupancy of Indian lands. It has become fashionable to abuse the government for its conduct towards the red man. My observation has, on the contrary led me to admire rather than to condemn the folly and practice of the Federal authority in this respect, believing, that in general, its magnanimity, kindness, and protection, demand the lasting gratitude of the Indian race. But with the frontier settler it is otherwise. The wrongs of the Indian are individual, not national offences.—When the pioneer crosses the boundary line agreed upon by the two people, through their proper agents, he is a trespasser, and his

life taken within their jurisdiction is not cause of quarrel, if he persist in usurping occupation. We may admire his enterprise in pushing forward beyond the range of his fellow-men, but must condemn that morality which allows a forcible seizure and detainer of property to be right. Parties of men, such as locators and surveyors on Indian ground, may be considered beyond the protection of the government, and if killed while persisting in maintaining possession, contrary to the will of the owners, their loss is not the subject of retaliation. But beyond the lines mutually established, the red man ought not to push his revenge, and the early massacres within the acknowledged limits of our jurisdiction, made it a duty in the government to preserve the integrity of its territory. Murders committed by whites upon Indians, either in their own country or otherwise, have been the crying enormities result-
gin from the contact of civilization with barbarism. If it can be shown that our authorities could have prevented these individual outrages of its citizens, it will then be connected with the primitive encroachments of one race upon the other. That it should enforce agreements and cessions, entered into in good faith, and retain territory acquired by just war, can scarcely be considered a national sin. Is the government of the United States in fault because the Aborigine is unable to secure his own territory against individual intrusion?—or because, in his thirst for whiskey and baubles, he chooses to barter his patrimony for a drink or a bead? The intelligent Indian himself draws a distinction between the official acts of the nation, and the unauthorized proceedings of traders and speculators. On the part of the former, they have to acknowledge that they have been permitted to occupy grounds long after they had agreed to depart; that their dissatisfaction with compacts was not shown till after the presents were received, and sometimes not until after payment had been made; that the compensation has been faithfully tendered, and implements,ⁿ schools, and artisans provided free of expense. They would be forced to admit, that gratuities and presents, above the stipulated price, have been bestowed to purchase peace, and to obtain the fulfill-

ment of their previous engagements; and to acknowledge, that after the receipt of the increase, they still forced the United States to war to obtain what they had bargained and paid for.

The fate of the Indian cannot fail to raise a deep sympathy in the mind. But to maintain that it is not the duty of the government to secure, by all upright means, the title to those lands, is equivalent to the proposition that the earth was designed to produce game, and not the bread of life, to sustain but one human being upon a square mile capable of maintaining one hundred.

The case of the Sauks and Foxes has been recently quoted, as a strong instance of the injustice practised by the American nation, upon Indian tribes. The assault upon BLACK HAWK at the Sycamore Creek, was the act of frontier men under arms; and if acting under any authority, derived the same from the Executive of Illinois. It was the result of a border feeling, which permits the destruction of an Indian upon the same principle that it does the wolf. No murders had been perpetrated upon the whites, or other acts committed that called for summary punishment. The attack was a rash and unprovoked affair. But it is equally true, that the party assailed were in force in a country they had ceded to the United States, and had agreed to abandon. After this transaction, General ATKINSON, who commanded the regular troops assembled upon the Mississippi, made every effort to induce them to return peaceably, and confine themselves to the territory allotted them, and accepted as their home. Their prompt refusal left no alternative. The generalship of their chief prolonged the contest five months, without any offers of surrender on the part of BLACK HAWK and his brave band. They resisted until starvation and force compelled them to do that which had been urged upon them from the outset, to retreat towards the Mississippi. When at last overtaken upon its banks, reduced in numbers, emaciated by hunger, worn down by incessant toil, they still fought with their little remaining strength, till their force was either killed or captured. It is also to be recollected, that this band had always been among our opponents in war, when an opportunity

occurred; always attached to the British interests, and received British presents. They were taken as prisoners by military force, arms in hand, fighting to the last, and breathing vengeance in the prison after their capture. Undersuch circumstances, what rights were left this people, as a tribe or nation. Their miraculous attachment to their chief, and to each other; their wonderful endurance under hardships and privation; boldness, skill and bravery in fight, must command our admiration. But their political rights, which might have been retained by complying with the offered terms, were lost by resistance and conquest.

The treatment of BLACK HAWK and other prisoners, has often been matter of animadversion. Of all the men, women and children captured by our regular troops, only eighteen were put in confinement. These constituted the influential men of the tribe, who never flagged in their efforts against the government. BLACK HAWK, it is true, from motives of prudence, being well cognizant of our power, was in favor of peace. He was also an Indian who had a sense of honor, as well as policy; a man in whom those who knew him confided. But he had exerted all his influence and skill against us in the campaign just closed; and however patriotic towards his own people, he was decidedly a dangerous enemy of ours. WISHEET, one of the chiefs in confinement, continued to fire his rifle from behind a few logs, till he was secured and sent to the rear; and his only regret, during confinement, seemed to be that he had not been able to kill more whites. The enmity of the PROPHET is well known. NAHPOPE, the ruling chief, was only second to WISHEET in his fury against the white man, and always counseled for resistance. The two sons of BLACK HAWK were perhaps less harmless in the forests than in the cities, but their detention ensured the good conduct of the father and tribe. With the exception of BLACK HAWK, they spent their time at Jefferson Barracks, with a ball and chain on one leg—a precaution, the necessity of which was never doubted by those acquainted with the circumstances. That personage, fond of multiplying his wrongs, has charged us with loading chains upon him during his detention

upon the Mississippi. I am unable to say in what condition he was brought from the Sioux country, when he was taken to Jefferson Barracks, where he was lodged in the guard-house with his confederates. But late in the period of his confinement at that post, he had not been shackled, as I was informed by those on duty at the time, having faith in his pledged word not to escape. Four of the eighteen were transported to Fortress Monroe, from which they were soon liberated, and escorted to their homes, where they met their fellow prisoners, and such of their brethren and sisters, as had survived the war. Their band was merged in that of KEOKUCK, and their nationality forever gone. There remained, however, life, hunting-grounds, and annuities, as before.

Galena lies about seven miles east of the Mississippi, on the north side of Fever river, up which stream boats come to town in high water. Block houses against Indians were standing on the heights overlooking the place, which may have contained 2000 inhabitants. It had all the business air of an old place, though sadly deficient in cleanliness and comfort. The quiet of its people was again most completely destroyed by the appearance of the Asiatic cholera, the night previous to our arrival; and the first victim, a young lady, was borne along the street on a bier, as we entered.

APPENDIX No. 6.

LEGEND OF THE WINNEBAGOES.

COMMUNICATED BY R. W. HASKINS ESQ. OF BUFFALO N. Y.

INTRODUCTORY NOTE.—The history of the Legend, so far as I am connected with it, is as follows: In September, 1829, I was one of the proprietors and editors of the *Buffalo Journal*. At that time, Mr. PLINCY WARRINER, who was just from the country of the Winnebagoes, was spending some time in our then village. He made my acquaintance, and related to me many of his western adventures, and among others this one, which interested me so much that I wrote it out from his oral narration, aided by his imperfect notes. He assured me that he had added absolutely nothing to the literal facts as they actually occurred, and in reducing his statement to print, I adhered strictly to his narrative, without embellishment, which, as here communicated, appeared in the *Buffalo Journal* of Sept. 15th, 1829.

R. W. H.

The following communication of "PLINCY" will be read with interest. The singularity of the narrative itself, and the still more singular circumstances of its relation—detailed, as it was, to our author, while seated upon the top of a monumental pile, in the midst of a trackless forest, by one whose aged heart still clung to the past and bled at its recollections of fallen greatness—conspire to clothe the whole with more than ordinary novelty.

LEGEND OF THE WINNEBAGOES.

Early in the spring of 1828, it will be recollected that one of those border wars which so often rage along our western frontiers,

broke out between the Winnebago Indians and the adjoining settlements. At that period it was my fortune to be within the Indian territory, seeking my way through the pathless forests that divide the Portage of the Ouisconsin from the settlement of whites at Green Bay. The cause of the rupture alluded to was the murder of a man by the name of *Bomer*,* who was found dead in his own house, the body bearing evident marks of violence. The murders perpetrated the preceding summer, by the Winnebagoes, on the Mississippi, immediately fixed suspicions upon their tribe, in this instance; and although the deed was subsequently traced to the partner of Bomer, a white man, yet the resentment of the miners for a considerable time carried on a most desolating crusade against these sons of the forest. Those not prepared to repel the invasion, which was wholly unprovoked, and equally unexpected, were driven to seek safety in flight. A company thus fleeing to the deeper recesses of their native forests, I fell in with, upon the journey I have mentioned. The party consisted of about forty persons, principally women and children, led by an old man whose locks were bleached by the frosts of some eighty winters. He was a chief, and he designated his little band by the collective and endearing appellation of "*my family*." After the suspicions which the colour of my skin had roused were allayed, the old man approached me, and his cordial shake of the hand, his proffer of the lighted pipe, and a portion of his jerked venison, gave me every assurance that I had met a friend. Our courses lay in the same direction, and we proceeded together. On resuming our march, the countenance of the old chief, which had been animated, sunk and became dejected. At times a tear stole silently down his furrowed cheek; but when a murmur escaped the lips of any of his band, it was checked as soon as articulated, by a glance that could not be mistaken. As these were all uttered in the Winnebago language, which no white man ever understood, I knew them only to be words of grief.

* John Bonner.—See *Niles Register*, Vol. XXXV, p. 151.

After travelling several hours across a beautiful prairie, we approached a lake, the bank of which was adorned with a few large trees, and its shore presented a series of regularly ranged mounds, conveying to a distant eye the appearance of a formal town. On entering the cluster of these, each individual, in turn, ascended quite to the top of the highest, preceded by the aged veteran, where he first turned his face to the sun, (which was low in the west,) then towards the Mississippi, and making a violent motion with the right hand, as if wielding the tomahawk, he ejaculated a few words in his native tongue, and immediately rejoined us by the path he had ascended. The nature of this mysterious rite I was anxious to understand. My questions to this point, however, were carefully avoided for some time, until a small present overcame the scruples of the chief, when he accosted me in the Chippewa language thus: "My friend, no white man ever saw the Winnebago ascend that mound before, nor has one of our tribe ever disclosed to the whites the origin of the mounds you see around us. You are the Indians' friend—if you were not, you would not trust yourself with me when your brothers are hunting my children like the wild deer of the prairie. You have smoked with me the pipe of friendship, and I will tell you all." He then took me by the hand, led me to the summit of the principal mound, and bade me sit down. I drew forth my writing materials to assist my memory, but my guide exclaimed, "no, no, you must not—paper tell every body: paper lie too: you remember enough." I should here observe that the Chippewa language is the classical tongue of all the North Western Indians and traders, and the one through which all their intercourse is carried on. In this tongue, with which I was acquainted, after we had each taken a whiff from his long pipe, he thus began:

"My friend—the Winnebagoes are not like other men. They came not from the east; they are the only children of the Great Spirit. He put them on one side of the great waters (Lakes), and his two great lights on the other. He gave us the buffalo, the moose, the elk, and the deer, for food, and their skins he taught us

to use for clothing. He filled the waters with fish, and covered the land with choice fruits. All these he gave to us; and he marked with his finger between us and the great lights, that we might not approach them. Upon the other side of us he placed a land of winters, where no Indian could live. After this the Long Knives (English) came, not as enemies, but as friends.—They took our bows and gave us guns, for our skins they gave blankets and calicoes, and they gave strong drink to our hunters. They enticed away the young squaws, and when the Winnebago went after them they would not come back. Soon the hunter got lazy, love strong drink, and die. Many, very many die so. Then it was that the Great Spirit told his oldest child, the great chief of the Winnebagoes, in his sleep, to leave the country to the Long Knives, and cross the great water to a land nearer the great lights, where no white man had gone. We went forward, found a good land where this river (Fox, which enters into Green Bay) goes into the great water. For two moons we found plenty of game, and saw no Indians. We thought the Great Spirit had taken them all away to make room for his children; when one morning we found the river full of canoes and Indians for one day's ride in length. Our chiefs and old men held a talk, and a canoe was sent to the strangers with as many men as there are moons in a year. They carried presents of wampum, fruits, sugar and meat. These never returned. Their pipes of peace were thrown into the river, and their mangled bodies were hung upon the trees. Dogs were fastened in the canoe dressed like the Winnebagoes, and the bark, with these, came down the river to our villages. Our good chief seeing the tears of his warriors for their friends who were slain, struck his foot in wrath upon a solid rock, which sunk it to his ankle, and called his father, the Great Spirit, to witness that the tomahawk be unburied with the Foxes, Sacs, and Chippewas, until a tree should grow from the place where his foot then stood. He then burnt a council fire in sight of his enemies, and put blood upon the trees that they might see more was soon to be wasted. When they saw this, they fled up

the river to Winnebago Lake. Our warriors followed—a battle was fought on its banks, which we lost, as part of our fighting men were deceived in the long grass by their guide. The Winnebagoes being swiftest on foot, gained this spot before the evening. It was then the enemy's town, and they soon came, with their prisoners, little thinking we were here. Finding us in their town they kindled their fires upon all sides, and sent in word that the next day they would eat the Winnebago chief. With the dawn the fight began. We soon drove the Foxes down the river, but they went round and joined the Sacs, who were above us. The rest of that day all was quiet, but the next night, at the rising of the moon, they again came out from their hiding places. This fight did not stop for three days; and we lost ten men for each day and night of the year, before it was ended. On the third day our chief fell, covered with wounds. While he still lived, he called to his warriors to remember his wrongs; and, with his own hands he pressed the blood from his wounds, which he gave them to strengthen their hearts. He lived to hear the cries of his enemies as they fled, and then, under this mound, where he lay, he opened his mouth, and his spirit departed. In that battle the Winnebagoes kept the town, took many hundreds of canoes and many prisoners. These, except the young squaws, we killed. Those that escaped fled up the river, and the next day we pursued them. We came to the lake which makes the Fox river, and hunted for our enemy three days. Thinking the Great Spirit had taken them all from the country, to stop our pursuit, we were about to obey his wishes and return, when we discovered a trail in the high grass. This we followed a little, when we came to a strange river (the Ouisconsin,) running towards the Father of Rivers, (the Mississippi,) into which they had put their canoes. We now agreed to follow and fight our enemy, until he should leave this stream, and cross the Father of Rivers. At the Blue Mounds we fought them; and there we were joined by the Pottawatomies, and they by the Menominites. At the mouth of the Ouisconsin they made mounds, and put their women and children behind them, for they expected a

great battle. The Winnebagoes had more fighting men than their enemies, but they fought for the last of their country, and the Winnebagoes for revenge. For thirteen days the bloody strife did not cease, and hundreds of brave men fell on each day. At length the Great Spirit raised a loud storm of thunder, lightning, hail and wind, which caused both parties to stop, for they thought the Great Father of all was angry with his children. The Winnebagoes stood still, and their enemies all crossed the Father of Rivers, where they now live, at eternal war with our nation. No Fox or Sac meets a Winnebago, (except in council,) but one must die. All that great land between the Ouisconsin and the Mississippi is to this day disputed ground, and neither can safely occupy it. Chippewa or Winnebago go there, he die—but no matter, Winnebago, Chippewa, Fox and Sac, all have country enough now. Sixty winters have passed over us since my father, who was then strong, told me of these deeds of our nation. But, my friend, the Winnebagoes are not now wise. Once they had many thousand fine warriors. But every year we grow smaller. Too much our young men go into the white man's house, and strive to live like him. They drink strong drink, and soon die. Traders buy our skins, and give us strong drink, calico and beads, which are not good for Indians. The skins of our game we want for clothes, and we could raise corn for ourselves were we left alone; but soon, my friend, we shall be no more. A few short years and our nation will be unknown. Then, when the stranger shall pass along here, and look upon the scenes of so many battles that have been won by the only children of the Great Spirit, and shall call out, upon every hill, *where is the Winnebago?* echo alone shall answer from the west—“*where is the Winnebago!*”

“Our enemies, the Sacs and Foxes, have grown strong, and could now destroy us. They have shunned the ways and the haunts of the white men, and their people have multiplied. Their nations are large, and their warriors healthy and brave; while the forms of our old men are wasted with age, and our young men are drunkards, like the whites. Our young squaws have be-

come the companions of traders and boatmen, and our families are broken up. We are surrounded upon all sides by white men, save one, and on that, live our sworn and eternal enemies. We have but one recourse left. We own the land where the two rivers run different ways, (the Portage of the Fox and Ouisconsin rivers,) and to that we must now fly. When that is gone, the Winnebago will have no hope—and he will no longer ask to live.”

Here the veteran chief ended his harangue, and seemed much affected at the deplorable, though just picture, which he had drawn of his nation. My sympathies were roused, and I felt, for once at least, as became a philanthropist—compassion for the stoic of the forest, and shame for the treatment he had suffered at the hands of my nation. But the object of these mounds, and of the rites observed upon their tops, I had not yet learned, and when my aged chronicler had roused himself from his melancholy musings, I repeated my inquiries upon these points. He paused for a moment, and answered thus: “My friend, this place was long since called, by white men, ‘*Bout de Morte*.’ * The mounds you see were raised, each over the grave of some renowned chief, who fell in the great battle here. By a custom of our nation, every Winnebago who comes in sight of this mound upon which we are now seated, must ascend to the top, and observe the rites you witnessed. When turning to the sun, we swear that our arm, while it has power, shall be exerted in defence of this land, in remembrance

* Literally, *Heel-piece of death*. The French phrase used by the chief must have been introduced, probably, by the French Jesuits, to translate the Winnebago name—a name that seems to have been given to the spot from the shape of the shore, resembling a human foot, at the *heel* of which the mounds are situated. Hence it was the heel, or heel-piece—and the consequences of the battle fought there would readily suggest the remainder.

[This definition is probably erroneous, owing, perhaps, to Mr. WARRINER misunderstanding the pronunciation. Instead of *Bout de Morte*, it is universally referred to as *Butte des Morts*, or *Hill of the Dead*—where the slain in battle were buried. A battle was here fought in 1714, between the French and Outagamies or Foxes, which is noticed by CHARLEVOIX, WYNNÉ, and other early historians, and in Gen. SMITH’s Hist. of Wisconsin.—L. C. D.]

of the son of the Great Spirit who sleeps below; and when facing the Sacs and Foxes, we swear ever to remember and revenge the death of the best of Chiefs, the favorite son of the Great Spirit, who fell by their hands."

PLINY.

APPENDIX No. 7.

EARLY TIMES IN WISCONSIN.

WRITTEN BY H. A. TENNEY, IN 1849.

Early times—Indian disturbances—first permanent white settler within the limits of Dane county—Blue Mounds Fort—savage massacres—Sauk war—location of Madison, &c., &c.

The incidents of the early settlement of our state, however unimportant in a national point of view, are worthy of being treasured up for the remembrance of posterity. But few of these hardy and daring men who came into the country many years in advance of the present population, now remain among us, and the little circle is rapidly contracting. It belongs to this generation and our time to collect together the personal history, experience, and adventures of these worthy and veteran pioneers, and preserve it as a very essential and interesting part of our local annals.

One of these earliest comers to the south-western part of the State, was EBENEZER BRIGHAM, of Blue Mounds, the oldest and undoubtedly the first permanent settler within the present limits of Dane county—a man of rare modesty, unsullied reputation, possessing a strong and retentive memory, and who is really a living history of the “life and times” of the very first white settlers. We have never been able to induce him to write out a sketch of those early times; but having got him fast by the button-hole a few days since, we took the occasion to jot down some

items, which we serve up in our own way, in connection with other matters, trusting that more complete details will be obtained, of which he has a large fund, and that the reader will bear in mind the admonition he gave us, not to make him the hero of the tale.

Mr. BRIGHAM journeyed from Worcester, Mass., to St. Louis, in 1818. The Upper Mississippi country was then almost unknown. Beyond the narrative of PIKE's Expedition, and the somewhat vague reports of hunters, boatmen, and a few lead diggers about Dubuque, the public possessed no reliable information, and felt little if any interest. It was regarded as a wild region filled with hostile savages, and very few were willing to trust themselves among them. In 1822 Mr. B. followed up the river on horseback, to the present site of Galena; the place then consisting of one log cabin, and a second one commenced, which he assisted in completing. Shortly after he returned to Springfield, the present capital of Illinois, the young city then containing four or five cabins. In '27 he again returned to the lead region for the purpose of embarking in the business. With a small party he pitched his tent on what is now called the Block House Branch of the Platte river, about four miles south of the present village of Platteville, for the purpose of prospecting. From this point the party retreated in some haste to Galena, owing to the commencement of hostilities by the Indians.

As the particulars of this outbreak are not generally known, we digress a little to give a few of the leading facts.

Gen. CASS had made an appointment to meet the Winnebagoes at Butte des Morts. On the day fixed for the council, not an Indian appeared. Alarmed at this, and other hostile signs, he rapidly descended the river to Prairie du Chien, where the people had all taken shelter in the garrison, and where he heard of an attack on a government boat, which had been up the river with supplies for the garrison at St. Peters, a short time previous. Hastening immediately to Galena, he notified the citizens of their danger, and advised them to build block-houses for their protection.

The boat alluded to, had already reached Galena, and as the fight shows some of the perils of river navigation during those early days, we give the particulars in brief. In descending, the boats had to pass a narrow place between an island and the main shore. The Indians, several hundred in number, had stationed themselves on both sides, and had also prepared canoes to board, if necessary. The forward boat was suffered to pass unmolested; but when the second came within reach, it received a discharge from the whole force, killing one man and wounding another. The fire was returned, but with little effect, as the crew were in a very exposed and awkward situation. In this position of affairs, an attempt was made to board, and a strapping warrior jumped on to the stern, seized the tiller, and set the vessel ashore, but not till after a bullet struck him dead. At this juncture an Irishman of the crew, familiarly called "*Saucy Jack*," jumped ashore, and, amidst a shower of bullets, shoved it off, and escaped unhurt, the boat proceeding without further molestation, carrying off the body of the ambitious Indian, which was left at Galena. The sides of the vessel, the boxes, &c., were riddled by over three hundred bullet holes.

This was a period of great suffering at Galena. The weather was inclement, and two or three thousand persons driven suddenly in, with a scant supply of provisions, without ammunition or weapons, encamped in the open air, or cloth tents which was but little better, were placed in a very disagreeable and critical position.

From Galena, Gen. CASS proceeded with the utmost dispatch to Jefferson Barracks. A large force under Gen. ATKINSON immediately came up the river in boats, as far as the Portage (Fort Winnebago) Generals DODGE and WHITESIDES with companies of volunteers following along each side on land, and scouring out the lurking savages. A force from Green Bay also concentrated on the same point, and the Indians beheld with dismay a formidable army in the midst of their country. The result was a treaty of peace, and the giving up of RED BIRD, who had a year previous massacred a family near Prairie du Chien.

The reports made by the officers and men, on their return from this warlike expedition, first drew public attention to the unbounded fertility and exhaustless resources of south-western Wisconsin—and their return was followed by a large immigration to the lead region.

It was while this force was on its march, that Mr. BRIGHAM and his party returned and built a block-house at the point they had left, and recommenced their diggings.

In the spring of 1828, he removed to Blue Mounds, the most advanced outpost in the mines, and has resided there ever since, being by four years at least, the oldest white settler in the county. The isolated position he thus settled upon, will be apparent from the statement of a few facts. The nearest settler was at what is now Dodgeville, about twenty-four miles distant. Mineral Point and most of the other diggings where villages have since grown up, had not then been discovered. On the south-east, the nearest house was on the O'Plaine river, twelve miles west of Chicago. On the east, SOLOMON JUNEAU was his nearest neighbor, at the mouth of the Milwaukee river; and on the north-east, Green Bay was the nearest settlement—Fort Winnebago not then having been projected.

The country at this time was part of Michigan Territory. The northern boundary of Illinois was so vaguely defined, that the diggers on the Mounds voted at the Shullsburg precinct for congress men for the Sucker State. Soon after locating at this place, Mr. BRIGHAM visited Green Bay in company with others, to attend an Indian council, in order to settle on certain boundaries between the whites and red men. The line fixed upon was drawn from the head of that branch of the Blue Mounds creek that heads east of them, to that branch of the Peckatonakie that heads east of the Mounds, and down these streams to the Wisconsin and Rock respectively. The Indians blazed the trees along this line, notifying the whites not to pass it—a prohibition about as effectual as the whistling of the wind.

To explain the reason for this treaty, it may not be amiss to look back a little at some matters of diplomacy connected with the natives. Some time between the years 1814 and 1818, (we have not the documents at hand,) some tribe ceded the lead region to the United States. As the real owners refused to be bound by it, Governor EDWARDS, of Illinois, as Indian Agent, was directed to cede it back again. In doing this, he reserved three leagues at Prairie du Chien, together with such other tracts as the President might select, not in all exceeding five leagues. This is the substance of it as we gather from report, not having time to hunt up the treaty; but under it the War Department allowed locations in tracts of 200 yards square, and if the miner found no mineral within his stakes, he pulled them up and set them down again at such places, and as often, as he pleased. The effect thus was, that the whites took possession of pretty much the whole mining region. It was in consequence of complaints growing out of this construction of the treaty, that the council was held, and the new boundary agreed upon.

In 1832 the Black Hawk war broke out. The Winnebagoes were professedly friendly, but it was evidently a kind of friendship not to be relied upon in case of a reverse to the whites. To guard against surprise, Mr. B. and his neighbors built a block house in a very commanding position on the prairie near the Mounds, called "*Blue Mounds Fort.*" Into this the following persons withdrew, and kept up a regular guard day and night, about three months, to wit: Ebenezer Brigham, Thomas McCraney, Esau Johnson, John C. Kellogg, Jeremiah Lycan, George Force, Emmerson Green, William Auberry, Jonathan Ferrall, John Sherman, Hugh Bowen, Jacob Keith, Alfred Houghton, — Houghton, John Dalby, James Collins, William Collins, Moses Collins, Harvey Brock and French Lake.

After STILLMAN's defeat in May, the Sauks spread rapidly over northern Illinois, for purposes of massacre and plunder. The murder of the families of MESSRS. PETTIGREW, DAVIS, and part of that of Mr. HALL, in La Salle county, is generally known, and of no far-

ther importance here, than is connected with the giving up of the two captives, (Miss HALLS.)* It seems that the murderers immediately fled northward, following up Rock river a number of miles, and finally put their captives into the hands of the Winnebagoes, it is believed, for safe keeping, for the purpose of securing better terms of peace with the whites. News of the event was expressed to the Mound, and a reward of \$2000 offered for the two captives. Word was sent to WHITE CROW, who with his band was encamped somewhere about the First Lake. The result was, that next day the Indians came to the Fort and gave them up—and they were returned to their surviving friends—the reward, doubtless, in the estimation of the Indians, outweighing the obligations of friendship.

A day or two after the departure of these captives, WILLIAM AUBERRY was murdered at a spring near Mr. BRIGHAM's present residence, by the Winnebagoes. He was shot from his horse, and such valuables as he had about him were carried off. The assassins escaped punishment.

About twenty days after, GEORGE FORCE and EMMERSON GREEN, while out on a scout, were set upon by a party of sixty or seventy Sauk warriors, in view of the fort, and both killed.† Had the Indians not stopped about half an hour to dance around and mangle the bodies of their victims, the little garrison must have been destroyed, as, owing to a feeling of security, only six were left in the

* The narrative of these captives is one of the most harrowing incidents of the war. On the 21st of May, 1832, the families of Messrs. HALL and PETTIGREW were assembled at the house of WILLIAM DAVIS, in Indian Creek settlement. The first intimation they had of danger was the sudden appearance at the gate of some seventy savages, who rushed into the house and butchered all its inmates, men, women, and children, to the number of fifteen—sparing only these two sisters, who were taken captives, and delivered up as above stated. They were well treated, aside from the hardships of their rapid journey. It seems scarcely possible at this day, that such tragedies were enacted in this country only about seventeen years ago.

† AUBREY was killed June 6th, and FORCE and GREEN on the 20th of that month. See SMITH's HIST. WIS., i. 272, 276.

Block House at the time. The delay enabled them to get ready for a desperate resistance, and the warriors, after capturing the horses of the slain, made off, without daring to assault the fort.

To follow up the events of this war : The army had moved up as far as Fort Atkinson. Getting short of provisions, Col. DODGE, with several companies, was sent to Fort Winnebago for supplies. On his return, he struck off towards the Rock river rapids, in order, if possible, to get scent of the Indians. He struck on their trail east of the Crawfish, and immediately gave chase. He followed directly west, crossing the Catfish near where the present bridge stands, on the eastern confines of Madison, thence over the hill, and across the ground now occupied by the capitol and public square. At the head of Fourth Lake he found an encampment they had left not many hours previous. Pushing on some eight or ten miles, they overtook and killed an Indian,* and at the crossing a little below Sauk Prairie, they came up with the main body. A battle immediately took place, in which fifteen Indians and one white man were killed, and numbers on both sides wounded. The battle of Bad Axe and surrender of BLACK HAWK, soon after closed the war.

In these details we have confined ourselves as nearly as possible to occurrences within the limits of Dane county. Our friend BRIGHAM claims nothing on the score of military service, although taking an active part in the "rough and tumble" of the times. In 1836 the territory of Wisconsin was organized, embracing the present State of Iowa, and the north-west territory. He was

* WILLIAM FORCE, one of the garrison who was massacred, had a heavy gold watch, by which the hours of standing guard were regulated. At the time he was killed it was in his pocket, and was taken—his body and limbs being chopped in pieces, and scattered about on the prairie. A short time after the fight at the ferry, WALLIS ROWAN, who was a trader residing at the head of Fourth Lake, was out on the trail, and picked up five or six Indian saddles, the horses having given out in the retreat. On coming up to the body of this savage, he found the prairie fire had passed over it, consuming his pack and clothing. The watch of FORCE was found in the ashes, and identified by Mr. BRIGHAM a day or two after. ROWAN kept the watch over ten years before finally parting with it.

elected a member of the first council—the session being first held at Belmont, and the second one at Burlington, Iowa. The district at that time consisted of the territory embraced in the present counties of Grant, Iowa, Lafayette, Green, and part of Dane. He was re-elected to the same office in '38, and held four years. The district then consisted of the counties of Dane, Green, Jefferson, Dodge and Sauk. His last election to the legislature, was at the first session under the state constitution—the district being some dozen or sixteen towns.

In the twenty odd years of Mr. B.'s residence in this region, what wonderful changes have passed before him! For several years after his coming, the savages were sole lords of the soil. A large Indian village stood near the mouth of Token Creek; another stood on the ridge between the Second and Third Lake, in plain view of our present location; and their wigwams were scattered all along the streams, the remains of their gardens, &c. being still visible. Then there was not a civilized village in the state, of any considerable size. When the capitol was located here, he was the nearest settler to it—twenty-four miles distant! He stood on this ground before its selection as the seat of government was thought of, and from the enchanting beauty of the spot predicted that a village would be built here. Fort Winnebago was commenced in 1828, under the superintendence of Maj. Twiggs and Col. Harney, and the protection it afforded greatly promoted and extended immigration. The in-rolling flood has now reached 300,000—hundreds of villages have sprung up—and every thing has changed. From being himself the sole population of Dane, he now counts but one in 16,000. Nothing remains of the Indians but their graves. He has seen a savage people pass off the stage, and a civilized one come upon it—and all with a rapidity which must appear to him like a dream.

We have thus imperfectly sketched some of the incidents in the life of the first settler in Dane, with a brief statement of some of the leading events which have passed in review before him. Although gray hairs cover his head, he still enjoys robust health,

and his straight form and elastic step show that age sits lightly upon him. We are inclined to attribute his exemption from the common ills of life to the fact, that he never sought an office, or sent a hungry man from his door without food. He has a large fund of valuable local history, with anecdotes of "lang syne" worthy of being preserved for future times. Altogether he is a noble specimen of the gentleman of the olden time, with a reputation as favorably as it is widely known. The people of this county without distinction of party, we know will all unite with us in wishing him many years yet of health, prosperity, and happiness.

Madison, Nov. 20, 1849.

APPENDIX No. 2.

SKETCH OF CALUMET COUNTY.

BY THOMAS CAMMUCK, OF THE BROTHERTOWN INDIANS.

Although the history of Calumet county may be found less interesting than that of her more wealthy sisters throughout our young, flourishing and prosperous State, yet, such as it is, I very cheerfully communicate it to you.

I think it was not until the year 1840, that Calumet county was first set off, and organized for judicial purposes.* Previous to that time, what now constitutes Calumet, was recognized as a part of Brown county, and was first taken possession of by the Stockbridge and Brothertown Indians; two or three families of each of those tribes having removed there in the winter of 1834. It was then a dense forest of very heavy timber, and the only roads or improvement of any kind, then existing within the present limits of Calumet, were a few Menomonee Indian trails. About the year 1836, a white man by the name of WESTFALL settled in the northern part of what is now Calumet, and pretended to keep a

* Calumet county was set off from Brown county, Dec. 7, 1836, organized for county purposes, Jan. 6, 1840, and on the following 13th August, was disorganized, and attached to Brown. It was re-organized for county purposes, Feb. 18, 1842, remaining in judicial connection with Brown until the formation of Fond du Lac county, Jan. 22, 1844, to which it was attached for judicial purposes. It was at length fully organized, Feb. 5, 1850.—*Hunt's Gazetteer.*

tavern on the military road leading from Green Bay to Fort Winnebago, which road was commenced about that time. But such a tavern! The writer of this sketch well remembers the time when he called at the aforesaid tavern, drenched with cold rain, and asking for breakfast for himself, and baiting of some kind for his horse, but unfortunately could obtain neither. The landlord had gone to Green Bay, a distance of nearly twenty-five miles, for the purpose of procuring and bringing home a back-load of provisions. I think I can safely say, that these were times, that not only "tried men's souls," but their appetites also.

The Stockbridge and Brothertown Indians continued to emigrate yearly from the State of New York, and joined their friends in Calumet county; and up to 1840, the county contained about 230 Stockbridge, and about 300 Brothertown Indians, and only about three whites—to wit: the tavern keeper before alluded to, the Rev. CUTTING MARSH, a missionary among the Stockbridge Indians, and MOODY MANN,* a mill-right, who superintended the erection of the first grist and saw mill in our county for the Brothertown Indians. Similar mills were built by the Stockbridge Indians, or rather by DANIEL WHITNEY, by their consent, having been erected upon their lands. All these mills were built about 1836-7, and for several years after their erection, the people of Oshkosh, on the west side of Winnebago Lake, got all their milling done at these mills, as did also the people of Fond du Lac, and a large number of inhabitants from the north-eastern portion of Fond du Lac county get their milling done to this day at the Brothertown Indian mills. About two years ago, there was another saw-mill built, in what is called *Kill-Snake Settlement*, by WILLIAM URMSTON, about fourteen miles north-east of the Brothertown mills; and this spring I have learned that another saw mill has just been put in operation in Charlestown, about twelve miles easterly from the Brothertown mills. There is yet another saw-mill in our county, built two or three years ago, but it does not do much business.

* Hon. MOODY MANN, Judge of Calumet county, died in that county, in Dec. 1854.

In the year 1839, the Brothertown Indians petitioned Congress for citizenship, which was granted, and they are now enjoying all the rights, privileges, and immunities of other citizens of the United States, and the State of Wisconsin. In 1843, the Stockbridge Indians also petitioned for citizenship, and were likewise admitted; but a portion of them remonstrated from the out-set, and finally succeeded in shirking out; and, since that time, those who desired and embraced citizenship have sent a delegation to Washington to get set back again as Indians, and it is said they have agreed to emigrate west of the Mississippi.

The census of Calumet county in 1850, gave 1746 inhabitants, of whom about two hundred and fifty were Stockbridge, and four hundred Brothertown Indians. For several years past, much prejudice has existed abroad with regard to this county and its inhabitants; the former was believed to be too cold to permit the growth of ordinary crops, and the latter deemed as poor degraded savages, destitute of the common comforts of civilization, and without any principles of morality, and people scarcely dared to pass through our county, for fear of being scalped. But since they have learned that the Indians are an agricultural, mechanical and manufacturing people, that they live, dress and talk like other "human critters," (having entirely lost their language, the Brothertowns in particular,) that they have their own common schools in operation, public officers, churches and preachers, and the fact that travelers frequently get nearly through the town without being aware of it, and then enquire how far it is to Brothertown,—I say, since the people are beginning to become acquainted with these facts, they begin to entertain a little more respect for Calumet county and her population.

Yes, sir, the time has been when Calumet county was considered to be the very sink-hole of vice and iniquity, and acting upon that belief in some instances, horse-thieves and gamblers have sought to obtain a shelter here from the iron clutches of the law; but when they have found the Indians ready and willing to turn

out *en masse*, and surround and search houses in the dead of night where it was supposed these kind of gentry were concealed, they have generally made extremely short visits, being both ocularly and mentally convinced that our county was a very unsafe asylum for persons of their stamp.

For the last six months or more there has been a constant tide of emigration setting into our county. Scarcely a day, or week, at least, passes, but teams are seen passing into our county loaded with goods and families, and I should not be surprised if Calumet doubled her population in one year from this time.

It may be interesting to know, that the first steamboat that ever graced the crystal bosom of Lake Winnebago, was built in our county by the Brothertown Indians, under the superintendence of PETER HOTELING, who was a white man, and the captain of said boat. She was called the Manchester, and is still running on the lake under the name, I think, of the Fountain City. We have obtained a charter for a plank-road from Manchester to Sheboygan, a distance of thirty-five miles, which will pass through one of the finest portions of the state, in regard to the fertility of its soil, its water power, and its lofty groves of pine and other timber for lumbering purposes. Calumet county is about sixteen by twenty-five miles in size.

Manchester, April 29, 1851.

APPENDIX NO. 9.

SKETCH OF RICHLAND COUNTY.

BY IRA S. HASELTINE, ESQ.

In accordance with the request of the State Historical Society of Wisconsin, I have prepared this brief sketch of Richland county:

This county was organized for judicial purposes May 1st, 1850, and now forms part of the fifth judicial circuit. It has an area of sixteen sectional townships in a square form, with also some fractional townships upon the Wisconsin river, which constitutes its southern boundary. It has four very considerable mill streams running from the north to the south through the county, and emptying into the Wisconsin. These streams are, Bear Creek in the eastern part of the county, Pine river running through the central portion, Eagle creek more westerly, and Knapp's creek in the extreme western part of the county. These several streams, with their numerous tributaries, abundantly supply all parts of the county with the best of water, which is almost invariably soft. Fishes of different kinds, including pike, pickerel, catfish, mullet, succors, and the speckled trout, are found in great abundance.

Richland county has a plenty of the best timber of various kinds, to wit: maple, ash, elm, oak, basswood, butternut, walnut, and some beautiful groves of pine and poplar. The face of the country is diversified by hills and valleys, with numerous springs of

pure soft water. There are some very pretty prairies, surrounded by groves of heavy timber. Some lead and copper ore have been discovered in the southern part of the county, and an extensive marble quarry has been opened in the valley of Bear creek. All the stone is to be found in quarries, and none scattered promiscuously upon the surface of the soil. There are many large tracts of well-watered and rich land in this county—hence the appropriateness of its name, *Richland*.

Of natural curiosities, perhaps there is in the whole western country none greater, than the *Natural Bridge* over Pine river. It is of rock, from forty to sixty feet high, and over half a mile in length, extending into a level country, with a beautiful arch sufficiently large for the passage of the waters of Pine river, even in times of flood. This rock-bridge is perfectly solid for thirty feet above the water, and covered on the top with a beautiful grove of thrifty pine. The rock is a species of sand stone, about four rods wide, and its sides perpendicular the whole length. It forms a great natural water power, and shelter for man and beast. The Indians, it is related, used to assemble here in great numbers, to worship. The chief or principal speaker ususually stood upon the top of the rock, while his audience remained below. Another very considerable curiosity in our county, is the *Warm Cave*, which sends forth a warm current of air at all seasons of the year.

This county is settling very rapidly by an intelligent and enterprising population, almost wholly Americans.* Its agricultural, mineral and lumbering resources, together with its proximity to an extensive mining country, and its facilities for market, form

* A writer in a recent number of the *Platteville American*, who signs himself "An Old Pioneer," says that he explored, in 1848, the wild parts of Sauk and Richland counties, in the latter of which scarcely a section of land had been entered, although it had been in market four or five years. The entire population of Richland county did not exceed a dozen families numbering thirty souls, who were mostly composed of the sons of Nimrod who had retired from the busy haunts of men to pursue the chase, and enjoy the charms of solitude. Richland City was founded by Isaac H. Wallace, who erected the first log cabin there late in the autumn of 1843. The population of the county, which was 903 in 1850, is now estimated at 3000.

great inducements to settlement and cultivation. There are several thriving villages already teeming with life and animation. Among them may be mentioned Richland City, situated at the mouth of a very pretty stream called Willow Creek; and seven miles still higher up on Pine, is the new county-seat, Richland Center, situated on a beautiful prairie with scattering shade trees, and the whole surrounded by noble groves of thrifty timber. At this place is an excellent water power, and mills are now in process of erection. This promising town is just springing into vigorous life and activity. Richmond, the former county-seat, is also a pretty village, situated on the Wisconsin river.

Richland Center, Dec. 15, 1852.

APPENDIX No. 10.

WISCONSIN GEOGRAPHICAL NAMES.

BY ALFRED BRUNSON.

To the Cor. Sec. of the Wisconsin Historical Society :

The object of forming the Historical Society of Wisconsin, is to gather materials for the formation of a correct history of the State, and to preserve from oblivion such incidents, names, &c., as will be of use in compiling such a history. And to aid in the accomplishment of this design, in one particular, I respectfully suggest the propriety of collecting the original Indian and French names of the State, of counties, towns, rivers, lakes and mountains, and attach to each the signification in English; and also the derivation of all purely English names.

That my design may be understood, and at the same time to contribute my limited knowledge in this matter, I will give a list as far as they now occur to mind; and at the same time request such corrections and additions as may be necessary to perfect it.

If editors, and others, who live on the spot, and have the means of reliable information, will take some pains to correct any errors in this, and to enlarge the number of names, and publish them, an accurate vocabulary of names may be obtained, of which the future historian may avail himself, to the interest and edification of the reader.

In doing this, I would suggest the propriety of giving the name

of the *Tribe* of Indians, from whose language the Indian name of a place or a thing is derived, if known. The importance of this distinction will be seen in the sequel, and from the fact that the same thing is differently named by different tribes; and in the different languages, tongues or dialects of the Indians, slight variations in sound may have given rise to different spellings, and hence an apparently different name, while, in fact the same name is intended. For instance, *Manitowoc*, if from the Chippewa, or Ojibowa,* should be *Munedoo*—a general name of *spirit*. The prefix or termination gives the *kind* of spirit intended. *Munedoo-ish* means Devil, or Evil Spirit, in Ojibowa. *Owkesha-munedoo* is God, or Good Spirit. *Woc* may be intended for *owk*, and *munito* may be intended for *munedoo*, and if so, *Munedoo-owk* alias *Manitowoc*, when applied to the Islands in Lake Michigan, or the river emptying into it, probably signifies the habitation of the Good Spirit. The perversion or corruption of the word may be from the imperfect understanding, or imperfect orthography of the white man of the Indian language, or it may have been derived from the Menomonee, or some other tribe of Indians, who use the word a little differently from the Ojibowas.

I am not an Ojibowa scholar, but have a work by Peter Jones, a celebrated missionary, from which I derive the above orthography of the word, but if I am not right, will some one be so good as to put me so.

But to the general list of names; and first of the State. The State derives its name from the principal river which runs centrally through it. The Chippewas upon its head waters call this river *Wees-kon-san* which signifies "the gathering of the waters." They gave it this name, as an Indian trader informed me, on account of its numerous branches near its head concentrating into one stream, which afterwards runs so great a distance with but comparatively few principal branches to swell its current. The French

* Dr. Morse, in his Report of his Indian Tour of 1820, speaks of "an old Ottawa chief living at *Ma-nit-ou-wauk—the river of bad spirits.*" See the definition in the following paper, by Mr. Hathaway.

voyager called it *Ouisconsin*, the first syllable of which comes nearer to the sound of the Indian than does Wis. The second syllable of the French, if you give the *c* its hard sound, is more like *kon* than *con*; but the last syllable (*sin*) is evidently a deviation from the Indian both in the English and French. An attempt was made, a few years since, to restore the second syllable of this name to its original Indian sound by substituting *k* for *c*, but this would not restore either the first or the last. The attempt, however, was unpopular, and the Legislature solemnly decreed that the name should be spelled *Wisconsin*, and this, probably more from opposition to the individual who attempted the restoration, than from correct literary taste, or any regard for the original Indian name.

OF COUNTIES.

Adams.—Named in honor of President Adams.

Brown.—In honor of Gen. Brown of the U. S. Army.

Crawford.—In honor of W. H. Crawford, Sec. of U. S. Treas.

Columbia.—From Columbus.

Calumet.—Indian—pipe of peace; the name said to have been given to the place on account of the different tribes frequently holding peace councils there, when they smoke the *Calumet* or pipe of peace.

Chippewa.—From the river of that name—Indian, Ojibowa. Several bands of this tribe settled on its head waters, to which they fought their way, about 120 years since, from Lake Superior, against the Dacotah or Sioux, and gave their name to the river in honor of their victory.

Dane.—In honor of the author of the ordinance of 1787.

Dodge.—In honor of Gov. Dodge.

Fond du Lac.—The head or fountain of the Lake—Winnebago. The same name is also given to the head of Lake Superior.

Grant.—From the river which took its name from one Grant, a trapper, who had his cabin on its bank.

Greene.—In honor of Gen. Greene, of the Revolution.

Iowa.—From an Indian tribe who once inhabited the country.

Jefferson.—In honor of President Jefferson.

Lafayette.—In honor of Gen. Lafayette.

La Pointe.—From the point of Magdalene Island in Lake Superior, on which a trading post and village are situated.

Marquette.—In honor of the French discoverer of the country.

Milwaukee.—From the river of that name. It is Indian.—
[Will some Milwaukeean give the meaning?]

Portage.—This county took its name originally, from the portage between the Wisconsin and Fox rivers. But when the county was divided, the representative from it, hailing from the north part of it, with a view, it is said, to keep the record books, and thereby save a few dollars in the purchase of new ones, managed to retain the *name* for the north part of it, in which is *Plover Portage*, calling the south part *Columbia*.

Racine.—From the French name of the Root or principal river in it. [Will some citizen there tell us what *root* was so abundant upon it as to give it the name?]

Richland.—So called on account of the richness of the soil.

Rock.—From Rock prairie within its limits; and this from a large rock located on it.

Sheboygan.—From its principal river. [Will some one tell us what the word means?]

St. Croix.—The holy cross—the name given to the lake and river upon which it borders, by the French missionaries, because it enters the Mississippi nearly at right angles, and because the waters of it when high, are of a dark red color, being stained by the roots of the tamarack which abound in its head branches.

Sauk.—From Sauk Prairie within its limits, which took its name from the Sauk Indians, who once had their principal village upon it.

Washington.—In honor of Gen. Washington.

Waukesha.—From the Indian name of its principal river. It signifies Fox, probably from the number foxes taken upon it.—
[Is it Menomonee, Potawotome, or what?]

Winnebago.—From the lake of that name, which took its name from the Indian tribe.

Walworth.—In honor of Chancellor Walworth.

OF PLACES, LAKES, RIVERS, AND MOUNTAINS.

Prairie du Chien—Dog's Prairie—From a Sauk chief of that name who had his village on it when first visited by the French voyagers.

Prairie La Crosse—From the French name of a "ball club," crooked or hooked at the end. When the French first visited the country, the neighboring tribes were in the habit every summer of meeting on this prairie for their annual ball play. At these games each tribe took a side, and often staked all they had at command.

Mont trempe-l'eau—The mountain that stands in the water. It rises in the form of an oval cone or natural pyramid, from a base 80 rods long by 40 wide, to about 300 feet high, and is entirely surrounded by water. It contains an extensive den of yellow rattlesnakes, from which they swim in the spring, and to which they return in the same way in the fall.

Lac Flambeau—Torch Lake. A collection of five small lakes, of from three to five miles in length, and from twenty rods to half a mile in width. On these lakes a band of Chippewas settled, about 120 years ago, to which they fought their way against the Sioux on one hand, and the Sauks and Foxes on the other. The lakes abounded in fish, which were taken by torch light, from which the French traders gave it the name of *Lac Flambeau*.

Lac Courteoreille—Short Ears.—It is said that when the French traders first visited this lake called *Ottawa*, a band of Ottawas occupied its banks, who had cut the rims off their ears, making them short; from which the Indians, their lake, and the river running from it into the Chippewa, received this singular name.

Mountain of the Stars—A natural mound some thirty miles in circumference, and several hundred feet high; from its base and sides the Black river flows to the south, L'eau Claire and Yellow rivers—branches of the Chippewa—to the west, and two branches

of the Wisconsin river to the east. It is said to be covered with pine timber, and its rocks and sands to abound in indications of copper, or some richer ore. The Indian name is not recollected, but signifies the Mountain of the Stars, and was so called by them on account of its lofty peaks.

I shall continue to collect these names and their origin, and if others, and especially editors, will do the same and publish them, the historical object contemplated will be accomplished. The above is yet imperfect, and is open to amendments and corrections; and it is but a small portion of the names worthy of collection and preservation.

Prairie du Chien, June 11th, 1849.

APPENDIX No. 11.

INDIAN NAMES.

BY JOSHUA HATHAWAY, ESQ.

To the Cor. Sec. of the Wisconsin Historical Society:

Following the suggestion of Mr. BRUNSON in his interesting communication to your Society of the 11th ultimo, I propose to contribute a portion of the aboriginal names of places and rivers in our State, with their signification, when known, and their present corruption in spelling and pronunciation.

Much of the corruption in the pronunciation of Indian names, has arisen from the want of a simple mode of spelling, and from an inaccurate habit of pronouncing words, when correctly spelled. Thus, in orthography, the sounds au, ahn, ee, are incorrectly expressed by a, an, and e; and the orthography au, ahn and ee, is inaccurately pronounced by a, an and e, or y—for example, *Wau-kee-shah*, is incorrectly spelled *Wakesha*, and inaccurately pronounced, (though very commonly,) *Walkyshaw*.

One more suggestion: When the double vowel ee occurs in the orthography of an Indian word, the syllable should have a thin, prolonged accent, more especially when it forms the middle syllable.

Milwaukee, or *Milouaqui*, of the early French settlers, is derived from the Indian name of our own river, *Mahn-a wau-kee seepe*, first and third syllables accented. The word is Pottawattamie probably; and the early French traders gave different significations to it, so that no one of them is reliable.

Sheboygan, or *Che boig-an* of the early maps, is from the Indian name, *Shawb-wa-way-kun*, half-accent on the first, and full accent on the third syllable; the word or sentence (most likely Chippewa,) expresses a tradition "that a great noise, coming under ground from the region of Lake Superior, was heard at this river."

Manitou-woe, or *Devil's den*.—The tradition of the Indians is, that a nondescript being was several times observed at the mouth of this river; hence the name.

Ne-sho-tah, or *Twins*, now known as Two Rivers. A glance at the place, or at the map, shows how appropriate the name.

Ke-wau-nee River, on Lake Michigan, east of the head of Green Bay, signifies *Prairie Hen*. It was formerly known as Wood's river in the sketch maps; please give to the writer the credit of ascertaining and restoring this euphonious name by his Field Notes in 1834. Kewaunee is doubtless a Chippeway word—accent on second syllable.

The next and only river of any magnitude, north of the last mentioned, is the

Muk-wan-wish-ta-guon—accent on first and third, and half accent on last syllable. *Muk-wan* signifies *Bear*—the whole, *Bear's Head*. The present settlers in that region are striving to substitute the name Wolf River; bad success to them—we prefer a bear's head to a whole wolf.

Mus-kee-go, from *Muskeeguiac*, signifies *Cranberry*—probably, Pottawattamie.

Wau-kee-shah, the name given to the county wrested from Milwaukee in 1846. As the county was appropriated without the consent of the owners, so it was very proper that the name should be. It is very probable that this name was never seen in English characters until the year 1846, when it was inscribed, by the writer of this, upon an oak tree, standing where the town of Rochester now stands, in Racine county. The name was selected by me with the consent of Messrs. Cox and Myers, all being interested in the location, as a name for the future town, and it so appears on the sectional maps of those times. When the town began to

be settled shortly after, the name was changed by the inhabitants to Rochester, because, like the Rochester of New York, it had a water power—no further point of resemblance being traceable. In 1835-6, I was engaged in sub-dividing the townships now comprising Racine county, and from some Indian boys lodged near my encampments, I made additions to my Indian vocabulary; and with the medium of a fox-skin collar, I obtained this name, understanding it to be Pottawattamie for "Fox," which is a favorite name with the natives for all crooked rivers, whose course, in this respect, resembles the eccentric trail of that animal. By giving the middle syllable a thin, prolonged, decided accent, and leaving the last syllable but half aspirated, you have the original as given to me—Wau-*kee*-shah.

Me-quon-i-go, from Me-quan-i-go-ick, likewise the name of the town. Mic-wan signifies a *ladle*—a bend in each stream known by that name resembling a ladle, seems to have given the name. That the resemblance may be detected, it may be well to remark, that the Indian ladle is a very crooked utensil, with the handle turned quite over the bowl.

Kosh-ko-nong, or more properly, Kosh-kaw a-nong, (third syllable unaccented,) signifying "the lake we live on," was for many weeks, the lurking-place of the families of BLACK HAWK's warriors, in the troubles of 1832.

Wau-pee-ty-seepe, or Tooth River, a tributary of the Wisconsin above Grand Rapids. *Wau-pee ty* (full accent on first, and half accent on second syllable.) signifies *tooth*—Chippewa probably.

Des Plaines River, in Racine county, or more properly, River aux Plaines, named by the French, signifies, *soft maple*.

Oconomewoc, Scupernong, Pewaukie, Oshkosh, Taycheedah, Wauwatoosah, Techora, Kaukulan, and a host of other musical names remain, to invite the elucidation of contributors, among whom I hope to see the names of Governor DOTY and Mr. ELLIS.

MILWAUKEE, July 10, 1849.

APPENDIX NO. 12.

INDIAN NOMENCLATURE OF NORTHERN WISCONSIN, WITH A SKETCH OF THE MANNERS AND CUSTOMS OF THE CHIPPEWAS.

BY HIRAM CALKINS, ESQ., OF WAUSAU.

Being personally unacquainted with the language of the Chippewas, and consequently their customs, I have taken some pains to procure the information desired by the Historical Society. I first applied by letter, and then in person, to Mr. WILLIAM CROSS, who resides in the northern part of this county, and from him have derived the necessary data to enable me to make up the narrative I now communicate. For want of time, he could not give all the information desired by the Society, but he assured me that he will pursue the subject still further, if requested to do so. I think Mr. CROSS has the ability to give as correct information as can be obtained relative to the traditions and customs of the Chippewa tribe, having been many years among them, and enjoying in a high degree their respect and confidence; and being a good scholar beside, is able to communicate correctly.

Indian curiosities, such as wampum, drums, medals, pipes of peace, war-dresses, medicine bags, &c., Mr. CROSS informs me cannot be procured, except by purchase, as they consider them sacred things, and place a high estimate upon them. Should any of these articles be desired by the Society, I will endeavor to procure them when instructed to do so.

I will now proceed to give a list of the Chippewa names, with their significations, of the tributary streams of the Wisconsin river, from the Forks down to Point Bas, a distance of one hundred and twenty-five miles by land, and about two hundred by the river. Of the Chippewa terminations *Se-be* or *Se-pee* and *We-shance*, the former signifies *river*, and the latter *creek*.

Ma-na-to-kik-e-we-Se be—Stooping Spirit River.

Skan-a-wong-Se-be-we-shance—The creek that runs through bluffs.

Shin-gwack-Se-be-we-shance—Little Pine Creek.

Mush-ko-da-wun-Se-be-we-shance—Little Prairie Creek.

Os-ka-ki-ra jaw-Se be—New Wood River.

Pe-qua-bik-au Se-be—Rocky River, better known as *Copper River*.

Pau-gaw-do-waj-Se-be-we-shance—Ball Play Creek, now known as *Devil Creek*.

Mush-ko day yaw-Se-be—Prairie River.

Shin-gwack-Se-be—Pine River.

Tah so-so win-ing Se-be—Dead Fall River, now known as *Trap River*.

O-pic-wun-a Se-be—Rib River.

Wah-yaw con-ut-ta-gua-yaw-Se be—Clear Water River, now known as *Eau Claire*.

She-sheg-e-ma-we-she can-Se-be—Soft Maple River, now known as *Eau Pleine*, or Full Water.

Ma-no-min a-kung-a-kauy-Se-be—Rice Stalks River, now known as *Little Eau Pleine*.

Au puh-ki-ra-kan-e-we-Se-be—River of Flags, now known as *Plover River*.

Wau-pee-tee-Se-be—Tooth River, now known as *Mill Creek*.

There are several rapids and falls on the Wisconsin river, with most of which the Indians have some superstitious notions associated. The first is a small rapid just below the Forks of the Wisconsin, called by the Chippewas *Wa-bo-je-wun*, or Narrow Falls, indicative of their character. The next are the “*Brear-beaux*,”

or Grand Father Bull Falls, which are the largest on the Wisconsin, and are called by the Indians Ko-na-je-wun, which signifies the Long Falls. These falls are two miles in length, having three perpendicular falls of several feet each in that distance. There is said to be one hundred feet fall in these three successive rapids. They were never run by the whites, and but one instance is known among the Indians of any of their people having passed them in safety. The Indians have a tradition, that there is a great spirit that presides over these falls, to which they make an appropriate offering. A portage passes around the falls on the west side of the river, where the Indians carry their canoes on their heads for a mile and a half. About midway on the portage is a solitary rock, about ten feet in circumference at the base, and about four feet high, in the shape of a cone or sugar-loaf, on which the Indians make an offering of tobacco. This offering, it is said, is preserved by the spirit until an Indian passes along destitute of tobacco, when it is given to him.

In 1849, these falls were navigated, in a bark canoe, for the first and last time by two Indians—the BLACK NAIL and the CROW. At the head of the falls before starting, CROW held the canoe by a rock projecting from the shore, while BLACK NAIL made a prayer and an offering to the spirit of the falls. The offering consisted of two yards of scarlet broad cloth, and a brass kettle. The prayer was in these words: “O Great Spirit of the Falls! I implore thee to extend thy protecting arm over us as we run these mighty waters. Mayest thou strengthen my arm and my paddle to guide my canoe safely down these dangerous waters. I do not implore thy protection for nothing; I give thee two yards of scarlet, and a brass kettle!” Having finished his prayer, he threw the offering overboard, and grappled his paddle, and the canoe went bounding over the billows, and ran the falls in safety.

Chippewa names of falls or rapids on the Wisconsin:

Sa-se-je-wun—Falls or rapids.

O-ska-kwa-yaw—New Wood rapids.

Mush-ko-da-yaw—Prairie rapids, now known as *Jenny Bull*.

Nah-ba-na-sa-se-je-wun—One-sided rapids, now called *Trap Rapids*.

Pah-je-tak-a-ke ning-a-ning—The water that falls over rocks, now known as *Big Bull Falls*.

Oh-ka-kan-dah-go-kag—Spruce falls, now known as *Little Bull Falls*.

Mis-qua-wauk-sa se-je-wun—Red cedar rapids, now known as *Conant's Rapids*.

Ah-da-wa-gam—Two sided rapids, now known as *Grant's Rapids*.

Bun-gah je-wim—End of the rapids, now called *Whitney Rapids*, which are the last on the Wisconsin.

Chippewa names of towns or villages on the Wisconsin:

Mush ko-da-yaw-Tosh-ko-bo-je-gun—Jenny Bull Falls.

Pah-je-tak-a-ke-ning-a-ning—Big Bull Falls, now called *Wausau*.

Wah-yaw-con-ut ta-gua yaw—Eau Claire Mills.

Oh-ka kan-go kag—Little Bull Mills.

Nay-osh-ing—The Point, now known as *Du Bay's Trading Post*.

Kah-kag-e-winch-e-min-it-e-gong—Hemlock Island. This name is applied to *Steven's Point*, on account of an island in the Wisconsin opposite to the village, covered with hemlock, which is a rare growth in that region.

Mush-ko-da-ny—Plover, the county seat of Portage county. The meaning of this Chippewa name is "Prairie," given on account of the prairie-like country around it. The trail dividing the Chippewa and Menomonee lands runs through this town. Here the two tribes of Indians have been accustomed to make the portage from the Wisconsin to Wolf river, by carrying their canoes on their heads; the distance across being about eight miles. This portage is called by the Chippewas Wah-bau-ga O ning-ah ming, meaning the *Eastern Portage*. The termination O-ning-ah ming, means *a portage*.

Ah-dah-wa gam—Grand Rapids' Mills.

Ban-gah-je-wung—Point Bas.

O-ning-ah-ming—Portage city. This place is named from the portage between the Fox and Wisconsin rivers.

Mo-nung wah na-can-ing—This name is applied to La Pointe, on Lake Superior, and signifies *Yellow Wood-pecker*, and was given on account of the great abundance of those birds on the island on which La Pointe is situated.

The Chippewas in Wisconsin are divided into sixteen clans or bands, numbering about four thousand persons altogether. Each of those bands is governed by a chief, and each has a head-brave or war captain, who leads in war; a chief orator, who speaks for the chief; and a chief medicine man, who is regarded by the Indians as gifted with the spirit of prophesy. Great confidence is placed in the chief medicine man, as his services are required on all eventful occasions.

The Wisconsin river band numbers about two hundred Indians, and occupies the country from the Grand Rapids up to Tommy-Hawk Lake. The Head Chief of this band is OSH KA-BA-WIS, or *The Messenger*; the Head Brave is KA-KAO-O-NA YOSH, or *The Sparrow Hawk*; the Chief Orator is NOW-O-COM-ICK, or *The Centre of the Earth*; and the Chief Medicine Man or Conjuror, is MAH-CA-DA-O-GUNG A, or *The Black Nail*, who performed the feat of descending the Long Falls in his canoe, and is represented by the other Indians as being a great Medicine Man. He is always called upon, far and near, in cases of sickness, or in the absence of relatives, to foretell whether the sickness will prove fatal, or whether the friends will return in safety, and at what time. He is also consulted by the Indians when they go out to hunt the bear, to foretell whether success will crown their efforts. Before performing these services, he is always paid by the Indians, with such articles as they have, which generally consist of tobacco, steel-traps, kettles, broad cloth, calico, and a variety of other commodities. He usually performs after dark, in a wigwam just large enough to admit of his standing erect. This lodge or wigwam is tightly covered with mats, so as entirely to exclude all light and the pry-

ing curiosity of all out-siders. Having no light within the lodge, the acts and utterances of the Medicine Man or Conjuror are regarded as mysterious, and credulously received by the wondering crowd surrounding the tent. He first prepares himself in his family wigwam by stripping off all his clothing, when he emerges singing, and the Indians outside join him in the song with their drums, and accompany him to the lodge, which he enters alone. Upon entering, the lodge commences shaking violently, which is supposed by the Indians outside, to be caused by the spirits.—The shaking of the lodge produces a great noise by the rattling of bells and deers' hoofs fastened to the poles of the lodge at the top, and, at the same time, three voices are distinctly heard intermingled with this noise. One is a very heavy hoarse voice, which the Indians are made to believe is that of the GREAT SPIRIT; another is a very fine voice, represented to be that of a *Small Spirit*, while the third is that of the Medicine Man himself. He pretends that the GREAT SPIRIT converses in the heavy voice to the lesser spirit, unintelligibly to the conjurer, and the lesser spirit interprets it to him, and he communicates the intelligence to his brethren without. The ceremony lasts about three hours, when he comes out, in a high state of perspiration, supposed by the superstitious Indians, to be produced by mental excitement.

The present chief of this band, OSH-KA-BA-WIS, is a very sensible, intelligent Indian. He went to Washington during President POLK's administration, in company with other chiefs, to obtain redress for some grievances about their payments. They secured an appropriation of \$6,000, but were cheated out of it by the interpreter who went with them, who having charge of the money, hid \$5,000 of it, and soon after died, so that the Indians got only \$1,000 of the amount.

Each of the other bands occupies a separate tract of country for hunting purposes. The Chippewas all belong to certain family tribes or totems. Those belonging to the same totem, are considered brothers and sisters, and consequently never marry.—These family totems or designations, are taken from some familiar

living object, such as the bear, the wild goose, fish, sand-hill crane, etc.—hence the bear clan or totem, and so of others. Almost every thing that inhabits land or water, is adopted by certain Indians as their totem, and some of the Indians belong to different clans or totems at the same time. These marks or totems descend from the father to the son. When a warrior goes to war and takes a scalp from the enemy, he sends or takes it to his family clan or totem, that they may dance over and around the trophy, and recite his deeds of valor. They call their family or tribal name *to-tame*, or *totem*.

The Chippewas have a singular custom about hunting the bear in winter. Journeying from place to place, whenever they camp after dark, the hunters all assemble in a wigwam by themselves, excluding the squaws and children. They generally assemble at the lodge of the chief Medicine Man of the camp, who presides over the ceremonies, which are commenced by beating on the medicine-drum, and singing a certain number of songs, which are sung only on these occasions. The chief Medicine Man sits in the middle of the lodge, with some broad cloth and calico spread before him, together with a stuffed cub bear-skin, while his pipe or calumet, already filled, is placed before him on two crotched sticks. He then addresses the bear in this wise: "O, my brother! we are very hungry; we are on the point of starving, and I wish you to have pity on us, and to-morrow when the young men go out to hunt you, I want you to show yourself. I know very well that you are concealed somewhere close by my camp here. I give you my pipe to smoke out of, and I wish you would have pity on us, and give us your body that we may eat and not starve." Having thus spoken, he takes the medicine-drum and beats on it, accompanying it with some songs that he recites from two small boards, on which they are written in hieroglyphics. When he gets through, he passes the drum and boards to the next Indian, and so on around, till all have sung and beaten the same thing. The performance generally lasts about four hours, when they retire to their several lodges. In the morning, the hunters all go to the medi-

cine bag of the chief Medicine Man, which is generally suspended from a small tree, and take from it some vermilion with which they paint themselves, and the noses of their dogs. Thus prepared, they start on the hunt in different directions, and being inspired with faith and goaded on by hunger, they are almost sure of success before night.

Other customs are observed by them, which also indicate the superstition of the Chippewas. I will notice that of the burial of their dead. When an Indian dies, they believe, as did their forefathers, that he has gone to better hunting-grounds, and has need only of so much provision as will be sufficient to carry him through the journey; and when there, that he is endowed with a benevolent spirit, and in order that he may exercise it, the Indians make frequent offerings of such articles as they can spare, by placing them at the head of the grave, when any destitute Indian coming along, and finding the offering, accepts it as a gift from the benevolent spirit of the dead.

JULY 10th, 1854.

REMINISCENCES OF WISCONSIN,

BY ALEXANDER F. PRATT.

No. 1.—THE JUDICIARY OF WISCONSIN IN 1837-8.

The Territory of Wisconsin was organized in July, 1836. It was divided into three Judicial Districts. Judge DUNN was appointed for the Western District, Judge IRWIN for the Middle, and Judge FRAZIER, of Pennsylvania, for the Eastern. Judge FRAZIER arrived in Milwaukee on a Sunday evening, in June, 1837. He put up at the small hotel which stood where "Dickerman's Block" now stands, which was called the * * * * * Tavern, kept by Mr. VAIL. On his arrival, he fell in with some old Kentucky friends, who invited him to a private room, for the purpose of participating in an innocent game of "*poker*." The party consisted of the Judge, Col. MORTON, Register of the Land Office, and two or three others—friends of the Judge. They commenced playing for small sums at first, but increased them as the hours passed, until the dawn of day, the next morning—when small sums seemed beneath their notice. The first approach of day was heralded to them by the ringing of the bell for breakfast. The Judge made a great many apologies, saying, among other things, that as that was his first appearance in the Territory, and as his court opened at 10 o'clock that morning, he must have a little

time to prepare a charge to the Grand Jury. He therefore hoped that they would excuse him, which they accordingly did, and he withdrew from the party. The court met at the appointed hour—OWEN ALDRICH acting as Sheriff, and CYRUS HAWLEY as Clerk. The Grand Jury was called and sworn. The Judge, with much dignity, commenced his charge; and never before did we hear such a charge poured forth from the bench! After charging them upon the laws generally, he alluded to the statute against gambling. The English language is too barren to describe his abhorrence of that crime. Among other extravagances, he said, that “a gambler was unfit for earth, heaven or hell,” and that “God Almighty would even *shudder* at the sight of one.”

At that time, we had but one session of the Legislature, which had adopted mostly the statutes of Michigan, which allowed the Court to exercise its discretion in granting *stays* of executions, &c. A suit came up against a man in the Second Ward, who had no counsel. The Judge ordered the crier to call the defendant. He did so, and the defendant appeared. The Judge asked him if he had anything to say against judgment being rendered against him. He replied, that he did not know that he had, as it was an honest debt, but that he was unable to pay it. The Judge inquired what his occupation was. He replied that he was a fisherman.—Says the Judge, “Can you pay it in fish?” The defendant answered, that “he did not know but he could, if he had time to catch them.” The Judge turned to the clerk, and ordered him to “enter up a judgment, payable in fish, and grant a stay of execution for twelve months;” at the same time remarking to the defendant, that he must surely pay it at the time, and in *good* fish; for he would not be willing to wait so long for “stinking fish.” The next suit worthy of note, was against WM. M. DENNIS, our present Bank Comptroller. He, like his predecessor, had no counsel. His name was called, and he soon made his appearance. He entered the Court-room, wearing his usual smile, whittling; with his knife in the left hand. The Court addressed him in a loud voice, “What are you grinning about, Mr. DENNIS?” Mr.

D. replied, that he was not aware that he was laughing. The Court inquired if he proposed to offer any defence? He replied, that he did, but was not ready for trial. "No matter," said the Judge, "there's enough that are ready; the clerk will enter it 'continued,'" The next case, about which we recollect, was the trial of two Indians, who were indicted for murdering a man on Rock river. They were also indicted for an assault, with intent to kill, upon another man, at the same time. The trial for murder came off first. They were found guilty, and sentenced to be hanged. On the day following, they were tried for the assault, &c., found guilty, and sentenced to five years imprisonment, and to pay a fine of five hundred dollars each. Governor DODGE, however, deeming it too severe to fine and imprison a man after he was hanged, commuted it to imprisonment for life. The Indians were confined in a jail a year or two, but were finally pardoned by the Governor.

Judge FRAZIER soon afterwards went to Green Bay, and held a Court, from whence, for want of a jail in which to confine prisoners, he sentenced a man, for some trifling offence, "to be banished to Turkey river." After the Court adjourned, he returned to Milwaukee on the steamboat Pennsylvania. She anchored in the bay, and the Judge, who was dead drunk at the time, was lowered by means of a tackle, into a boat, and rowed to the landing, at Walker's Point. From the effect of this bacchanalian revel he never recovered. His friend, Col. MORRIS, took him to his own house, called to his aid our best physicians, and all was done that human skill could devise, for the restoration of his health; but it was too late; the seeds of death had been sown; he lingered in great distress for four or five days, and breathed his last.* The members of the Bar, generally, neglected to attend the funeral; and having no relatives in the State, he hardly received a decent burial. His remains were followed to their last resting place by only two members of the Bar, (Messrs. ARNOLD and CROOKER,) be-

* HON. WILLIAM C. FRAZIER, Associate Judge for the Territory of Wisconsin, died at Milwaukee, Oct. 18th 1833, aged sixty-two years.—*American Almanac*, 1840.

sides a few friends. They now remain in the old church-yard in the First Ward, without even a *slab* to mark the spot.

The above sketch was written by us from memory, for the *Wisconsin*, last summer. We now re-publish it for the purpose of doing simple justice to the living, by adding that we have since learned that a son of Judge FRAZIER came to Milwaukee some years since, and had the remains of his father removed to the new church-yard in the Fifth Ward, and proper tombstones erected over them.

December 6, 1854.

No. 2.—MILWAUKEE AND SOLOMON JUNEAU.

SOLOMON JUNEAU was the first white settler in Milwaukee. He was a native of Canada, and immigrated to that place in the fall of 1818, and built him a log cabin among the natives. At that time his family consisted of a wife and one child. His nearest white neighbors were at Chicago, Green Bay and Prairie du Chien. He kept a few goods suitable for the Indian trade, and for the first seventeen years he was not only the only merchant in the place, but the only white man. During that period, a few Indian traders were occasionally there, but not permanently located. In the spring of 1835, a land office having been previously established at Green Bay, this land was brought into market, and Mr. JUNEAU purchased a small tract consisting of about 130 acres, lying on the east side of the river, directly north of Wisconsin-street. Previous to this time, GEO. H. WALKER, Esq., had come and made a claim on what is now called "Walker's Point," which he subsequently obtained a title to. BYRON KILBOURN,

Esq., about that time purchased a tract on the west side of the river, which has from that time been known by the name of "Kilbourn Town." DANIEL WELLS, Jr., W. W. GILMAN, GEO. D. DOUSMAN, E. W. EDGERTON, T. C. DOUSMAN, GEO. O. TIFFANY, D. H. RICEARDS, WILLIAM BROWN, Jr., MILO JONES, ENOCH DARLING, and others immigrated about the same time, and made large purchases of lands. In the course of the summer of 1835, a number of good buildings were erected, and a great many eastern speculators came and bought lands at high prices. Mr. JUNEAU, about this time, sold an undivided interest in his lands to MORGAN L. MARTIN. He built a fine dwelling-house on the lot where MITCHELL'S Banking-house now stands; also a large store and warehouse on what is now known as "Ludington's Corner." In 1836, when we came, he was doing a large business both in selling goods and lots. During that season, some two or three hundred thousand dollars' worth of goods had been brought there to sell. Ground-rent was nearly as high as it is now. A merchant with a stock of goods would arrive one day, and by the next day noon he would have a store completed to open in. Things were done on the California principle. They were usually built of rough boards with a "grass floor," and in several instances a blanket was hung up for a partition, and one-half of the tenement rented to another for a dollar a day. The town was flooded with speculators, and all made money until the non-residents left and navigation closed, when a sudden change "came o'er the spirit of their dreams."

The town was left with a large stock of goods, and but few inhabitants. Merchants and other business men enjoyed the winter in the best possible manner. During the fall quite a large number of actual settlers had arrived, of the right stamp, among whom was H. N. Wells, J. E. Arnold, Henry Williams, Hans Crocker, J. H. Tweedy, L. Blossom, J. W. Pixley, S. H. Martin, Geo. P. Delaplaine, Geo. Reed, Cyrus Hawley, Fred. Wardner, A. O. T. Breed, Eliphalet Cramer, Rufus Parks, Curtis Reed, Orson Reed, William M. Dennis, Truman L. Smith, Edmond D. Clinton, A. A. Bird, and many others, whom time will not allow us to mention.

All had been doing a "land office business," and had plenty of money left to winter on. At this time our old friend JUNEAU was supposed to be worth at least \$100,000 with a fair prospect of its being doubled by the rise of land in the spring. We have often seen him in those days go into his store, after business hours were over, and take from the drawers the money that his clerks had received during the day for goods and lots, amounting often to 8 or 10,000 dollars, and put it loose in his hat; and upon one occasion we recollect of his hat being knocked off in a playful crowd, when some \$10,000 flew in various directions. In short, money seemed to be of no earthly use to him. If a man called upon him to subscribe for either a public improvement or a charitable object, whatever was required he subscribed, without asking why or wherefore. In the meantime he had looked on and seen others get rich on the rise of property that he had sold, and he commenced buying back lots and paying thousands for those he had previously sold for hundreds. We recollect very well one circumstance; his re-purchasing the corner lot, near Youngs' Hall, for \$3,700, which he had sold the year previous for \$475. He was truly in the language of the poet, "The noblest work of God, an honest man." He had implicit confidence in every body.

The spring of 1837 disappointed all our anticipations. A general stagnation in business prevailed in all directions. Immigration had almost entirely fallen off. Our currency which was mostly of the Michigan "Wild Cat," stamp was no longer a legal tender.—There was no sale for real estate. The second payments were becoming due on purchases of real estate, and all who supposed themselves rich in lands, were not only destitute of money, but the means to raise it. Some who were able to hold on, kept their property until they could get a handsome advance; while the majority were compelled to sell for what they could get, and bankruptcy was the inevitable result.

At this time, there were but a few settlements in the interior; but the hard times which continued through the years 1837 and 1838, induced many to leave Milwaukee and locate a "claim."—

The lands between Milwaukee and Rock River were then surveyed, but were not brought into market until the fall of 1839. During this time they had become thickly settled, and many of them quite valuable. The hard times at the East had led many to seek a home in the West; and in the fall of 1839, when these lands came into market, many of them had been so improved that they were worth from \$10 to \$100 an acre, while the occupants had not the first "red cent" to buy them with. Consequently, a large proportion of the settlers were compelled to either sell their improvements for what they could get, or pay from 25 to 50 per cent. for money to enter their lands with.

About this time, ALEX. MITCHELL, HARVEY BIRCHARD, the Messrs. LUDINGTONS, E. ELDERED and other capitalists came to Milwaukee, and purchased lots at \$100 each, that had previously been sold from \$1,000 to \$1,500, and are now selling from \$5,000 to \$15,000 each. From that day to this, "the rise and progress" of Milwaukee has been steady and onward. The price of land has continued to advance with the increase of business, and nearly all who commenced in business there at that time, and continued to the present, have become wealthy and independent. In 1846, the Legislature passed an act to divide Milwaukee county, and establish the county of Waukesha; also another to incorporate the city of Milwaukee. At the first charter election in the new city, SOLOMON JUNEAU was elected Mayor, which was a well-merited compliment to the "old pioneer."

* * * * *

Mr. JUNEAU, subsequently, left Milwaukee, and settled at the village of Theresa, in Dodge county, (the name of which should be changed to Juneau,) where he still resides. He has now a large family, and we learn, that by hard labor, he gets a comfortable living.

* * * * *

We have spun this yarn much longer than we intended; but the name of "OLD SOLOMON," as the Indians used to call him, brings with it so many "sweet recollections of the past," that we could find no

stopping place until our sheet was full. A notice of him which we copied last week from the *Green Bay Advocate*, which stated that "Mr. JUNEAU left that place in 1830," has prompted us to correct that error,* and give this hasty sketch of a man who is truly one of Nature's Noblemen.

No. 3.—SKETCH OF WAUKESHA.

WAUKESHA was originally called "Prairie Village." Afterwards, the Legislature changed it to "Prairieville;" and after the county was set off from Milwaukee, it was changed to Waukesha. The first white settlers were Messrs. M. D. and A. R. CUTLER, JOHN MANDERVILLE and — LUTHER. They came here in the spring of 1834, not very long after the close of the "Black Hawk War." At that time the land had been purchased of the Indians; yet, in

* The editor of the *Green Bay Advocate*, Hon. C. D. ROBINSON, thus notices this sketch of the old pioneer of Milwaukee, and furnishes some additional facts relative to early Milwaukee settlers: "The *Waukesha Plaindealer* has a lengthy notice of Hon. SOLOMON JUNEAU, who, it says, was the first white settler in Milwaukee, and corrects our error in stating that he left here (Green Bay,) some time about 1830. The brief article which we made at the time was penned without any definite knowledge of Mr. JUNEAU's early history, other than that we believed him to be the first settler of Milwaukee, and supposed, though erroneously, that he went there from Green Bay.

We were reminded by Mr. A. J. VIEAU, of this place, that his father, Mr. JAS. VIEAU, Sen., emigrated to and settled in Milwaukee some years before Mr. JUNEAU went there; and that before Mr. VIEAU came, other white men had settled there. Mr. J. B. BEAUBIEN, now of Chicago, had already been there some years before Mr. VIEAU, and a Mr. LAFROMBOISE, whose children now live in Chicago, was there some time before Mr. BEAUBIEN.

These facts touch only the question, of course, as to the *first* white settler of Milwaukee. That Mr. JUNEAU is entitled to the credit of founding the city, and taking an active and honorable part in its early government, and in contributing in a very great degree to its prosperity, there is no doubt."

accordance with the Treaty, they remained in possession of it up to the summer of 1836, when it was surveyed by the General Government. The Messrs. CUTLER built the first "log cabin" in this town in the year 1834. It was located near where Messrs. BLAIR & SMITH's machine shop now stands. Mr. MANDERVILLE at that time made a "claim" on what is now the "school section." Mr. LUTHER claimed the land where Mr. MEYER now resides, on section 20, in this town. These were the only settlers who came here that year. At that time large tribes of Indians were located in this county. Their head quarters were at this place; yet their *wig wams* were scattered up and down the Fox River, (or *Pish-ta-ka*, as they called it,) from Mukwonago to Pewaukee Lake; and for the first two or three years they were a great annoyance to the white settlers. There being no fences, the settlers' cattle would often get among the Indians' corn fields, and caused much trouble. The Indians being legally in possession of the land, and having the numbers and power to rule, would demand such damages as they saw fit; and upon one occasion claimed and received of the Messrs. CUTLER a fat ox for the damage he had done their corn. In the spring of 1835, Mr. McMILLAN and family came and built a cabin where the Court House now stands. Mr. A. C. NICKELL and Dr. CORNWALL located on the south part of the farm now owned by Mr. NICKELL. Mr. IRA STEWART located on what is now known as the "Cushman farm," and Messrs. ISAAC and RICHARD SMART located where they now live. These were the only settlers who came that year.

During the summer and fall of 1836, Mr. — MURRAY located on what is now WILLIAM WHITE's farm. Messrs. NELSON and THOS. H. OLIN located on what is now known as the "Gale farm." Mr. SERGEANT located on the west side of the river, near the water-power. Soon afterwards, this township was surveyed, when it seemed that the Messrs. CUTLER, McMILLAN and SERGEANT were all on one quarter section, where the village and mills are now located. This, for some length of time, was a bone of contention, all being anxious to "claim" the water-power. In the fall of that

year, Mr. NATHANIEL WALTON, with his family, located where they still reside, near this village. Up to this time, Mrs. McMILLAN was the only white woman in this part of the country; consequently there was no tea table gossip at that time. Mr. McMILLAN's cabin, which was about 16 by 24 feet, was the only public house in the place, and an interesting spot it was, too.

At that time we were located at Milwaukee, and came out here often. Upon one occasion, we stopped with twelve others at this hotel over night, there being but one room and two beds in the house. We have often seen the hogs occupy the inside of the house, and the whiskey barrel placed on the outside to make room. If a landlord, at that time, could raise a barrel of flour, pork and whiskey, it was all that was necessary for a "first-class hotel." In short, tavern keeping was more an act of necessity than choice with many, as the settlements were so few and far between that they were compelled to keep all travellers that came, regardless of their means of accommodation, as all preferred sleeping on a floor to a bed, or on a blanket in the open fields, as we were often compelled to do.

In the spring of 1837, we came here to look at a claim owned by Mr. CUTLER, which he had then recently purchased of Mr. LUTHER for five hundred dollars. We stopped with Mr. WALTON, who at that time kept the best house. In the morning we started on foot, in company with Mr. M. D. CUTLER, to view the "claim"—a distance of about four miles. When we came to the river, which at that time was nearly two feet deep, Mr. C. commenced fording it. We backed out, and proposed to return to the hotel for our pony; but Mr. C. insisted on our trying our pedestrian powers in the water, and after spending some time in consultation, he supplied the place of our pony, and carried us safe through the river. Upon arriving at the "claim," we found it to be "all our fancy painted," and we soon closed a bargain for it at \$1,000, paying in four (paper) city lots, at \$250 each.

Previous to this time, Mr. ORRIN BROWN had come and located on the quarter section where the "Stone Quarry" is; and Mr.

MANDERVILLE having found himself, after the survey, on the school section, located on the quarter section that Mr. A. MINOR now lives on. In the course of that season, Messrs. E. D. Clinton, Z. Bidwell, Henry Bowron, James Y. Watson, J. M. Wells, J. Rice, J. W. Rossman, E. Churchill, Ezra Mendall, Joel Bidwell, Daniel Thompson, Robert Love, Moses Ordway, Sabina Barney, Asa S. Watson, and Peter N. Cushman, located on different claims in this town. This comprised the whole settlement here, in the year 1837.

In the spring of 1838, several new settlers immigrated. Among them were H. N. Davis, James Buckner, Charles Crownheart, Ira Doliver, B. F. Chamberlain, O. N. Higley, Albert White, James and Edward W. King, I. C. Owen, Daniel Chandler, Allen Clinton Lyman and E. W. Goodnow, and several others. During that season, James Buckner and Mr. Bowron built what is now a part of the "Prairieville House." Robert Love built a small frame dwelling house, and we another. These were the only framed buildings in this county at that time. Associations had been formed by the settlers for the mutual protection of each other in their "claims." Each had his claim registered, and was protected in the peaceable possession of so many acres, which was altered from time to time by the Association. At first, each man was allowed to claim 160 acres; after which "claims" became more valuable, and it was extended to a whole section. Disputes having arisen between the Messrs. CUTLER, McMILLAN and SERGEANT, (who were all on one "claim,") several "claim trials" were had, and finally, the Messrs. CUTLER bought off the other claimants. In the mean time, M. D. CUTLER had bought out Mr. BROWN, and taken possession of the quarter section where he now lives.

Up to this time, the only provisions used or seen in the country were salt pork, flour and potatoes. Flour was worth in Milwaukee \$16 to \$17 a barrel, pork \$30 to \$33, potatoes \$2 to \$3 a bushel; and the price of hauling a barrel of pork from there was \$5, and other freights in proportion. The road from here to Milwaukee was any where we chose to travel, as travellers generally preferred new

routes each time, knowing that a change must necessarily be an improvement. It had never been cut out through the timber, and each traveller was compelled to carry an axe to cut the trees, whenever he ran against them. Previous to the summer of 1838, there were but few settlers between here and Milwaukee.

During the summer of 1836, Messrs. CAMP and ANDREWS had settled at Mukwonago, Messrs. HATCH and ROCKWELL at Oconomowoc, and Messrs. FULLER and PORTER in Pewaukee, where they now live; and in 1837, Messrs. EDGERTON and DOUSMAN located their claims in Summit and Ottowa, where they now reside. The same season, Mr. JOHN GALE, who then lived at Milwaukee, bought Mr. CUTLER's claim to the quarter section containing the water-power, for \$6,600, and the next season built a flour and saw-mill on it. After which he sold an undivided interest in it to WM. A. BARSTOW and ROBERT LOCKWOOD, who, in company with him, laid it out into village lots, many of which were sold at a high price, and bonds for deeds given while the title still remained in the General Government.

In October, 1839, the lands were brought into market and sold. At that time all the best locations had been taken, and each occupant was permitted to purchase his land at public auction, at the minimum price of \$1 25 per acre. Many of the settlers being poor, paid from 25 to 50 per cent. for money to purchase their lands, and allowed the speculators to take the titles to them in their own names, as security for the money loaned; whereby in the end, being unable to pay, they lost their all. All those who succeeded in paying for their lands, and have remained on them up to the present time, have become wealthy; while some, who were unable to pay for their lands, sold their improvements for what they could get, and commenced anew on unimproved lands. From that time to this, the settlement of our county has gone forward steadily, and the lands are now mostly owned and occupied by actual settlers. Several large and flourishing villages have been built up in the county, which time and space will not allow us to speak of, on this occasion.

In 1847, the "Milwaukee and Waukesha Railroad Co." was incorporated, and subsequently it was changed to "Milwaukee and Mississippi," and extended to the Mississippi. The road was completed from Milwaukee to this village in March, 1852. There are also charters for three other Railroads running through this village.

The village of Waukesha was incorporated in 1852, and now has a population of about 2,200. It contains one saw mill, one flouring mill, two foundries, one railroad car factory, one machine shop, one threshing machine manufactory, two breweries, nine blacksmith shops, nine boot and shoe shops, two paint shops, one cooper shop, one carriage and wagon manufactory, two tailors' shops, two millinery establishments, two jewelry shops, three saddle and harness establishments, two cabinet ware-rooms, two tin and sheet-iron manufacturing establishments, two stone-cutting establishments, two butchers' shops, three drug stores, three stationery and book stores, three hardware stores, five dry goods stores, seven groceries, three hotels, two livery stables, nine physicians one daguerreian room, one portrait painter, one dentist, seven lawyers, twelve ministers of the gospel, besides Rev. Dr. SAVAGE, President of Carroll College; eight churches, the court-house and jail, a college, a female seminary, the Waukesha County Bank, two printing presses, one literary paper, and two newspapers.

NO. 4.—OLD SETTLERS.

Some time in the month of February, A. D. 1837, we in company with AUGUSTUS STORY, (a nephew of the late Chief Justice STORY,) started from Milwaukee on a tour to the mining regions. We were both young and *green* in every thing connected with

western life, if not upon general principles. Our outfit consisted of two Indian ponies, rigged with pack-saddles, saddle-bags, blankets, "provisions for man and beast," with a few extra "liquids." The snow was about ten inches deep, and the weather extremely cold—say 10 or 15 degrees below 0. We reached Prairie Village the first night, pretty much "used up," being unaccustomed to riding, especially through heavy timber, where there was no road, except what we made for each other, in travelling in "Indian file." At Prairie Village, (now Waukesha,) we put up at the best house in town, which was a small log cabin, about fifteen feet square, and contained but one room and two beds. Some five or six travellers from other directions, had arrived in advance of us, and a "sight" for lodgings looked rather dubious. Upon inquiry, we were told that we could stay, as it was a standing rule of the country to entertain all travellers, regardless of accommodation, for necessity compelled it. After partaking of a very palatable supper, consisting of fried pork and bread, the two beds were properly divided among the crowd upon the floor; but, having a good supply of blankets ourselves, we refused our proportion, and made our bed near the stove; and being so much fatigued, from our journey, we soon fell asleep, and did not even awake until daylight pressed the duty upon us. After having breakfasted, we resumed our journey in the direction of Fort Atkinson. Being aware of the fact, that there was no house on the route between Prairie Village and that point, we prepared ourselves for the worst. The road was but an Indian trail, completely hidden by the snow; so we were compelled to travel by compass instead of "trails." We reached Rock River just as the day-god was sinking in the west; and, as good luck would have it, we discovered a light a short distance from the river, and directed our steps towards it. Upon our arrival at the spot from whence it proceeded, we found some old friends, whom we had previously seen at Prairie Village—the Messrs. FOSTER, of Fort Atkinson. This was the only cabin in the place. It had just been completed, and was located near the old Fort. Reader, if you were ever cold, hungry, weary, "*dry*" and wet, at

the same time, you can imagine our feelings on that occasion. The accommodations were somewhat limited, it being a log cabin of about the usual size, and contained but one room occupied by two families. Ten travellers, besides ourselves, had bespoken lodgings for the night ; still we were comfortably provided for.

The next morning, with much reluctance, we again resumed our journey, weary and sore. We would willingly have retreated ; but did not do so, lest we should be laughed at. We were informed that the next nearest stopping place (except among the natives) was at HANEY'S, near the Blue Mounds, a distance of 50 miles. It was a cold, cloudy day. Our compass, from some unknown cause, refused to perform its duty ; and after travelling five or six miles, we were unable to determine whether we were going west or east. Our comrade becoming weary and discouraged, seemed determined to take the back track ; but this we demurred to, as being contra to our early education. We took the lead, and kept it till about 3 o'clock P. M., when, looking round for our friend STORY, we found that we had distanced him, and that he was not in sight. We halted for a short time, when he came up, and insisted upon "camping" upon the spot. We assured him that we would reach an Indian settlement, on the First Lake, before dark and prevailed upon him to follow. He finally consented to do so, and we again led the way till night overtook us, when we halted on the banks of the Catfish river, near the present site of the village of Dunkirk. After brushing the snow away from an old log, we struck up a fire, turned our pony loose to browse, and made preparations for lodgings. Our companion had not yet arrived, and we started on the back track in search of him. Twilight was fast deepening into night ; and it soon became so dark, that we could only proceed in the direction from whence we came by feeling the footprints of our pony in the snow. Placed in this dilemma, we knew not what course to pursue. The wolves commenced howling around us, evidently intending to give us their hand, without a formal introduction ; and at times they would approach so near us that we could see their glaring eye-balls through

the darkness. In this manner we felt our way back for the distance of about a mile, when we met our companion who was completely exhausted. He was proceeding on foot, feeling his way, and leading his pony—cursing both us and the country. We assured him that we had procured the best of lodgings, at the nearest hotel, which was but a short distance ahead; and in this way we kept his spirits up until we reached the lodgings which we had provided by the “old oaken” log; and never were mortals more happy than we were on reaching it. After spancelling our ponies, and turning them loose to browse, we looked after our provisions, and found that they had “stepped out,” or, in other words, we had lost them; and nothing had we in the shape of refreshments, except a bottle, about half full, of “fourth proof.” We took that to the river, for the purpose of diluting it with water, and thus making it more palatable; but we found the river frozen over. We attempted to break the ice with our fist, but it was stronger than we had anticipated; and after dealing it a few blows, our knuckles “backed out.” After seeking in vain to find a stone near by we conceived the idea of breaking the ice through with our bottle; but at the first blow the bottle yielded, instead of the ice; and away went the last of our *liquid refreshments*. We returned to the camp, and found our friend engaged in endeavoring to re-kindle the fire, which had nearly expired. We informed him of our misfortune, and at the same time reminded him that it was useless to mourn for “spilled milk,” or brandy. After a while we succeeded in reviving the fire, which we took turns in replenishing with fuel during the night. It was so cold that we should have been frozen before morning, had we not kept up a fire, which, together with the time occupied in keeping the wolves at bay, occupied one or the other of us until day dawned upon us. The wolves watched every move we made, as though, (if possible,) they were more hungry than ourselves.

We were “up and dressed” in good season in the morning—not having slept at all during the night—and proceeded up the Catfish river, knowing that that stream would lead us to the “Fourth

Lake," where were several Indian wig-wams; and when there, we could obtain something to eat, even if it was not of the choicest kind. At about noon we reached the First Lake, and seeing mocasin tracks in the snow, we followed them a short distance to a wigwam, but found it tentantless. After searching it from top to bottom, we found a few cold roasted potatoes, which, we assure you, (after having fasted for twenty-four hours,) relished well.—We remained in this wigwam an hour or two, and then passed on to the point where Madison is now located. At that time, neither the axe, nor "the shovel and the hoe," had been hung up or laid down in that vicinity. It was nearly sundown when we crossed the Third Lake. After travelling over the first eminence—where the Capitol now stands—we struck a ravine, (between Capitol-square and the present site of the University,) where we made a halt, struck up a fire, and encamped for the night, without even making any inquiry about supper. The cold potatoes which we ate at noon, supplied the place of breakfast, dinner and supper. The weather had moderated a little, which, together with the hardships of the journey, and our extreme fatigue, caused us to sleep quite comfortably during the night. The next morning we crossed Fourth Lake, a distance of about four miles, where we saw a small log cabin, which was the first building of the kind we had seen since leaving Fort Atkinson. We knocked at the door, but all was silent. We were both cold and hungry, and the *sight* of a cabin was some relief. We did not wait for ceremony, but bolted in, where we found a squaw and some four or five papposes. We spoke to her in the Pottawatamie language, but she made no reply. We were soon satisfied that she did not understand us. We then made all the signs that our Indian education or ingenuity would admit of, to show her that we were hungry; but all in vain. We expected that her husband would soon come in and kick us out of doors, without waiting for an explanation, and were at a loss what to do. A white man, however, soon came in, spoke to us in good English, and seemed glad to see us. He informed us that he was a Canadian, that the squaw was his wife, and that the children

were also his. The squaw belonged to the Winnebago tribe, and spoke a different language from the other Indians in the vicinity. He had been an Indian trader there for years. The lands which he had cultivated had been sold without his knowledge; for, in fact, he took no interest in anything, except trading in furs, &c. His wife, on being made acquainted with our wants, flew around and prepared for us a supper. It was a kind of pot pie, which relished very well. After finishing our meal, we inquired what kind of meat we had eaten, and were informed that it was *musk rat*.—We remained there till morning, and then left for the “Blue Mounds.” In the meantime, we had become blind, from the effect of sore eyes, caused by too frequent exposure of our ocular organs to the smoke.

At Blue Mounds we found Mr. EBENEZER BRIGHAM, who still resides there. By this time, our eyes had become so sore, that we could not bear the light. We remained at the Mounds a day or two, while our friend STORY went on to Mineral Point. Being anxious to arrive at the “diggings,” whether we were able to see or not, we hired an Indian to lead our pony, mounted upon his back, and proceeded to Mineral Point. We were obliged to ride blindfolded, to protect our eyes from the wind. We arrived at the Point a little after dark, on Sunday evening. We were conducted into a room at the principal hotel, kept by Mr. NICHOLS; but still kept our eyes bandaged. There were all kinds of fun, sports and music going on in the room. After sitting a while, we removed the bandage from our eyes, washed them, and found that they were much better. Such a sight as presented itself to our view, we never saw before or since. It seemed that the miners were in the habit of assembling there on Saturday nights, to drink, gamble and frolic until Monday morning. The house was composed of three or four log cabins put together, with passage ways cut from one to another. This was the only public house in the place. The bar room, in which we were sitting, contained a large bar, well supplied with all kinds of liquors. In one corner of the room, was a Faro Bank, discounting to a crowd around it; in ano-

ther corner a Roulette; and in another, sat a party engaged in playing at cards. One man sat back in a corner, playing a fiddle, to whose music two others were dancing in the middle of the room. Hundreds of dollars were lying upon the tables; and among the crowd were the principal men of the Territory—men who held high and responsible offices then, and do now. Being pretty much worn out by our journey, we expressed a wish to retire. The landlord showed us through a dark room, and opened the door of another, in which two men were also playing at cards, and a third lay drunk upon the floor. The landlord sat down his light, seized the drunken man by the collar, and dragged him into the next room. He soon returned, and informed us that we could choose between the beds—there being two in the room—and bid us good night. We sat down upon the side of the bed, and began to figure in our mind upon the chances. We had several hundred dollars in our pocket, which we had brought with us, for the purpose of entering land.* We imagined that in case they should get "short," they might call for our "pile."

After studying a while, we threw down the outside blanket, and quietly crawled into bed with all our clothes on, except cap and boots. We had a good bowie-knife in our belt, and a pistol in each pocket; we clasped a pistol in each hand, and in this way we lay until daylight, and a longer night we never wish to see.—When daylight made its appearance, we got up; our room-mates were still playing at cards. On going out to the bar-room, we found that the crowd had mostly disappeared; there were here and there one or two asleep around the room, and all was still.—The next day, our companion, (MR. STORY,) who had been visiting some friends near by, came round. We entered our lands and returned to the Blue Mounds, where we laid in a store of provisions and left for home, which we reached in four days, having learned the way, the fare, the manners and customs of the miners, and have seen enough of travelling in a new country to last us from that time to the present.

* Perhaps it would be well to state here, in connection with this fact, that this was previous to our connection with politics or newspapers.

OBJECTS OF COLLECTION DESIRED BY THE SOCIETY.

1. Manuscript statements and narratives of pioneer settlers—old letters and journals relative to the early history and settlement of Wisconsin, and of the Black Hawk War; biographical notices of our pioneers, and of eminent citizens, deceased; and facts illustrative of our Indian tribes, their history, characteristics, sketches of their prominent chiefs, orators and warriors, together with contributions of Indian implements, dress, ornaments and curiosities.

2. Files of newspapers, books, pamphlets, college catalogues; minutes of ecclesiastical conventions, associations, conferences and synods, and other publications relating to this State, or Michigan Territory, of which Wisconsin formed a part from 1818 to 1835—and hence the Territorial Laws and Journals, and files of Michigan newspapers for that period, we are peculiarly anxious to obtain.

3. Drawings and descriptions of our ancient mounds and fortifications, their size, representation and locality.

4. Information respecting any ancient coins, or other curiosities found in Wisconsin. The contribution of such articles to the Cabinet of the Society is respectfully solicited.

5. Indian geographical names of streams and localities in this State, with their significations.

6. Books of all kinds, and especially such as relate to American history, travels and biography in general and the West in particular, family genealogies, old magazines, pamphlets, files of newspapers, maps, historical manuscripts, autographs of distinguished persons, coins, medals, paintings, portraits, statuary and engravings.

7. We solicit from Historical Societies and other learned bodies, that interchange of books and other materials by which the usefulness of institutions of this nature is so essentially enhanced—pledging ourselves to repay such contributions by acts in kind to the full extent of our ability.

8. The Society particularly begs the favor and compliment of authors and publishers, to present, with their autographs, copies of their respective works for its Library.

9. Editors and publishers of newspapers, magazines and reviews, will confer a lasting favor on the Society by contributing their publications regularly for its library—or, at least, such numbers as may contain articles bearing upon Wisconsin history, biography, geography, or antiquities; all which will be carefully preserved for binding.

Packages for the Society may be sent to, or deposited with, the following gentlemen, who have kindly consented to take charge of them. Such parcels, to prevent mistakes, should be properly enveloped and addressed, even if but a single article; and it would, furthermore, be desirable, that donors should forward to the Corresponding Secretary a specification of books or articles donated and deposited.

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ERRATA.

Page 29—End of first line, instead of "Engignkhils," read *English King*.
 " 100—WILLIAM FORCE should evidently read GEORGE FORCE.

REPORT

OF

MR. M'INDOE,

FROM THE COMMITTEE TO WHOM WAS REFERRED SO MUCH OF THE

GOVERNOR'S MESSAGE,

AS RELATES TO

SWAMP LANDS.

1000 COPIES ORDERED PRINTED.

MADISON:
BERIAH BROWN, PRINTER.

1855.

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GOVERNMENT PRINTING OFFICE

2 W A M P L A N D S

THE COLLEGE OF THE CITY OF NEW YORK

MANHATTAN
NEW YORK

REPORT

The Select Committee to whom, had been referred so much of the message of his Excellency the Governor, as relates to the subject of the grant of "overflowed and swamp lands," have had the same under consideration, and beg leave most respectfully to make the following

REPORT:

The swamp and overflowed lands lying in each state were, by an act of Congress, approved September 28th, 1850, granted to the states in which they are situated, with the following proviso, viz: "Provided however, That the proceeds of said lands, whether from sale or by direct appropriation in kind, shall be applied, exclusively, as far as necessary, for the purpose of reclaiming said lands by means of the drains and levees aforesaid." The lands granted to this state comprised those portions remaining unsold at the passage of the act. A portion of them had been surveyed and platted; a portion consisting of large quantities that line the banks of rivers and islands which are partially or wholly overflowed, during certain months in the year. The balance consists of the quantities both swamp and overflowed land, lying in portions of the state still unsurveyed. The amount which has been surveyed, and which is now at the disposal of the state, is said by his Excellency, the Governor, in his annual message, to be as follows:

In the Milwaukee Land District,	53,636 93-100	acres.
“ Mineral Point, “	13,515 40-100	“
“ La Crosse, “	217,295 18-100	“
“ Willow River, “	118,015 45 100	“
“ Menasha, “	717,528 62-100	“
“ Stevens Point, “	521,670 52-100	“
<hr/>		
Total,	1,641,662 10-100	“

The amount still unsurveyed can be estimated only upon the basis of remote probabilities, but it cannot be far from 1,400,000 acres; so that the amount which will finally accrue to the State will hardly vary far from 3,000,000 of acres. Such is the calculation expressed in the last annual message of his excellency the governor, and your committee is of the opinion that it approximates, as nearly as possible, to correctness.

The present and the ultimate value of these lands affords a still more unsatisfactory field of speculation than their amount. Many of the tracts, are probably entirely worthless, or will be so unless at an expense in reclaiming them far exceeding any possible value they might attain; others are doubtless among the best lands in the state for meadows and for grazing purposes; while the quantity is not small that is fitted for any purpose of settlement and culture. When a portion of a quarter section descends into a marsh, or to the low banks of a stream, so that more than half of the subdivision was affected by it, it has been the custom of the Government surveyors to designate the entire tract as swamp lands, and wherever such cases occur the tract is more valuable than any other species of land as it comprises every variety, upland, wood, pasture and meadow, necessary to the wants or the convenience of the settler. But what portion of the entire amount consists of this, the most valuable character of lands, and what portion consists of the other, which is wholly worthless, is a subject upon which your committee is unable to offer any reliable information, and nothing but a personal survey, the cost of which would far exceed its

benefits, could furnish any knowledge beyond general estimates upon the subject. Perhaps the following crude supposition may be as near as it is possible to arrive at present.

Amount partly swamp and partly upland,	-	250,000	Acres.
" wholly swamp, and fitted for meadow,		850,000	"
" wholly swamp, which might be reclaimed at slight expense,	- - -	750,000	"
" wholly swamp, to reclaim which would cost their entire value,	- - -	500,000	"
" wholly swamp, worthless,	- -	650,000	"
Total,	- - -	3,000,000	Acres.

These are but rough estimates, yet as they are based, to a certain extent, upon the personal acquaintance of your committee with the condition of the swamp lands in their several localities, and, to a still greater extent, upon the information of men from various parts of the state, possessing a knowledge upon the subject, we are of opinion that they cannot vary widely from the truth.

The grant by the terms of which these lands, have or will come into the possession of the state, provides that the proceeds arising from their disposal shall be applied "as far as necessary" to reclaiming them by levees, drainage, &c. The phrase "as far as necessary" has been regarded as more than equivocal in its meaning; whether it is intended to express the requirement that the lands shall be *all* reclaimed by means of drains and levees, and their proceeds, "as far as necessary," shall be applied to that purpose, or whether they shall be reclaimed "as far as necessary" to the convenience of the settler, and salubrity of the neighborhood, is a question which has arisen in the minds of your committee, and of able and learned lawyers who have thought upon the subject. The only object which the government can entertain, in enacting a requirement upon the subject, is the health and comfort of its citizens. The personal and pecuniary advantage of drainage and reclamation, if no other cause existed for requiring it, would, of

course, be left to the choice and enterprize of the settler, or person immediately interested. As the salubrity of the climate and the health of the neighborhood in which the lands lie, is therefore the end desired by the government; and as the drainage of *all* the lands may be far from necessary to that object, your committee is of opinion that the phrase "as far necessary" applies to the extent to which the work of reclamation shall be carried, and not to the amount of proceeds to be used for that purpose.

It is evident that the labor of digging drains and constructing levees can never be performed to advantage by the State. The small results that are accomplished by even a lavish expenditure of money when the government is the paymaster, has become proverbial. It is well understood that a private individual can execute the same amount of the same quality of work at one-half or two-thirds the cost for which the public authority can do it. Congress itself seems to have contemplated the fact in the peculiar phraseology of the act of grant, that the proceeds "whether from sale, or by direct appropriation in kind," should be applied to the purpose designated.

A single phrase of the constitution of this State has also been supposed to create difficulties in deciding what shall be done with these lands after we have obtained them. Sec. 2, article 10, provides that among other lands and resources, "all moneys arising from any grant to the State, when the purposes of such grant are not specified," shall be set apart as a separate fund, to be called the "school fund." The liberality which dictated the bounteous provision made by our constitution for the education of the people of the State, was enlarged and noble. It has secured an ample fund, which, for all time to come, is an inexhaustible inheritance to be applied to the worthiest objects of public enlightenment and intellectual renown. But whether the precise terms of the constitution, apply to the grant under consideration, is a question with your committee. The purposes of the grant of "swamp and overflowed lands" are specified to be their drainage and reclamation for culti-

vation. If an overplus shall exist, the object to which it is to be devoted is not, to be sure, specified; but we think it very doubtful whether a provision of the constitution can cover part of the proceeds of the grant, and not the other. The constitution either relates to the whole of the grant, or to none of it. It cannot relate to the whole, because a part is otherwise provided for; and we are therefore of opinion that no part of the proceeds of the "swamp and overflowed lands" is justly applicable to the increase of the school fund. It may be further urged that the grant was made subsequent to the adoption of the constitution, and that had the terms of that instrument been even less dubious, they would in no way applied to the swamp land grant.

The considerations bring us to the conclusion that the state rests under no restrictions as to its disposal of the proceeds of the grant, with the single exception that it shall secure, "so far as necessary" their drainage and the removal of such causes as might prove deleterious to the health of those neighbourhoods in which the lands are situated.

Your committee has considered the subject of restricting the sale to limited quantities and actual settlers. Yet while strongly in favor of the principle as applied generally to the public lands, both of the state and general governments, they have thought that the swamp lands constitute an exception to a rule the general justice and good policy of which they freely admit. The "swamp and overflowed lands," are of course, valueless for settlement, except a few of the highest tracts, and portions of those subdivisions which are upland and which have been thrown in because more than half of the tract was overflowed or marshy land. The swamp lands are valuable only as appurtenances to cultivated farms, when they lie in large tracts, of thousands of acres, as they sometimes do, it is impossible that the central portions should be sold to an actual settler, as none would settle upon it. Further, it is the evident intent of the act of grant that these lands should be reclaimed as speedily as possible. To restrict the sale would also

delay it, and long delay might work a forfeiture of the grant, and finally, there are other terms of sale proposed in the bill herewith submitted, which will probably act virtually as a preventive of monopoly to the disadvantage of him whose intention to devote the land to his own use gives him a prior and preferred claim to it. We have provided that the purchaser shall execute the labor of reclamation, have given pre-emption every usual and advantageous right, and have given the purchaser for cultivation precedence in every case of doubt or privilege.

In considering the disposal of these lands, and that disposition which would be best and wisest for the state, your committee has thought that plan most politic which, while lessening the burthen of public taxation, increases the ability of the people to bear it. This they consider to be a primary object of government and a creditable achievement of statemanship—to reduce as greatly as possible the necessary expense which is borne by the citizen, and to add to his means of paying it. We have endeavored to apply this principle to the disposal which, in our opinion, the state should make of these lands. We have thought that a portion of them would form a proper fund to be used for works of local improvement, to provide means for which is now the heaviest task borne by the early and by no means opulent settlers in our state. We have, therefore, recommended the unsurveyed portion of the “overflowed land,” lying in the surveyed portion of the state, and those swamp lands lying and being on the odd numbered sections, should be donated to the counties in which they lie, for the purposes of reclamation and to form a fund for opening and improving roads, building bridges, and such works of this nature as the county to which they are donated may designate. This will develop the resources of the state, open avenues of inter-communication, bring the producer nearer to market, and it will discharge an expense which has hitherto been a heavy draft on the means of new settlers, struggling with the first difficulties of settlement in an uncultivated country. It will render farms more valuable, increase the price of produce by lessening the cost of transportation, and it will

accomplish these results without expense to those upon whom the benefit is conferred.

The "swamp and overflowed lands" being on the even-numbered sections, we have proposed should be sold by the state according to a plan which will, we trust, be a security against frauds in the purchase, and in the expectation that the treasury will realize from it an ample sum that can be devoted to the discharge of the indebtedness contracted by the state in its labors of beneficence in erecting asylums for the indigent insane, blind, deaf and dumb, the states prison, and other works of a public and necessary character. This disposition was recommended by his excellency the governor, for the whole of the lands; we think their proceeds will amount to far more than will be necessary for those objects, and have recommended the additional plan for disposing of the balance.

In the details of the bill we have framed, a protection for the pre-emptor, have given the intended cultivator of the lands preference over other purchasers, and have provided that the primary objects of the grant, the reclamation of the lands shall be coined into effect. The minimum price of the lands is fixed, for the present, at one dollar and twenty-five cents per acre.

Your committee would also recommend that his Excellency, the Governor, be requested to carry into effect as speedily as possible, the measures adopted by him to secure to the state the title to these lands, that the people may be reaping from them the benefits they were designed to restore.

And your committee would adopt the language of the last annual message of the Governor, as follows: "There are numerous considerations which should weigh, in urging an early disposition of these lands. To dispose of them, would tend greatly to improve the health of localities contiguous to them; would hasten the settlement of the country, and make productive taxable property of much of that, which in many instances, is at present use-

less, and no law for their protection, or against taking the timber from them, it is believed, could be rendered sufficiently efficacious to prevent them being thus despoiled, of what, in many instances, constitutes their chief value. Besides, even admitting the possibility of enforcing such a law, it could not be done without great perplexity and expense to the state."

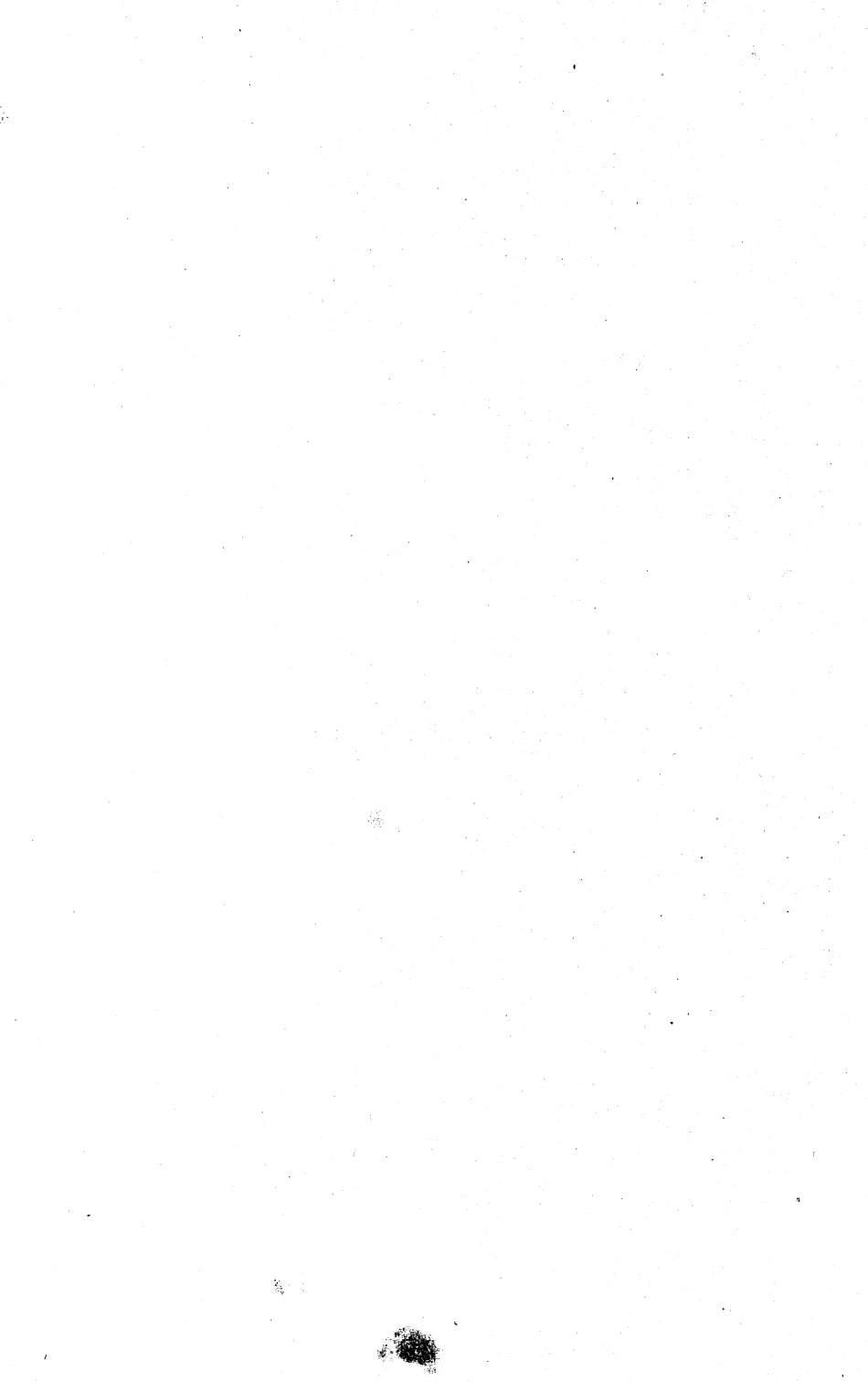
All of which, with the accompanying bill, is respectfully submitted.

WALTER D. McINDOE, Ch'n.









SPECIAL MESSAGE

OF HIS EXCELLENCY

THE GOVERNOR.

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MESSAGE.

EXECUTIVE DEPARTMENT.

FEBRUARY 26, 1855.

To the Legislature:

In pursuance of the sixth section of the fifth article of the constitution, I communicate to the Legislature all the cases of pardon granted by the Executive during the year 1854, stating the name of the convict, the crime of which each was convicted, the sentence and its date, and the date of the pardon, with the reasons for granting the same.

The following named persons were pardoned by me the day previous to the expiration of their sentences, upon petition and evidence of good behavior and reformation, viz:

Name.	Crime.	Term.	When Sentenced.
Peter Duffee,	Assault with intent to kill,	3 years,	March 5, '51.
William Brophy,	Arson,	6 months,	October 6, '53.
George C. Friescher,	"	"	" "
Hugh Crocker,	"	"	" "
Gottfield Loon,	"	"	" "

Name.	Crime.	Term.	When Sentenced.
Adam Mayer,	Larceny,	1 year,	May 20, 1853.
Joseph Bondell,	"	"	" 5, "
Abijah Little,	Forgery,	2 years,	June 10, 1852.
Nathaniel Hicox,	Larceny,	1 year,	Sept. 23, 1853.
Henry Kern, Assault with intent to kill,		2 years,	Oct. 1, 1852.
Canute Hanson,	Burglary,	1 year,	" 1, 1853.
James Harris,	Larceny,	1 year,	Oct. 3, "
David Wilson, Passing counterfeit money,		2 years,	Oct. 14, 1853.
John Seeley, Assault with intent to kill,		1 year,	Oct. 7, 1853.
Thomas Shaw,	Larceny,	1 yr 6ms 5ds,	April 26, '53.
John Foster,	"	2 yrs 2 ds,	Oct. 29, 1852.
David Morgan, Larceny, and Burglary,		3 years,	Nov. 1, 1851.
John Clancy,	Robbery,	1 yr 6 ms,	May 20, 1853.
Joel Soper,	Larceny,	1 yr 2 ds,	Nov. 14, "
Elizabeth Owens,	Incest,	6 months,	June 19, 1854.

Alexander McCarthy was convicted of the crime of murder in October, 1849, and sentenced to death, afterwards the sentence was commuted to imprisonment for life; and on the 4th day of July, 1854, he was unconditionally pardoned, upon strong evidence of unintentional killing, furnished me in addition to testimony relative to his good behavior, and being asked for by a great number of petitioners who based their request upon alleged knowledge of the circumstances connected with the transaction, and an acquaintance with the prisoner.

Horace Buskirk was convicted of burglary on the 25th day of March, A. D. 1854, and sentenced to one year's imprisonment. He was pardoned on the 25th day of August, 1854, upon evidence of his reformation, the recommendation of the court which tried him, and numerous petitioners.

David Heath was convicted of larceny and sentenced in October, 1851, to four years imprisonment. He was pardoned on the 26th day of June, 1854, there having been evidence of his probable innocence furnished me, and his release asked for by the district attorney and part of the jury who tried him.

John C. Calvert was convicted of manslaughter and sentenced on the 17th of November, 1851, to seven years imprisonment. He was pardoned on the 28th day of August, 1854, based on the recommendation of counsel on both sides, together with numerous petitions and the consideration that he had already been punished sufficiently to answer the ends of justice.

George Robertson was on the 17th day of October, 1851, sentenced to two years imprisonment for burglary. He was pardoned on the 2d of February, 1854. The reasons which induced me to issue a pardon in his case were, his youth and the strong evidence furnished me of his reformation, his conduct having been exemplary and creditable to him, from the time of his escape from confinement until his return after the expiration of his sentence.

William Flanagan was convicted of manslaughter on the 20th of March, 1851, and sentenced to five years imprisonment. He was pardoned on the recommendation of the court and jury who tried him, the supervisors and a large number of petitioners, aided by the consideration that his punishment had already, under the circumstances, been sufficient.

David Tischer was convicted of an assault with intent to commit rape and sentenced to one years imprisonment from the 10th day of June, 1854. He was pardoned on the 4th day of September, 1854, upon evidence rendering his innocence highly probable and the recommendation of the court.

Alexander Howland was convicted of larceny in May, 1853, and sentenced to one year and ten months imprisonment. He was pardoned on the 3d day of April, 1854, upon evidence of his youth and reformation, the petition for his pardon being signed by very many respectable citizens, and satisfactory proof adduced of his having been led astray by older offenders.

Caroline Malangro and Abraham Malangro were convicted of incest, in February, 1854, and were sentenced to one year and six months imprisonment. They were pardoned July 4th, 1854, upon proof sufficient for a strong presumption of their innocence.

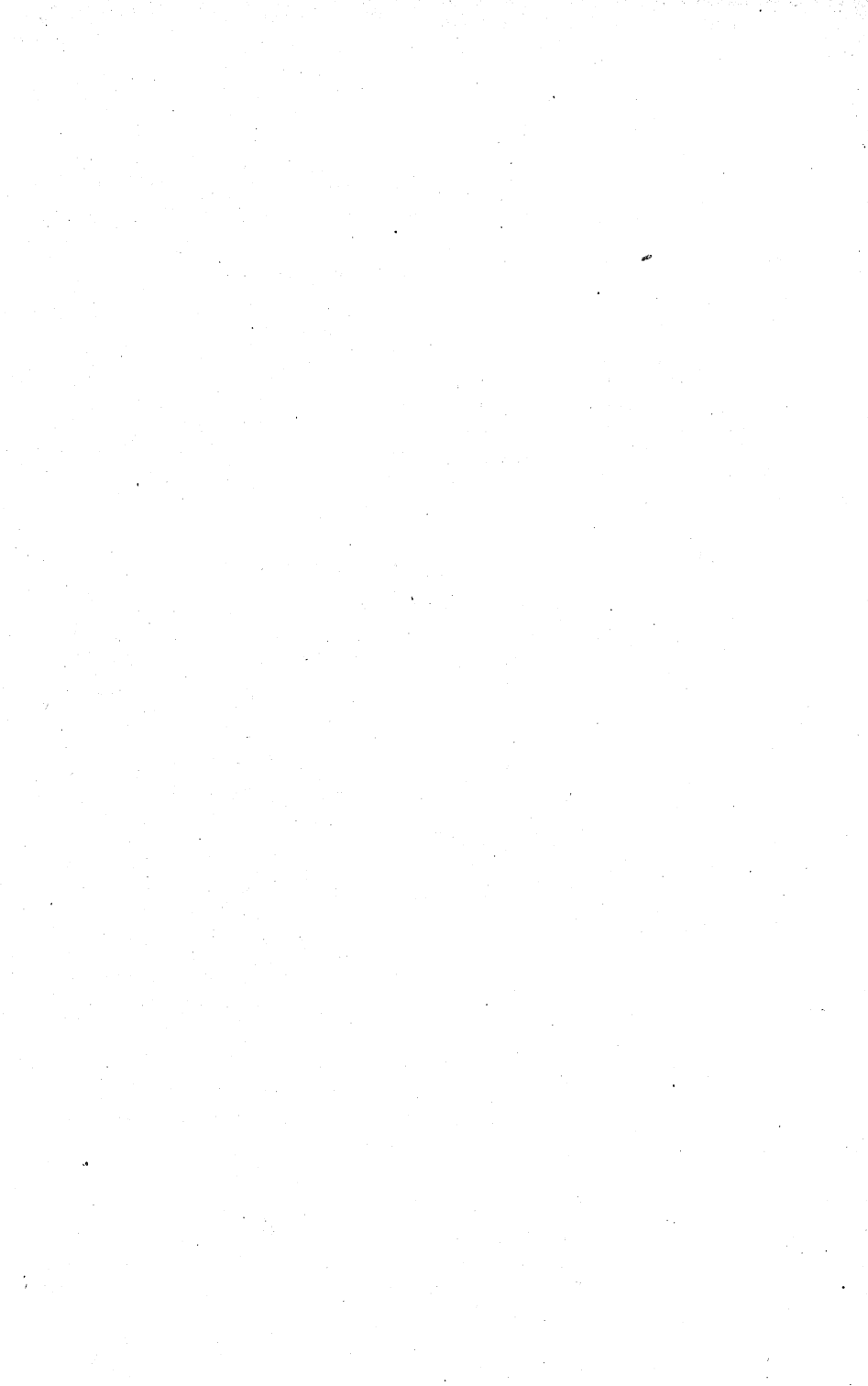
Patrick Fitzgerald was convicted on the 5th day of October, 1853, of an assault with intent to commit a rape and sentenced to one year's imprisonment. He was pardoned March 11th, 1854, upon evidence furnished of insanity when the crime was committed.

Jacob Jacobi was sentenced to one years imprisonment on the 18th day of April, 1853, for an assault with intent to kill, and was pardoned on the 18th day of February, 1854, upon petition and evidence to justify belief of a sufficiency of punishment to answer all the ends of justice.

Edward Dunn was convicted of forgery and sentenced to one year and ten days imprisonment, from the 5th day of May, 1853. He was pardoned March 15th, 1854, for the same reasons as last above stated.

Christian Eidmann was convicted of arson, October 6th, 1853, and sentenced to six months imprisonment. He was pardoned February 13th, 1854, for the same reasons last above stated.

WM. A. BARSTOW.



REPORT

OF

JOINT SELECT COMMITTEE,

APPOINTED TO VISIT STATE PRISON,

CONSISTING OF

MESSRS. BOWEN AND CLEMENT,

ON THE PART OF THE SENATE, AND

MESSRS. PARKER, CARY AND BARNES,

ON THE PART OF THE ASSEMBLY.

1000 COPIES ORDERED PRINTED.

MADISON:
BERIAH BROWN, STATE PRINTER,

1855.

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REPORT.

The joint committee of the senate and assembly, appointed to visit and examine into the affairs of the State Prison, and also to enquire into and report the discipline of said prison, by the Commissioner thereof, respectfully

REPORT:

That they have visited the prison and made an examination of its affairs.

The following is the estimate of the cost of the south wing of the State Prison, based on the estimates of the various contractors building the same :

Whole amount of credit to Andrew Proudfit, on his estimates,	\$103,565 78
Due convicts for over-work on Proudfit's estimates,	4,137 37
Aggregate amount due Proudfit, on estimates,	79,039 60
Which includes the 20 per cent. held back as per contract,	15,727 89
Amount of debit on prison books, as charged to Proudfit, and deducted from 20 per cent.,	607 51
Amount of the 20 per cent. certificates as due Proudfit, after deducting the amount charged on book,	15,120 38
From the aggregate amount deduct amount charged Proudfit for materials furnished by the State, as per contract,	10,000 00
Which leaves total amount due,	69,039 60
Of which has been paid in money and drafts on the Treasury,	24,143 59
Leaving now due Andrew Proudfit, on his contract for building the south wing of the State Prison,	44,896 01
*To this should be added the sum of \$257 84, which was not estimated by the Commissioner, as there was a question in his mind about allowing the same. The amount is for lead furnished by the contractor, under the direction of the Commissioner, for the	

purpose of fastening door hinges, &c. in the work, instead of using stucco. Also for one door, and three gross screws, 16 3-4 cords of rough stone, and some team work. Your committee have thought it a proper charge to be made against the State, and credited to Mr. Proudft. They have also thought proper to reject Mr. Proudft's charge and claim of \$565 10 for Superintendent of the stone shop. Add the above amount,		257 84
Makes now due from the State to Mr. Proudft, the sum of		45,153 85
Whole amount of credit to J. S. Sherwood, who had the contract for furnishing iron,		8,295 21
Aggregate amount his due,		8,295 21
This amount has all been paid by appropriation this winter.		
Whole amount of credit to John Taylor, on his estimates,		4,006 17
Amount due convicts for overwork on Taylor's contract,		133 18
Aggregate amount due Taylor,		3,671 49
Of this amount there is a bill now pending, appropriating to assignees, of some of Taylor's estimates, the sum of		2,618 42
Which leaves due Taylor on his estimates the sum of		1,053 07
Of which he has received,		842 47
Which leaves now due Mr. Taylor on his estimates,		210 60
Whole amount of credit to J. Ackerman, who had the contract for fitting iron,		2,369 17
Amount due convicts for overwork,		464 98
Aggregate amount now due Ackerman,		1,052 04
Whole credit of J. K. Smith, for lumber, on his estimates,		1,887 31
Aggregate amount now due,		1,687 31
Of which there has been paid,		776 60
Leaving now due to said Smith,		910 71
Whole amount of credit of Wm. Reinhard, for carpenter and joiner work,		2,934 92
And due convicts due for over work,		204 99
Aggregate amount due Reinhard,		1,734 66
Total amount of credits on estimates of the several contractors,		122,858 56
Total amount due convicts for overwork, and chargeable to the State,		4,940 52
Total amount of State liability (so far as estimated) up to 1st of January, '55, including overwork for convicts,		90,678 67
Total amount of State liabilities now outstanding, for which there has been no appropriations, as follows:		
Andrew Proudft,		45,153 85
John Taylor,		210 60
John Ackerman,		1,052 04
J. K. Smith,		910 71
Wm. Reinhard,		1,734 66
Due convicts for over work,		4,940 52
Total liability at this time,		54,002 38
From this amount should be deducted the sum of \$2,117 08, which has been drawn by the Commissioner for the convicts, the sum being a part of the amount due the convicts for over work.		

This amount being deducted, leaves the total amount of liability on contracts, against the State at this date, for which appropriations should be made, the sum of \$51,805 30.

Amount of convict labor done for the State,	4,955 63
Amount due convicts for overwork,	1,940 52
Total amount of the convict labor—let to contractors,	6,896 12

Cash received by A. W. Starks, State Prison Commissioner, during the year 1854.

Cash received from State Treasury during the year 1854,	\$17,986 66
Cash received for work in the Prison shops during the year 1844,	508 11

Total amount of cash received,	18,494 97
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Of this amount we find there was disbursed in payment of debts contracted by and under Commissioner Brown, in the year 1853,

Which left of the money received of the State Treasurer, to be expended for the current expenses of the year,	12,709 17
Amount received from the Prison shops added,	5,277 69
	508 11

Total amount on hand at any time for the expenses of the year,	5,785 80
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We find that the amount of money coming into the hands of the Commissioner from all sources, as above, has been properly expended in meeting the liabilities of the prison for the years 1853 and 1854, for which proper vouchers have been exhibited to the committee,

Amount of Prison indebtedness up to 31st of Dec., 1854,	18,494 97
The Commissioner received in the month of January, 1855, an appropriation of 1854,	17,426 99
	4,500 00

Leaving a balance of indebtedness unprovided for, of	12,926 99
From which should be deducted Howell & Cotton's bill of	149 56

Leaving a balance of	12,777 49
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The following is an estimate of the work done in the various prison shops during the year 1854, aside from such work as was done for the prison and the use of the prisoners :

In the carpenter shop,	\$1,075 70
" tin "	206 22
" shoe "	491 42
" paint "	141 72
" blacksmith "	1,061 80
" stone "	3,254 80
	\$6,231 69

Articles on hand at the time the prison debt was calculated, December 31, 1854, the cost of which was included in the debt.

Stone coal \$106 28, block stone \$1,135 31, tools for prison shops 88 00,	\$2,041 59
Five cows \$150, stoves and pipe 410, tinner's stock and tin 50,	610 00
Cloth, clothing and new bedding 300, provisions 350,	650 00
Leather, shoe-findings and shoes \$150, wood, lumber and carpenter work 125,	275 00
Oil and lamps 149 50, account books and books for library 117,	266 50
Book case for library 20, caldron kettle 10, hogs 35,	65 00
Total	\$3,938 09

Permanent improvements made during the year.

New building for shops \$1,000, work on stone shop 50,	\$1,050 00
Addition and work on blacksmith shop, and new forges, chimneys, &c.,	200 00
Gate house 200, repairing prison, &c. 200, benches for shop 40,	440 00
Total	\$1,690 00
Work in shops,	6,231 69
Articles on hand,	3,938 09
Total	\$11,859 78
Amount raised on farm and not included in above, about	450 00
Total	\$12,309 78
Amount of outstanding accounts for work, collectable, about	150 00
Total	\$12,459 78

This amount of \$12,459 78 is of course a legitimate offset to so much of the current indebtedness of the past year.

In this connection it may not be improper to state, that the expense of carrying on the prison, to the State, during the past year, with twenty-five more convicts, and provisions higher, has been but little more than the preceeding year.

The probable cost of completing said south wing of the prison, will be

For the iron,	\$2,000
For preparing it,	1,100
For placing it in the work,	1,400
Total	\$4,500

In justice to Mr. Proudfit, the contractor, it is but proper to say that he has been ready for more than two months past to complete

his part of the job, had he been furnished by other contractors with the material fitted and ready to be placed in the proper spot; but by reason of a failure to have the upper cells done and railing made, Mr. Proudfit has been unable to finish all the prison cells, but stands ready to do so as soon as the materials are prepared.

We would therefore recommend that some provision be made by which Mr. Proudfit may be enabled to draw the money for the balance of his job when it shall be done, and estimates furnished by the committee, without being compelled to wait the meeting of another legislature.

Judging from the past year, the expenses of the present year will undoubtedly amount to about \$13,000; although the actual cost of supporting the prisoners and prison establishment, over and above the earnings of the prison, was for the past year less than \$5,000.

As the law now stands, the commissioner has no right to purchase a single article for the prison without first advertising for proposals, and procure the articles desired, on contract, when, as a general rule, the contractor knows that there is no money in the hands of the Commissioner or the Treasury with which to pay, and consequently the contractor adds 20 to 30 per cent to his articles, to cover this contingency. If the funds necessary for defraying the expenses of the prison could be kept on hand, in order that the Commissioner might be able to fulfil any condition of contract entered into on the part of the State, and also to procure such other articles as are indispensable, it would, in the opinion of your committee, be a great saving to the State.

In the event of their being no money in the treasury, that part of the law which requires the Commissioner to advertise for proposals, and let the contract for supplying the prison to the lowest bidder, under all circumstances, should be repealed, for it is almost impossible to get along and not violate the present law under present circumstances, or at all events not to avoid paying the most ruinous prices for every article purchased.

Your committee can see the necessity of proceeding at once to the erection of the main building of the Prison. The offices,

guard-rooms, chapel, hospital, and cook-room should be in immediate communication with the building occupied by the prisoners. As it now is, these departments are in the old building, several rods from the new one. The food now, in all weather, has to be carried by hand from the old cook-room to the prison cells, where the convicts eat their meals. Notwithstanding all these inconveniences, your committee do not, in the present financial condition of our State, feel warranted to imperatively recommend the construction of the main building. Should, however, the legislature think it best to proceed immediately to the erection of said main building, we would, by all means, recommend that the same be erected by convict labor, under the direction of practical mechanics, as overseers in the various departments of mechanical labor, and the law should be so amended as to allow the Commissioner to engage the services of such men.

For the information of the legislature, your committee herewith submit an estimate of the cost of such main building, as follows:

Estimate of cost of Main Building of the New Prison.

Length, 80 feet; width, 52 feet; 3 stories high, from surface of the ground—basement story below.

97 cords of cut stone,—including laying,	\$60,	\$5,820
186 cords rough do	" "	1,316
Laying rough stone and brick,		2,888
300,000 bricks,		1,500
Lathing and plastering,—including lath,		1,730
Lime, —1,100 barrels,		825
40,000 bushels sand, 6d,		2,600
Carpenter work and building roof, as on south wing, including material,		4,500
Glass, paint, nails, locks, door hinges, and hanging the doors,		800
Iron and iron work,		1,600
Painting and glazing,		700
Excavation for foundation, complete,		1,200
		<u>\$25,459</u>
To this amount should be added 20,000 feet matched flooring, for roofing purposes		\$382 50
2,017 lbs. sheet iron,		201 70
		<u>\$26,023 20</u>

The fence which now encloses the prison-yard is nothing but a high board fence, and affords a very unsafe and insecure protection against a general attempt of the prisoners to escape. There should be a good stone wall, at least 24 feet high, erected, with a walk for the guard on the outside. This work could be done by convict labor; and the stone for this wall, as well as the main building, ought to be contracted for to be delivered in the prison-yard as fast as the convicts can dress them, to be used for one or both of the above named purposes, at such times as the State shall direct the construction of the main building of the prison, or wall, either, or both.

Your committee would recommend that the mechanical part of the prison, such as the shoe-shop, tin-shop, cabinet-shop, &c., be let out to contractors by the day or week, as this, in the opinion of your committee, will be cheaper for the State than to purchase stock for the prisoners to work up, and then depend upon uncertain sales, in competition with citizen labor.

Your committee would further say, that if the present system of rewarding convicts for their labor is to be continued, that their labor should be so divided between the State and themselves as that the State may at least receive the benefit of two-thirds of their labor. During the past year, some of the convicts have earned more for themselves than the State. About the policy of continuing this system—should the emergency arise—your committee do not agree, and hence they make no recommendation.

Some time during the summer, the commissioner gave his individual note for money [\$400] to procure materials to go on with the work of the prison, there being none in the treasury. Before all of said money was paid out—and within a few days after the same was borrowed—the banks from which the money in the hands of the commissioner was issued, became discredited, and discounts on the amount then in the commissioner's hands was by him necessarily made to the amount of \$15 00. This amount, together with the interest paid by the commissioner on said loan, should be refunded to him by the State.

Also on the 2d day of June last, the commissioner received a warrant from the Governor on the treasury for the sum of \$1,094 41 on account of the estimates for over-work by the convicts. There being no money in the treasury, and the money being greatly needed, the commissioner was compelled to discount the warrant. The amount of discount paid was \$94 41, which was the lowest he could make. This amount should, in the opinion of your committee, be refunded to the commissioner.

Amount of discount on warrant,	\$ 94 41
Amount of discount on money borrowed,	15 00
Amount of interest on the \$400,	10 00
Total amount,	<hr/> \$119 41

Whole number of convicts confined in the State's Prison since the building thereof,	120
Number now in prison,	79
Number discharged during the year, whose term of imprisonment has expired,	2
Number pardoned by the Governor, during the past year,	32
Number pardoned this year,	1

We here remark that a majority of those prisoners who have been discharged by the pardoning power were discharged only a day or two before the expiration of their sentence, for the purpose, as your committee are informed, of restoring them to rights of citizenship.

Places of Nativity of the Prisoners who have been, and are now, Confined in the Prison.

New York,	29
Ohio,	7
Pennsylvania,	6
New Hampshire,	1
Vermont,	2
Kentucky,	2
Connecticut,	2
Indiana,	1
Maryland,	1
	<hr/>
Natives,	50
Born on the Atlantic Ocean,	1
Canada,	1
Wales,	3

England,	4
Scotland,	2
Ireland,	24
Germany and Germanic States, including Prussia,	29
Berno,	2
Holland,	1
Hungary,	1
Norway,	2
Foreigners,	70

Your committee would here state that in their opinion, the salary of the chaplain of the prison, Rev. Mr. Smith, is not sufficient. The old gentleman has served in the capacity of chaplain for the prison ever since the prison was built, for the paltry sum of \$100, per annum. We would recommend that his salary be raised to the sum of \$250, per year.

Your committee are constrained to believe that the moral and religious influence which has been brought to bear upon those "unfortunate persons," has been salutary, and may be lasting.—Whenever the prayer of the pious, or the eloquence of the orator, brings to the eye a tear; whether that tear be one of joy or sorrow, the human heart is made better thereby.

Your committee are led to believe that the course pursued by the commissioner in relation to teaching the convicts how to read and write, as well as how to sing, is commendable, and your committee are unwilling to make any recommendation changing this system, as the convicts seemed cheerful, well-disposed and desirous of learning.

Indeed your committee feel that the present commissioner and his assistants, are entitled to commendation for the discipline and good order that prevailed amongst the prisoners, especially when it is known that during the past summer, citizens and convicts have mingled together, invariably, in constructing the prison; and often times impossible to be kept, at all times, under the immediate eye of an officer.

There is contiguous to the prison yard, fifteen acres, or thereabouts, enclosed by a fence, which ought to be cultivated for the benefit of the prison. Many of the vegetables used in the prison

could be raised thereon; and your committee can see no good reason why said ground could not be cultivated by such convicts as are very young, well-disposed, or whose term of imprisonment has nearly expired, under the charge of an officer.

In relation to the beauty, durability, and work-manship of the prison built by Mr. Proudfit, your committee would unhesitatingly say, that it is unsurpassed by any building of the kind in the United States, and equalled by few, if any. It does honor to the contractor, and bespeaks for its architect, a thorough knowledge of his business.

It is also proper for your committee here to remark, that the prison books kept by the clerk, John Lowth, Esq., have been kept in an excellent manner, and your committee are under obligations to Mr. Lowth for his courtesy and promptness in aiding your committee in their investigations.

In conclusion of this branch of the report, your committee feel warranted in saying, that the finances of the prison have been managed by a careful and honest hand. That the commissioner is entitled to much commendation for his faithful guardianship, and proper application of the funds entrusted to his care.

Your committee have also had under consideration, the charges which have been made against the Commissioners of the State Prison, and have spent a number of days in taking testimony, *pro* and *con*, upon the subject, and from the examination of a large number of witnesses, they have nearly 100 pages of testimony in manuscript, which is herewith returned and submitted. From this testimony, your committee think they can draw conclusions at least satisfactory to themselves.

The office of Commissioner of the State Prison, is a situation calling for rare and peculiar qualifications, and it is seldom that these are found united in one individual. To great firmness and decision of character, must be added discretion, a love of justice in a great degree, and a knowledge of human nature, as deep and ramified as the recesses of the human soul.

The object of punishment is said, by jurists, casuists, and writers

upon moral and political science, to be three-fold in its nature—the reformation of the transgressor—the protection of society—and the deterring of others from the commission of crime, by the example made. So important are the interests of society, and so firmly are they linked, in the proper administration of public punishment, that no wonder need be expressed that these rare characteristics are so seldom found united in one individual.

The committee to whom the trust of making these investigations have been confided, take pleasure in being able to report, that the result of their examinations has been satisfactory rather than otherwise. From the rumors which had gained a state-wide currency, they were led to fear that the interests of the Prison and the State might in some measure have suffered in the hands of the Commissioner, and with this view as well as in accordance with the instructions received from the legislature, they determined upon a full investigation of the matters committed to them, and trust that the result of their investigations will be as satisfactory to the legislature, as it is gratifying to themselves.

From personal examination, as well as from the testimony of witnesses upon the stand, your committee learned that the health of the prisoners during the past year, (a year of more than ordinary sickness and fatality) has been very good, that few of the convicts have suffered from sickness, and that none have been released by the messenger of death. The care which the Commissioner has exercised in enforcing rules of cleanliness, both with regard to the cells of the convicts, and the prisoners themselves, as well as seeing that those under his charge were at all times supplied with sweet and proper food, has doubtless contributed to this result, and has shown that the interest of the State, in a proper oversight and care for those committed to his charge, has not been at any time lost sight of by the Commissioner. Some of the complaints, indeed, which came before the committee, may have had their origin from the extreme carefulness which has been exercised by the Commissioner over the health of the convicts, especially in those cases where he has allowed the convicts tea and tobacco.

The testimony, however, on this point, does not show that he has ever done this, except upon the written order of the physician of the Prison. Where tea has been allowed, it has been allowed once a day, in quantities of three gills to each convict, who wished it, without sugar or milk. In regard to tobacco, the same thing can be said; this has been allowed, as the evidence shows, on the order of the physician, partly for the health of the convict, and partly as a reward and encouragement to good behavior. Your committee would suggest that the practice of distributing tobacco as a *rule*, might be dispensed with.

As far as the occasional practice, during the past summer, of allowing particular convicts to go out of the prison yard out of sight of the prison is concerned, your committee cannot justify, although attended with no bad results. Yet your committee are convinced, that although the commissioner committed an error in so doing, that it was done under such circumstances and with such motives as might be pardoned; and if corrected, might be, without evil consequences, overlooked. And your committee are free to say, and the evidence will bear them out in so saying, that this practice has been entirely discontinued for over four months, and is not permitted at the present time.

In some instances of this kind an officer attended the convict; in others the convict was in sight, and within reach of the guns of the guard on the wall. Before they had water in the prison yard, some one or two of the convicts were in the habit of going some fifteen rods to a neighbor's well for water, for cooking, &c., and in all these cases, with but one exception, the prisoners were those whose term of service had nearly expired, or for whom a pardon was daily expected.

Whether imprudence, necessity or fortuitous circumstances, induced the commissioner to permit these convicts to go out of the yard, the fact, which is in evidence, that not an escape or an attempt at an escape, has been made during the year, shows that the commissioner has, at all events, been cautious whom he permitted to go outside the walls.

With regard to the charge against the Commissioner of allowing the meetings of males and females about the Prison, your committee are well satisfied that the matter complained of has been unjustly exaggerated, and that they have arisen from the fact, that husbands who are convicts have been allowed to see their wives about an hour on the afternoon of Sundays, and in every instance in the presence of an officer of the prison. Your committee have no heart to condemn a practice so generous and humane; since it is not only dictated by sound policy, and justified by the practice of all such institutions in every State of the Union, but are fully convinced of its salutary influence upon the mind and character of the convict. They are satisfied that if the devotion of a wife and mother will lead her to take up her residence near the gloomy walls which shut her husband from her sight, for the purpose of seeing him an hour in a week, that no harm can result from the effects of such an interview.

A great deal has also been said about the celebration of the 4th of July, by the convicts. The committee learned from the testimony, that the conclusion of the Commissioner to allow the prisoners this holiday, was determined upon after a full consultation with all his officers. He thought best to grant this favor, not only as a sort of an oasis in the desert-life of the outcast convict, but also as a means of advancing his highest good.

This celebration, we are informed, was attended by the pastors of the churches and many of the best citizens of both sexes in the village of Waupun; and the words of warning and instruction, as they fell from the lips of the speaker, mingled with the joyous exultation of the occasion and the day, softened many a heart—if the falling tear is any evidence of human contrition, or sorrowing grief,—yet, your committee cannot say that this is a prudent or proper pastime for convicts, under all, and perhaps not under any, circumstances.

The order and discipline in which your committee found the prison, agreeing with the concurrent evidence upon this point, satisfied them—all the circumstances taken into account—the dif-

ferent kinds of work carried on—the constant contact of convicts with citizen laborers, occasioned by the prosecution of the work of building the new prison—that the success of the commissioner upon this point was worthy of no small commendation. It is probable that in some instances greater severity of punishment might have been called for, yet under no circumstances could they have hoped to have found the discipline better administered, and the convicts better behaved.

The expression of our just sentiments compel us to say thus much with regard to the course of the Commissioner, and to recommend his administration of affairs at the State Prison, at the present time, and to admit that if he has erred (and who has not) it has been such an error as the good and the humane among men can forgive without sacrifice, and forget without a tear. The committee, entirely convinced of the honesty and devotion of the Commissioner to his work, can only regret that circumstances of this kind have arisen, to mar the feelings and disturb the quietude of any one, and with no feelings of our own, but the love of truth and honest dealing to gratify, we must bear unanimous testimony to the Commissioner's integrity, justice and humanity.

All of which is respectfully submitted.

E. B. BOWEN, Ch'n.

CHAS. CLEMENT.

Senate Committee.

GEO. W. PARKER, Ch'n.,

L. H. CARY,

C. P. BARNS.

Assembly Committee.

MAJORITY AND MINORITY REPORTS
OF THE
COMMITTEE ON RAILROADS,

REPORTED TO THE ASSEMBLY, MARCH 29, 1855.

250 COPIES ORDERED PRINTED.

THE UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WASHINGTON, D. C.

MAJORITY REPORT.

Your committee, to whom was referred the petition of the Green Bay and Minnesota railroad company, and the minority report of the railroad committee on the same subject, beg leave to submit the following report:

Conceding the ability with which the views are presented, we cannot concur in their conclusion. Upon the general subject of grants to corporations much may be said, both in favor and against. It is an unsettled problem in our national policy, in which action on either side has not been dictated as by a settled principle, but according to the merits of each particular application. And we are inclined to think that it is more a question of expediency than of principle. The condition of the government is not different from that of any land holder. If access is so difficult to portions of the estate, as to destroy the sale of the lands, it is a wise act to open communication and create a market for it. If access is not difficult, and the benefit of facilitating communication is not likely to be commensurate to the expense, or rather of the evils of favoritism, monopoly and partiality growing out of it, the policy of undertaking it is a poor one. This we conceive to be the simple test of the propriety or impropriety of land grants to public improvements. The example of the Illinois railroad grant adduced by the minority of the railroad committee, is not a fair one, and in no way applies to our state.

The general government held in that state vast tracts of land, hundred of miles from any feasible means of communication.

They lay unsettled for years, because they afforded no inducement to settlers. Markets were at an inaccessible distance. Avenues of travel to and from them did not exist. The man who might occupy them must necessarily be an exile from society, could sell nothing that he produced, and buy nothing that he wanted. The rich fertility of the lands added nothing to their value, for their productions were worthless, being so far from the lines of trade and depots of convenience, that conveyance thither would cost more than their full market price. Unless these difficulties were obviated, the lands would be forever valueless. Settlement would seek the vicinity of navigable waters, and would never penetrate the vast prairies of the interior. To remove the obstacles by opening a means of communication through the heart of the territory, which needed but that to render them valuable, was an act, the policy of which was never doubted. But our state is differently situated. Nature has been to us more kind. It has lined our border with navigable lakes or rivers, and watered the interior with streams capable of floating a splendid commerce. No part of our state is a day or two's travel from the best markets. It has settled with unparalleled rapidity without these aids, which we consider sufficient evidence that it does not want them.

The particular subject upon which this report is called forth, is a proposition granting pre-emption for the Green Bay and Mississippi railroad to the swamp and overflowed lands lying within six miles on either side of it. The amount thus asked by the company is estimated in the report of the minority of the railroad committee at 73,677 acres, or 945 to the mile. The right of pre-emption which they ask, is one to be gained by no act of the company, but is a positive gift of land. It amounts merely to a reservation from sale of the lands till the company build their railroad to them, when they propose to buy and pay for them. The grant asked is a novel one, having no precedent that we are aware of in the action of the general government, or of any state. The effects of it would not be to assist the construction of the road to them, as none in any township are proposed to be sold to the company

till the roads runs through it. If the grant were intended to assist the road by allowing the company to sell the lands for money, to be used in its construction, such assistance could be but small, as the amount of 945 acres to a mile, would hardly, under the most favorable circumstances afford to the company over a twentieth part of the means to build and equip it, while the benefit of such a grant would be but small, the necessary and attendant evils would not be diminished. It would leave large tracts of unsold lands in the midst of a country which will probably have been generally settled previous to the completion of the road, and the final acquisition by the company of its title to them. They will thus have been rendered valuable, not by the completion of the road, but by the natural and progressive settlement of that part of the state, which the finishing of the road has not advanced, and its delay would not have retarded. These tracts of land will then become the property of the company, not for sale to procure the means of building the road, but as an investment for speculation by a monopoly, which may or will wait till they become vastly valuable before opening them to a settlement. We cannot consider the action proposed as suggested by good policy. A company of individuals have no rights above a single individual.

No association of men are likely to build a railroad merely for the public good. If they undertake one, it is for the purpose of reaping the proceeds of a profitable investment. It is the same as any other business scheme—a project of enlarged and enlightened selfishness. It may result in public good; but that is an incidental not a main object. It is a necessary not a desired effect. If the Green Bay and Mississippi railroad is to be built, it will be built as quickly without this aid as it will be with it, and all the public good will be enjoyed by the public with none of the evils which inevitably result from a grant of the nature asked. Your committee cannot avoid expressing their regret that the session has been permitted to draw so near to its close with no action beyond pre-emption bill for the disposal of the swamp lands. Now

is the time if ever that the state needs the use of the fund to be realized from them. At the last and present session of the legislature nearly or quite two hundred thousand dollars have been appropriated for erecting the building and supporting the inmates of our state prison and benevolent institutions. To a people overburdened by enormous taxes, the means of relief from the payment of this vast sum would have been acceptable indeed. The bill reported by the special committee on the subject of the swamp lands, though not now a proper subject of discussion, would, you will permit us to say, have provided these means. The fund arising from the sale of these lands will not increase by delay. They are not growing more valuable with time, but are daily losing their timber, which constitutes the chief value of many extensive tracts. We believe that the sole reason for postponing action, was not because the necessity for action was not felt and known, but because fears existed that the particular disposition of the grant adopted might not prove acceptable to the people, who, we believe, would have been better satisfied with any course which might have been adopted than with longer and causeless delay in disposing of the subject.

WALTER D. McINDOE, Ch'n.

MINORITY REPORT.

The, undersigned member of the committee on rail roads, to which was referred the petition of the Green Bay and Minnesota railroad company, not concurring in the conclusions to which a majority of the committee has arrived, begs leave to submit his views upon the subject, in a memorial.

REPORT:

The act of congress, of Sep. 28, 1850, grants to this state the swamp and overflowed lands, to enable the state to construct the necessary levees and drains to reclaim them.

The constitution of the state provides that whenever grants of land shall have been made to the state, especially dedicated to particular works of internal improvements, the state may carry on such particular work, and shall devote thereto the avails of such grants; otherwise, the state cannot be a party in the carrying on such works.

The first question presented for consideration, is the object of the grant in this particular instance, and the next, what duty the constitution imposes upon the legislature in relation to this subject.

The law of congress says, "to enable the state to construct the necessary levees and drains to reclaim them, the whole of these lands are granted. These two modes of improvement, by erecting a barrier to prevent the overflow, or by the excavation of canals or ditches to draw off the surplus water, are specially pointed out by the act. The present able commissioner of the general land of-

fice, who was charged with the investigation of this subject, and whose report was the foundation of the subsequent action of congress, making the grant now under consideration, recommended a plan of reclaiming lands for the lower Mississippi, which to a certain extent, would well apply, and with beneficial results, to the Wolf, Fox, Wisconsin, and, it is believed, some other rivers in this state.

His first suggestion was to make such improvements in the bed of the river by straightening and deepening the channels, as will enable it to discharge the greatest quantity of water in the least time. The next is by the construction of levees to be used as roads, and the last, by cutting trenches or canals through the lowest part of swamps, and thus afford abundant channels to carry off the surplus water. These latter modes of improvement, would, in most instances be inseparable, for in the construction of a road led through marsh or overflowed lands, the material must be cut from the side, and thus form a canal or trench on either side of it, or an artificial trench opened to carry off the water, and thus protect the road from inundation. The only stream within the state, which has had an examination by an experienced engineer, with a view to improvement is the Fox river, and the recommendation of the commissioners coincides with the plan proposed, and already partially executed for making the upper portion of that river at all times navigable.

The deepening or enlarging in any manner the channels of a stream flowing through long levels, and bounded by low lands, must, of necessity, reclaim and render tillable large bodies of land which otherwise would remain valueless until the same result should be accomplished by private enterprise. So in the construction of rail, plank, or turnpike roads, which always seek the most direct route and easiest grades, the marsh lands which are traversed by them are frequently drained, are always made valuable by the improvements, and thus become a source of revenue to the treasury of the state. In view of the positions assumed by the commissioner prior to the making this grant, and the pecu-

liar phraseology of the act itself, the undersigned are clearly of opinion, that in no other mode can the reclamation of these lands be made so as to accord fully with the intent of congress, than by a system of improving rivers, when they are susceptible of improvement, by lowering or straightening their channels, constructing levees for roads through the low lands, and trenching them to draw off the surplus water, and that to this object alone the appropriation is made.

The next branch of the inquiry presents, perhaps, the most important question to be solved, that is, what is the duty of the legislature under the constitution? That instrument provides, that the state may engage as a state, in the improvements, and shall devote the avails of the grant to the object contemplated by the act of congress. The avails of these lands must, therefore, be devoted exclusively to constructing the necessary levees and drains to reclaim them, and can be applied to no other object until that work is accomplished. It is presumed that the legislature and the people of the state are not prepared to have the state undertake the construction of canals, roads and levees. The experience of all the states opposes any such plan of making public improvements. There is not that careful precaution among public officers that will ensure the accomplishment of the greatest amount of work for the least possible price. Men are frequently selected who are incompetent to the proper discharge of the duties assigned them; and the interests of the public are not sufficiently guarded in contracts, or the public funds are misapplied or squandered upon worthless plans, resulting in the total loss of the amount expended. It is an acknowledged fact, that every state which has undertaken any system of improvements, has hitherto failed to complete them, or has constructed them at a cost of more than double the amount an individual or private company would have found it necessary to expend. After works have been completed, the revenues to the state derived from that source will invariably be less, and collection of expenses more—less care is observed in their superintendence, involving immense expenditure for re-

pairs. They are committed to the management of mere partisans, and the influence or means thus placed at command are used for party or personal benefit. The improvement made by the general government must not be made an exception to this rule, for though estimates and appropriations have been made for the past thirty years for completing docks and harbors at different points on the seaboard and the lakes, it is a truth, that no improvement of that character undertaken by the government, has ever yet been completed. All moneys for internal improvements expended by public agents, fail to accomplish the purpose for which the appropriations were made; and the wiser course is to profit by the lessons taught by experience both of general and state government, and have the state abstain in every instance from any interference with works of this character.

The swamp and overflowed lands of this state if placed under the control and management of individuals or companies with charters properly guarded, and requiring proper security of them, may be made to accomplish an incalculable benefit to the state. In the north especially, which is almost an unbroken wilderness, the improvement of rivers and construction of roads, would open access to the country, drain and reclaim many or all that could be reclaimed of the marsh lands, and set the tide of settlement in that direction. Already many improvements have been projected, some of them commenced, and all might be constructed in a very few years, if the aid which these lands would give were promptly furnished them. The purpose for which these lands are granted, being understood to be, the reclaiming them by the same means which has always been used successfully, that in subduing settlement and cultivation of the public lands, the same policy should be adopted and applied to their disposal. For the past fifty years the settled policy of the general government has been by the construction of roads and other means of communication to invite the purchaser to their lands. It seems unnecessary to recur to instances, yet we may state a few to prove the wisdom which dictated and the beneficial results which have flowed from the policy as

applied to the National domain. The entire north-west, within the recollection of many still in the full vigor of manhood, was in a sparsely inhabited region. The chief commerce of the country was the Indian trade, and its citizens were exclusively engaged in this traffic. Some portions of the country and indeed nearly all north of a line drawn through the southerly bend of Lake Michigan, was regarded unfit for agricultural purposes. It was, in fact, so reported by agents employed under the authority of the government, to select a tract to be granted as a bounty to soldiers serving in the wars of the United States. It was so regarded under the administration of Mr. Monroe, when the plan was recommended and partially carried into effect of making all the country west of Lake Michigan a permanent home for all the northern tribes of Indians.

With the aid of liberal appropriations in land and money, Ohio, Indiana and Illinois, each opened an inland communication between the lakes and the Mississippi river, and all these states constructed roads intersecting them in every direction by which large tracts of land reclaimed, immigrants were invited to seek a home within their borders, facilities for reaching markets were supplied, and the whole region as by magic was transformed from one vast wilderness penetrated only by the devious trail of the native Indian, into the abode of a powerful, active and enterprising race of freemen.

The most remarkable example of the consequence attendant upon this policy, has been shown by the grant for a railroad from Chicago to Mobile. In the States through which that great improvement passes, large quantities of land had been in market for a great number of years, and was refused by immigrants as wholly undesirable for settlement, for want of timber, water and access to market, and a large portion swamp and overflowed. The moment the grant was made and the work commenced, people thronged the line and eagerly sought the lands, at an enhanced price. The estimate placed upon them, by men of judgment and character, was from ten to twenty-five dollars per acre, and it is

believed that those prices are even lower than will finally be realized from them. It has also reclaimed all the lands in the vicinity of the road, swelled the population of those States, and given impetus to the business of the country, far greater than the most sanguine friends of the enterprise had even dared to calculate. But we need not go beyond our own State to prove the beneficial results of this policy. Scarcely any one of the main routes of travel in this, the most populous portion of the State, but were first opened by the aid of appropriations made by congress. Indeed, it may with confidence be stated that without such aid our State would still have remained but partially known. The donation of land to improve the Fox and Wisconsin rivers, gave an immense impetus to settlement and business along those streams, increasing the population of the counties bordering on them from 30,000 to 150,000 in the past six years. The public lands open to entry have been rapidly taken up and converted into farms, cities and villages have sprung into existence, and the busy hum of industry everywhere gives evidence of the beneficial results which have flowed from the liberal and enlightened policy of congress. It will be perceived, also, by reference to the Governor's message, that mostly all the lands in the Milwaukee and Mineral Point districts have already been reclaimed and sold. With the many examples before him, no landed proprietor but would wisely pursue a similar course. The means are thus furnished for continued advancement until the whole country, formerly waste and unproductive and therefore worthless, becomes of value, affording sources of revenue by taxation, and political strength in the number and intelligence of its citizens.

In the memorial referred to the committee, the petitioners ask that the right of pre-emption may be granted them at a stipulated price, of all the swamp and overflowed lands lying within six miles of their road. The undersigned is of opinion that this would be the best mode of accomplishing the object, allowing the company to select lands, to receive title only as fast as the road shall be completed through the townships in which the lands are situated.

The undersigned is aware of the extreme prejudice which has grown up in some portions of the State, against the principle of making grants of land for internal improvements. But a careful examination of this subject induces the belief that such prejudices are unjust, and spring from the various abuses which have been perpetrated, and furnish no arguments against the system which has so long and so successfully prevailed.

What do these petitioners ask? Merely that if you will allow the pre-emption along their road, enabling them to take title only as fast as their road shall be completed. You grant them nothing, for which they do not pay you a ten fold equivalent, by opening access to every part of your state.

The whole area of unsold lands the state contains is about 24,000,000 acres, of which 3,500,000 are swamp and overflowed lands belonging to the state. Besides these the state is proprietor of the school lands, amounting to some 500,000 more, remaining unsold. Not only the lands of the state, but those of the U. S., all must admit, in their present condition, are valueless as a source of revenue to the state, and if the state lands were now thrown into market, it is believed but a small amount would be realized from them, in fact little more than enough to pay the state officers for taking charge of selling them. Of the amount of lands belonging to the state, the projected roads and all other improvements, in the mode asked by the petitioners would absorb about one third of them. When these were disposed of in this manner the state would still have 21-2 millions of acres, most of which would be made accessible, and would be equally sought for by settlers. But granting that all the lands should be thus disposed of, the annual revenue which they would pay to the state, would more than equal the interest on the whole sum which they would now bring if brought into market. Let one instance be cited for illustration. The Winnebago marsh, or Lake Horicon as it is called, embraces about 30,000 acres of these very marsh lands, none of which, in their present condition, will bring one cent an acre. These are also adjoining marsh lands, owned by individuals which they have

a right to claim, you will improve by draining and reclaiming your own. Suppose the outlet of this marsh can be deepened or enlarged so as to increase the flow of water from it, and thus render 30,000 acres, now worthless, sufficiently dry for cultivation, or even for meadow. Is it not an object worthy of public attention to undertake such reclaiming of these lands, and would not the state profit by donating the whole quantity to any individual or company engaging in the enterprise? She has 30,000 acres of land added to the tax list of Dodge county, averaging in value ten dollars, making the total of 300,000, of which 1 per cent. or 3000 is annually paid into your treasury. In addition to this revenue the state is relieved from all claims for damages in favor of the owners of adjoining lands.

This is one of many similar instances, where the State gives absolutely nothing, and realize incalculable advantage from the plans proposed by the minority of the committee.

It is only when these appropriation monopolize immense bodies of the public domain, so as to retard its settlement, paralyze private enterprise and prevent the improvements of the country, that they become objectionable. That no such results is anticipated, or can be produced, must be apparent to all who will give the subject a candid or careful examination, from the plan now proposed. A line drawn from the river at Green Bay to the Wisconsin river would be 78 miles in length, and the state lands within six miles on either side, are shown by the lists now in possession of the state authorities, to be 73,667 acres, or allows 945 acres to each mile of road, to be constructed. On the line of the Milwaukee and La Crosse road, there are about 50,000 acres, and on the branch from Horicon to the Wisconsin, and thence to the north line of town 32, there are about 90,000. The lake shore road extended north from Milwaukee to Green Bay, and thence to the northern boundary of the state, would take only 141,009 acres of swamp lands. All these roads combined would absorb about 350,000 or one tenth of the swamp and overflowed lands of the state. If these lands are offered at public auction this year or the next, or

in fact at any time before roads are constructed to make them accessible, not one lot in one hundred could be sold at any price. Indeed such only would be purchased as are valuable for their timber, leaving the balance of them on the hands of the state, unproductive and worthless. Should the improvements be first made, they would be eagerly sought for by immigrants, and the greater portion of them converted into farms. It would seem, therefore, that this furnished the only positive mode by which the state can dispose of all the lands and render all a source of revenue to the state, and at the same time relieve itself of the responsibility, to those residing in their immediate neighborhood and who have a right to demand the appropriation of their avails to drain and reclaim them.

The undersigned had thought of making some reference to the various schemes which have been proposed of selling, subjects to drainage, and of sales for cash &c., but has not now in the hurry of getting up this report the time to do so. Suffice to say, none of these proposed plans comply with the constitution and the law, and it is in my opinion the first consideration to leave no room for cavil upon the question. The act for their disposal should provide that all the avails shall be applied to the construction of levees and drains calculated to reclaim the lands. In this application of their proceeds, every citizen residing in the vicinity of the location to be reclaimed has a direct personal interest, and has a right to claim the fulfillment on the part of the state of the condition under which the grant was received. Should the constituted authorities of the state neglect to apply the funds, or misapply it for purposes not contemplated in the act of congress, we are not prepared to say where the liability might end. Claims for damages are easily made up, and those growing out a disregard of the terms of the constitution requiring a specific application of the avails of this grant may reach an amount not easily calculated.

To obviate all objection on constitutional grounds and to the expediency of having the state meddle with a fund which would either be squandered or directed to illegitimate purposes, and more than all, to relieve the state from all liability growing out of the

malperformance of the trust confided in it by the act of congress, the minority of the committee submit, that any legislation should have for its main purpose the draining and reclaiming those lands. This would be accomplished perhaps in the clearest and most direct manner by donating the lands to the counties in which they are situated, in the precise language used by congress in granting them to the state. There are many and weighty arguments in favor of this disposition of them. The people in their vicinity will be better able to determine the best method to reclaim them, and are more directly interested in the application of their avails to that purpose, while for any damages which might accrue from an unwise or faithless use of those avails, the remedy would be against the local authorities and not against the state. If rival interests spring up, the local government can act more advisedly and is better able to decide between them than the state government could be. But whatever method shall be considered the most advantageous, the minority still insists, that the state shall always keep in view the main purpose of the grant, and never betray a want of fidelity to the constitution, or to any trust to be administered under it.

It would seem to be of primary importance to make provision for the protection, if not for the disposal, of those lands without unnecessary delay. Many of them are now valuable for their timber, which is constantly being taken to supply the numerous lumbering establishments already in operation, and may be confidently predicted, that unless some measures to guard them from plunder shall be taken immediately, a great share of this munificent gift, will be lost to the people of this state.

The minority, therefore, recommends, that the prayer of the petitioners ought to be granted, and that a committee of the assembly be instructed to bring in a bill, either to grant to all railroads to be constructed through the state, lands on each side, as requested in this memorial; or to grant the swamp and overflowed lands to the counties in which they are situated, annexing the same limitations and conditions under which they are donated by congress to the state, and leave the people themselves to decide in what manner they can be most profitably reclaimed.

M. L. MARTIN.

REPORT

OF

MR. A. H. VAN NORSTRAND,

TO WHOM WAS REFERRED THE SUBJECT OF LEGALIZING
THE STUDY OF

ANATOMICAL AND SURGICAL SCIENCE.

MADE TO THE ASSEMBLY.



PROCEEDINGS
OF THE
WISCONSIN STATE MEDICAL SOCIETY,
AT ITS FIRST ANNUAL MEETING AFTER RE-ORGANIZATION, HELD AT
MADISON, A. D., 1855.

MADISON, January 31st, 1855.

The Wisconsin State Medical Society met at 2 o'clock, P. M., in the court house, and was called to order by the President, Dr. Castleman.

The minutes of the last meeting were then read by the Secretary, Dr. Wilber, and adopted.

The roll being called, the following members answered to their names, to wit: Jno. B. Dousman, Joseph Gray, Solomon Blood, James J. Brown, Wm. H. Brisbane, Jno. Favill, Jr., Alfred L. Castleman and Geo. D. Wilber.

Drs. Jno. Mitchell, A. J. Ward and C. G. Pease having been elected permanent members of this society at previous meetings of the same, but having never signed the constitution, they came forward and signed the constitution and became members in due form.

Dr. O. W. Blanchard, superintendent of the institution located at Delevan, for the education of the deaf and dumb, stated that

he had been elected a permanent member of this society at a former meeting, the records of which have been lost; whereupon, on motion of Dr. Dousman, he was admitted to the membership of this society, on his signing our constitution.

On motion, Drs. Blanchard, Gray and Brown were appointed a committee to invite the regular physicians in the legislature to seats in the society and to participate in the deliberations of the same during the present session.

The censors reported favorably on the application of the following named gentlemen for the membership of this society, namely: Drs. E. P. Wood and J. D. Jones, of Prairie du Chien, Dr. G. H. Irwin of Lodi, Columbia county, Dr. L. H. Cary of Green Bush, Sheboygan county, Dr. D. L. Downs of Orion, Richland county, Dr. B. F. Mills of Baraboo, Dr. Wm. M. Thomas of Darlington, and Dr. S. H. Bassinger of Prairie du Sac, all of whom became members of the society in due form.

The censors also reported favorably on the applications of Messrs. Jas. H. Magoffin of Rochester, and Wm. M. Blair of Darlington, for the diploma of this society; whereupon, the President granted a diploma to each of said gentlemen, in accordance with the provisions in such cases made and provided.

The Secretary and Treasurer presented their annual reports, which were accepted, and the latter was ordered to be placed on file. The secretary's report was laid on the table until evening.

On motion, Drs. Pease, Brisbane and Blood were appointed a business committee for preparing and arranging business, and for establishing an order for its consideration.

Drs. Pease and Bassinger were, on motion, appointed a committee to whom was referred the secretary's report, with instructions to report this evening.

Dr. Pease, from the committee on business, reported an order of business, which was adopted and followed until the adoption of the by-laws, (*haec vide*) and the committee was discharged.

Adjourned until 7 1-2 o'clock, this evening.

EVENING SESSION.

WEDNESDAY, 7 1-2 o'clk. P. M.

The society met pursuant to adjournment, in the rooms of the Wisconsin Institute, the President in the chair.

The committee to whom was referred the secretary's report, made a report approving of the suggestions therein contained, and also recommended action on the death of Prof. Lathrop, as well as that of Dr. Ladd. The report was accepted and the committee discharged.

The committee on by-laws, appointed one year ago, made a report through Dr. Wilbur, a minority of the committee, which was accepted and laid on the table.

The report was taken up and discussed, and then referred back to the committee with instructions to insert an additional article providing for standing committees.

Drs. Mitchell and Pease were added to the committee on by-laws, in the absence of the other members of the same. The committee after a short conference reported back the by-laws, amended as instructed, and were discharged.

The by-laws were then considered seriatim, amended and adopted, (vide appendix C.)

On motion, the hearing of Dr. Brisbane's essay was made the first in the order of business for to-morrow morning.

A communication from Dr. Ayres, our first Vice-President, was read by the secretary, in which he manifests a lively interest in the prosperity of the society, and regrets the misunderstanding which prevented his attending the present meeting. He also gave the outlines of an interesting case of ascites occurring in his own practice, which was also read by the secretary.

Dr. Brisbane gave an oral description of a monstrosity found in a pig, consisting mainly in the absence of a urethra and uterus, and the termination of the vagina in a regularly formed bladder. He also gave the outlines of a new mode of practice in certain cases, usually requiring the bone forceps, in which he has suc-

cessfully dispensed with the forceps and substituted strong acids, as in denuded bones from "frost-bites," &c.

On motion, Drs. Brisbane, Wood, Pease and Favill were appointed a committee to draft a preamble and resolutions expressive of the feelings of the members of this society, on the recent decease of our worthy and highly esteemed members, Prof. S. P. Lathrop and Dr. A. P. Ladd.

Adjourned until 9 o'clock to-morrow morning.

SECOND DAY.

THURSDAY, February 1—9 P. M.

The society convened pursuant to adjournment, and was called to order by the President, and Dr. Wood was appointed Secretary *pro tem.*, Dr. Wilber being temporarily absent.

Before the transaction of any business, Dr. Wilber came in and took his place at the table.

The hearing of Dr. Brisbane's essay being in order, he came forward and read the same, which he entitled "The *modus operandi* of Health and Disease." He stated that this essay was intended as the basis of another on the subject of Homœopathy, which latter he had been unable to complete before the present meeting. Whereupon, on motion of Dr. Dousman, the thanks of the society were tendered to Dr. Brisbane for his essay, and he was requested to read his contemplated essay on Homœopathy at our next annual meeting.

The committee on a library, appointed one year ago, failing to make a report, were, on motion of Dr. Wood, discharged, and a committee consisting of Drs. Wood, Wilber, Dousman, Irwin and

Favill, was appointed to take the subject into consideration, and recommend a plan for the establishment and support of a library suitable to the wants of this society, with instructions to report at our next annual meeting.

Dr. Brisbane, from the committee appointed for the purpose, reported the following preamble and resolution, which, on motion, were adopted, and the committee discharged, namely :

Whereas, death has been in our midst during the past year, and two of the most worthy of our confraternity have been removed from their usefulness here, and called to the higher life of the spirit world, the members of this society cannot fail to record their lively appreciation of the high merits, both professional and personal, of our departed and much lamented coadjutors, as well as to express the deep sympathies awakened within them for the more near relatives, who have been thus signally afflicted. Therefore, be it

Resolved, by the Wisconsin State Medical Society, That in the death of Prof. S. P. Lathrop, and Dr. Azel P. Ladd, our profession has lost two of its brightest lights, and our society two of its most prominent and useful members.

Resolved, That we tender our sincere condolence and warmest sympathies to the smitten families of the deceased, in the terrible affliction which so suddenly befel them, in the loss of husband, father, brother and friend.

Resolved, That a copy of the foregoing preamble and resolutions be forwarded, by the secretary, to each of the families of the deceased.

On motion, a committee consisting of Drs. Wood, Cary and Magoffin, was appointed to take into consideration that portion of the secretary's report, referring to a bill to legalize the study of anatomical and surgical science, with instructions to bring the subject before the present legislature, and, if possible, to secure the passage of a bill for that purpose.

Dr. Wilber offered the following article as an amendment to the constitution, which was discussed by several members, but failing

to receive a unanimous vote, it lies over until the next annual meeting, namely :

Article — . To stimulate the exertions of the members of this society, and to create a laudable emulation among them in the promotion and advancement of the medical and collateral sciences, there shall be connected with this society an honorary association to be composed of members of this society, who have each and severally written an essay or other paper, which has been discussed and approved by the society as herein provided, and who have been elected to the membership of said honorary association in the manner provided in this article; and when five members shall have been thus elected to the membership of the honorary association aforesaid, they are hereby empowered to organize themselves into a society under such name and regulations, not incompatible with the regulations of this society, as they may deem proper ; and it shall be the duty of the first elected, to call a meeting of said honorary association, when requested so to do by a majority of the other members thereof, at such time and place as he may appoint for the purpose of organizing.

SEC. 2. Every member of this society shall be entitled to write an essay, or other paper, on any topic pertaining to the medical and collateral sciences, and to present the same to the committee on essays, accompanied by a sealed packet, bearing the same motto as that which the accompanying essay must also bear, containing the writer's name and residence in full. At the next annual meeting thereafter, the committee on essays shall read to the society the essays, or other papers, which have been thus presented them, which essays or other papers shall then be open to discussion and criticism ; and if any such essay or other paper be deemed of sufficient merit to entitle its author to the membership of the honorary association aforesaid, said author shall, if he receive the votes of two-thirds of the members present, be declared elected a member of the aforesaid honorary association. After the balloting is concluded, the sealed packet accompanying each successful

essay, or other paper, shall be opened by the secretary and the author's name read aloud; but if the essay or other paper fail to secure its author's election to the honorary association, then the essay or other paper together with the accompanying sealed packet shall be returned, on application, to the person from whom the same were received.

SEC. 3. The president shall appoint, at each annual meeting of this society, a committee on essays, consisting of three members, who shall receive all essays or other papers presented to them in accordance with the provisions of this article, and shall read the same at the next annual meeting of this society thereafter.

On motion, adjourned until 1 1-2 o'clock P. M.

AFTERNOON SESSION.

THURSDAY, 1 1-2 o'clock P. M.

The Society met, and the President being absent, Dr. Brisbane was called to the chair, *pro tem*.

On motion, that portion of the secretary's report referring to the necessity of procuring a seal for the the society was called up, and the committee on publication was instructed to procure a suitable seal for the society.

The same committee was also instructed to publish the proceedings of this meeting, together with the law of Wisconsin, touching medical societies, our constitution, by-laws and code of ethics, and to procure the printing of the same by the state, if practicable or otherwise, at their discretion.

The Treasurer was instructed to furnish the necessary funds to carry out the orders and instructions of this meeting.

Dr. Castleman now came in and resumed the chair.

On motion of Dr. Dousman, the committee on publication was instructed to provide and prepare certificates of membership, and

the Secretary was instructed to furnish each member of this society with a certificate of membership duly signed and sealed.

On motion, Drs. Van Norstrand, Cary and Downs were appointed a committee to prepare and procure the passage of a bill by the legislature, providing for the printing of the proceedings of the Wisconsin State Medical Society, at the public expense.

Dr. Wood, from the committee to prepare a bill to present to the legislature for its passage, legalizing the study of anatomical and surgical science, reported a bill which was received and discussed, and finally referred back to the committee for presentation to the legislature. (vide Appendix E.)

On motion Dr. John Favill, Jr., was appointed to deliver an essay at our next annual meeting.

Dr. A. J. Ward presented, through Dr. Dousman, a bill for two dollars (\$2 00) which, on motion, was allowed and an order drawn on the Treasury for the amount.

On motion the society proceeded to elect officers for the ensuing year, Drs. Passinger and Brown acting as tellers.

On the first informal ballot, for President, Dr. Jno. Mitchell received a majority of all the votes, whereupon on motion of Dr. Blood, Dr. Mitchell was declared elected President by acclamation.

Dr. Jno. B. Dousman was elected first vice president, on the first ballot.

On the first ballot, Dr. Wilber was elected second vice president, but he declined the office, and on the second ballot, Dr. Solomon Blood was duly elected.

On motion of Dr. Favill, Dr. Wilber, of Mineral Point, was elected secretary, by acclamation.

On motion, Dr. Joseph Gray was unanimously re-elected Treasurer.

Dr. Wm. H. Brisbane, of Dover, Iowa county, was on motion elected chairman of the censors, and Dr. John Favill, jr., of Madison, and H. Van Dusen, of Mineral Point, were re-elected associate censors.

The following named gentlemen were duly elected delegates to the American Medical Association, at its next meeting, namely :

Drs. C. G. Pease, Alfred L. Castleman, D. Cooper Ayers, A. J. Ward, J. D. Jones, J. J. Brown and Geo. D. Wilber; each delegate was empowered to appoint a substitute in case of his non-attendance, and the delegation collectively, was empowered to fill any vacancy occurring.

The newly elected censors, reported favorably on the applications of Drs. B. L. Brisbane, John Hallowell, and E. Heath, to become members of this society. The report was accepted, and said gentlemen were elected to the membership of this society on the condition of their complying with the requisitions of the constitution.

Dr. Mitchell was now inducted into the chair of his office by Drs. Brisbane and Dousman, appointed for that purpose, and returned his thanks to the society for the honor conferred upon him, and spoke of his present position as the proudest of his life; he expressed his determination to serve the society faithfully, and to do all in his power to advance the interests of the profession and of the society, and in conclusion he again thanked the society heartily.

On motion the thanks of the society were tendered to the retiring president, Dr. Castleman, for the able, efficient, impartial and gentlemanly manner in which he has discharged his duties.

The thanks of the society were unanimously tendered to the proprietors of the Wisconsin Institute, for the gratuitous use of their commodious room, during our present session.

The President elect announced the following appointments to the several standing committees, namely :

On arrangements—Drs. J. J. Brown, A. J. Ward and Joseph Gray.

On Practical Medicine—Drs. E. P. Wood, B. F. Mills and C. G. Pease.

On Surgery—Drs. A. L. Castleman, E. B. Wolcott and Wm. H. Brisbane.

On Obstetrics—Drs. S. H. Bassinger, S. Blood, and H. Van Dusen.

On Finance—Drs. Joseph Gray, Geo. D. Wilber and Wm. M. Thomas.

There being no further business, the secretary was instructed to publish an abstract of the proceedings of this meeting in such papers or journals as he may select.

On motion, adjourned until 7 o'clock P. M., to listen to the address of Dr. Castleman, as retiring President, to be delivered in the assembly room.

The society met pursuant to adjournment, and the speaker was announced by the President elect, when Dr. Castleman appeared and said :

Mr. President and Gentlemen of the State Medical Society :

The human mind is ever emulous of high examples. Man fixes his eye on something above him, and his struggles to attain it constitute the chief history of his life.

When Cromwell buckled on his armor to defend the violated rights of his countrymen, the brightness of the example fixed the gaze of admiring masses. His success made him an object of their emulation. But having reached the first aim of his ambition, this *same example* is seen leading in another direction ; and the eyes of the masses, fixed only on the man whom they would imitate, loose sight of the fact that they are being led to exchange a high-toned patriotism for military renown. Such is ever the case in politics ; and were it proper to allude to them, our own times furnish more striking instances of the masses being led, by high examples in the pursuit of political virtues, or being sunk to tolerate political vices.

In Religion, we find the same tendency to follow after leaders. "Great was Diana of the Ephesians," and many and zealous were her followers. But a new religion was instituted. Pure, simple and impressive as were the truths of Christianity, they were slowly received until the high examples of learned and noble men opened the hearts of the masses to an appreciation of their

excellence. *Then* Diana of the Ephesians lost her power to control, and religious quackery yielded its power to the admiration of religious truth. And afterwards, even this religion for a long time struggled with doubtful success against the influence of Voltaire's high example, when he preached infidelity to France.

Nor is our code of *Morals* exempt from such an influence.—Conduct which the world had held in abhorrence, was, by the high example of Catharine and Henry of Valois, rendered innocent recreation amongst the masses and the lower nobility; to be made again abhorrent by the precepts of Henry the Fourth.

It is unnecessary to multiply instances of this tendency of man to follow leaders. The very fashions of our dress, and of our deportement, our business vocations, even our manner of worship and our very thoughts are made amenable to this test of propriety.

On a former occasion, Mr. President, I was invited to address this Society on the subject of Medical Quackery and its remedies. Ill health prevented my responding to the call. 'Tis my intention this evening, briefly to invite your attention to that subject, basing my remarks on the illustrations I have just given.

Had Cromwell been satisfied with abusing the perfidy of Charles—or Saul of Tarsus with attempting to prove the insufficiency of Diana as a Savior—had Catharine contented herself with railing at the Puritanical modesty which she displaced—or Henry exclaiming against the immorality of Catharine and her court, Charles could have laughed at the power of Cromwell, Diana would have continued the powerful Goddess, till the advent of a greater than Saul—Catharine could never have displaced, nor Henry restored the customs of their times. In each it was necessary to success that he should be not the abuser of his enemy, but the qualified leader of his friends. The example and position of the leader is often more powerful than the justness of his cause.

Properly apply this aphorism to our profession, and we have a remedy for quackery. But be not misled by the opinion that it is

of easy application. We have strong prejudices to overcome; and often, before the physician is allowed to wear the laurels of learning, he must doubly win them. On the other hand, the great evil of empiricism is fastened on community, and, like the roots of a cancer, the more it is irritated the more rapidly it spreads. Living by our opposition, fattening on our abuse, revelling in our ridicule, it has gained the sympathy of the public—the sanction of our laws. Every attack upon it but strengthens its vitality, and there is but one way left to arrest its growth—"Let your light so shine before men, that they, seeing your good works," may appreciate your superiority. Every individual who accomplishes this, becomes an object of emulation, and entitles himself to public gratitude.

But even more must be accomplished. As a single breeze from the surface of a pure lake is insufficient to correct miasma of surrounding marshes, so the example of a single individual, or a single age, is not always competent to correct the wayward current of public opinion. As the *sources* of the atmosphere must be purified, so must the fountains of our knowledge be pure. When a correct religion and morality are so taught as to pervade the minds of the mass, the moral atmosphere will be wholesome; and should infidelity or immortality exist there at all, it will be in a form so feeble, that its flickerings of life will but prove the moral healthfulness of the climate, and its incongeniality to vice.

From the existence of a firm, healthy executive government will emanate a political atmosphere so pure, that demagogueism can scarcely maintain even a sickly vitality; whilst, in its absence, corruption and speculation infect every breath, and the whole body politic becomes diseased and bloated.

So, Mr. President, must be kept pure the sources of our professional atmosphere. Schools must be established, and their chairs filled with professors of high moral, as well as professional worth—by men who look more to the advancement of science and the good of community, than to the pecuniary profit of their investment—by professors who will impress upon the student the

important fact, that quackery as often exists under cover of a diploma, as under the dogmas of a Thompsonian, or the feeble vagaries of Hanneman—that his diploma is less an honor to him than an appeal from his *alma mater* that he will honor her.

Our medical societies must be kept up. We must each contribute his mite of knowledge to the general fund, for the benefit of others, and these contributions must be published for the benefit of all.

But am I met with the objection that meetings cannot be held, our proceedings published, and schools established and maintained without money? Gentlemen, there is not in the Union a State with an educational fund so large in proportion to the objects calling for its investment, as that in which we live. We cannot reach it? We have never tried. Brodie, one of our great leaders, tells us that “a thorough determination to attain an object is the first step towards its attainment”; and I entertain a more liberal opinion of our Legislators and our University Regents, than to suppose that when this great question is properly laid before them, they will deny to us the small sum necessary to place upon a footing of usefulness that branch of education on which depends the health, the happiness, the life—aye, *all* the dearest temporal interests of community.

If, then, we would apply an effectual remedy to quackery, we should begin now, by keeping not only ourselves qualified “to shine before men,” but by laying a foundation for the proper qualification of those who are to succeed us in this important calling. Let every legislator be approached on this subject. First show him a few of the many inconsistencies of the statute books. Point out to him the liberal provisions there made to protect us against the purchase of *bad whiskey*, whilst the lives and health, and often even reputation of families are entrusted to the mercy of the ignorant and mercenary vender of drugs and medicines. Show him with what unrelenting severity he has provided for the punishment of him who, by counterfeiting the penny or the dime, would cheat us of a single farthing, whilst complacently he looks

on, and provides no punishment for him who, pretending to a knowledge of the deep mysteries of disease, counterfeits the physician, and cheats us of our health and our lives.

But what claims can our profession urge to the protection and favor of the state? Claims, the bare thought of which swells the bosom of every lover of our science with pride and exultation, and I love to recount them. Whilst the states are paying their tens of thousands annually for the reports of their State Botanists, Mineralogists, Geologists, and Naturalists, with what pride do we compare their meagre products with those furnished to the world by our profession, for no other price than the gratification of their own love of science and humanity? For examples, it is unnecessary to go beyond the precincts of our own country; but I refer for botanical research to our Bigelows, Barton, Torrey, Short, Beck, Lee, Davis, Thompson, Mead, Kirtland, and many scores of others, whose works are the foundations of the reports of all our State Botanists.

In Mineralogy, I begin by a reference to the venerable Dr. Mitchell, of New York, author of the Mineralogical History of New York, and founder of the first State Mineralogical Society on this side of the Atlantic. From the long list of illustrious authors who follow him, I select only the names of Emmons, Jackson, Silliman and Dana, Rogers, Drusie, Lock, Owen and our own Percival, any one of whom has done more for the science of Mineralogy than all the State Mineralogists and Geologists, as such, since the offices were first created.

But I pass to another, and perhaps more important class of our claims. What has the profession done for the preservation of health and the prolongation of life?

In reviewing these, time will not permit us to dwell on the advantages resulting from Harvey's great discovery of the circulation of the blood—from that greater discovery by which Jenner disarmed the small pox of its terrors, nor from the many reforms which we have introduced into the practice of Hygiene; but it drives us on to the question.—How far have all these discoveries

and improvements modified human suffering and added to the length of human life? Here again I appeal to the record, but must stop to acknowledge my indebtedness to Professor Clark, of New York, for much of the statistical information to prove how much *the Science of Medicine* has lengthened human life.

Revelation tells us that man was created perfect, and that death was not necessarily a consequence of his creation. He was to be governed by natural laws, for the transgression of which the penalty was death. He transgressed and died; but the term of his life was little short of a thousand years. The next era in his history is the reduction of that tenure—in consequence of his continued transgression—to an hundred and twenty years; and shortly after we learn that it was three score years and ten.

This rapid shortening of life brought alarm, and with it physicians; but they were men necessarily unlearned in the profession, and death, with his unblunted scythe, hurried on, and each year found him more eager for his victim, till, in the beginning of the eighteenth century, as we find by the report of the Registrar General of Northampton, the average length of life was barely thirty years, whilst in 1847 the average was increased to 37 1-2 years, or just one-quarter was added to the length of human life. This is a single instance—it can be almost indefinitely multiplied. But let me impress on you the fact, that this increase commenced about 150 years ago—the very moment at which our profession *began to acquire facilities for the study of Anatomy and Physiology*, or at which we first acquired any certain data on which to found a correct theory of disease. I proceed to examine the results from those facilities, and how well the profession has turned them to good account.

I have just shown then that in Northampton, the life of a man was in a little more than one hundred years increased by the addition of just one quarter.

We now take a later period and find from Doctor Simpson's statistics of Surgery, that the rate of yearly mortality in England and Wales in 1786, was one in forty-two of the entire population; that

it was *gradually* reduced, so that in 1831 the proportion of deaths to population, was one in fifty-eight, adding more than one quarter to the length of life in the short space of forty-seven years.

Mr. Milne, in his Life Tables of Carlisle, furnishes about the same results there from 1778 to 1844—and the report of the Registrar General of England down to 1846, the latest I have been able to obtain, shows just about a like decrease in the mortality for *each* of the eight preceding years.

But in France, where every facility has been afforded for the advancement of the science, and where medicine has for a long time been a state institution, the statistics show that the progress in lengthening man's life, is wonderful indeed. We are all more or less acquainted with the history of that nation from 1776 to 1843, during which time, war, pestilence and wild fanaticism, vied with each other in the work of death; when the mechanic arts were to their highest capability, inventing instruments of destruction; when the profession of law was made subservient to those in power in their crusade against human life; when even the sacred desk sent forth from it mandates of death on the charge of heresy, when in addition, the dire scourge of cholera was sweeping off its hundreds of thousands, annually, and every art and every science, save that of medicine, seemed combined to decimate the land, our profession alone stood firm in the battle for humanity—and with what results! The combination of all the forces enumerated was insufficient to counteract the influence of our science on the longevity of man, and even during the 26 years when France was one great battle field the average of man's life was lengthened! Whilst of those who died a natural death, nearly *one-half* was added to the average term of their existence.

Thus far I have drawn only on statistics from abroad, I pause but a moment to demonstrate that the results in our own land have not been less successful. In doing so, I shall take that view of it, the most unfavorable to us, where the struggle was directly with disease and death, leaving out all the indirect benefits of hygiene, for which the world is wholly indebted to the profession.

The reports of the Pennsylvania Hospital, at Philadelphia, show that in one hundred years, ending 1852, the reduction of the number of deaths, proportioned to the number of sick, was nearly 30 in every hundred. In other words, for every hundred who died in the early part of the century, thirty were restored to life and health in the latter part; and the New York Hospital reports show even better, for there we find, that in just half the time, the gain was 31 lives to the hundred, and yet these hospitals are in the same cities, on the same sites, are indeed the identical houses which were used in the beginning of the century; and with facts like these before the world, shall I be asked what claims we have on government, on community?

So much for the profession; what can we say of its followers? Of those who toil to still further ameliorate the sufferings of their race, and to become in return the butt of all the gibes and sneers of those for whom they labor?

But first, gentlemen of the society, a word for you individually. I doubt whether there is one of you, who has not at times compared yourself with your professional brother, and in the comparison of moral virtues, have felt your brothers inferiority; and I say it not in derogation, but with pride, that, however much you may have admired his talents, his acquirements, his manner, or his skill, you have wished that he possessed your humility, your kind sympathies, or your disinterested benevolence. In this, gentlemen, permit me to say, that you err, less in the appreciation of your own feelings, than in the depreciation of his; for the very condition of our profession forbids the existence amongst us of the proud, the mercenary, or the heartless. The low estimate in which we, as a body, are held by our fellow men, crushes out pride. The fact that ninety-nine hundredths of all medical men, live and die in poverty, or are driven to other pursuits for a living, excludes the mercenary. Whilst the poorly paid labor, exposure, and danger of our practice, most effectually bars the door against all those who would follow the profession for the sake of the pay. Rest easy then as to our quiet and our negative virtue, whilst we examine the active and the positive.

Often are we called to join the grand chorus of song which commemorates the success of some man or company who by an iron chain have "connected in marriage the distant Waters"—often to join in hallelujahs of those who by the electric wires have "abridged time," and almost annihilated distance—often to sing pæans to the inventors of articles for man's profit and enjoyment, but never to whisper one word of honor, nor even of encouragement for those who have added so vastly to man's capability to profit and enjoy:

Our claims can be properly appreciated only by comparing them with those of others.

No obstacles are ever allowed to stand between the physician and his duty to community—no hardships to deter—no danger to arrest him—from the dreadful hour when the plague stricken Athens witnessed the almost superhuman efforts of Hippocrates, struggling against the ravages of the most dreadful plague that ever scourged the earth, down to the days when the cholera struck terror to the armies in the Crimea, the physician has never faltered in his duty to encounter danger wherever it presented. Are you a sufferer from disease? Call on your physician, and tho' every step should press from the earth the poisoned miasm, though every breath be charged with pestilence, the danger to himself, to his family and friends, are all forgotten, and you never call in vain.

When the first news of the cholera advancing to our shores was announced, scarcely a cheek was seen unblanched, or a heart unterrified—it came—it visited New York—who does not remember the sad account that followed? Death in its most appalling forms to hundreds daily—the inhabitants terror stricken deserting their homes, till half the population of the city, having abandoned their friends unable to follow, were seeking safety in flight.

We all remember how the public journals painted the dreadful horrors of that time, and yet invoked some mightier power than pen or fancy to do justice to the scene. But in the vivid recollection of all those horrors, one little circumstance has nearly escaped the memory—that of the five hundred physicians in New York, five

hundred physicians there remained, except as they dropped one by one into the insatiate jaws of death—that from all the medical schools then filled with students, not a student fled the city—the only flying which they did was from sufferer to sufferer, or from time to eternity.

How, and by whom have their dangers and their deaths been commemorated? Had they been mariners, and had cast themselves into the ocean to save a shipwrecked crew, their dangers would have been less, their sufferings shorter, but what of the public reception which would have followed, of the grand processions, of the presentations to perpetuate the memory of their noble deeds?

Few of us have forgotten the scenes of Sandusky in '48, when the stoutest hearts quailed before the appalling pestilence which desolated that doomed city—when it was impossible, in the language of the Mayor, “to describe the desolation which withered the hearts of the strongest. The havoc was awful, our physicians worn down by toil, and more exhausting cares, were flying,” not as others, from the city, but “from place to place of suffering and of danger”—“and,” he continues, “it adds not a little to the meritoriousness of their services that all compensation from the town and the poor was declined.” But I should do injustice, should I pass over the fact that in this instance, there was one, at least, who could appreciate the noble, self-sacrificing men who there stood “between the living and the dead.” “For,” concludes the Mayor, “though the citizen of Sandusky cannot find words to express his gratitude, he can thank God that his lot is cast where christian charities grow and flourish, and he can invoke God’s best blessing on those who remembered him in the days of his sore distress.”

We remember New Orleans a few years back, when the yellow fever struck such terror to the souls of men, that of all those who could leave the city, the physicians alone remained.

Savannah, too, affords a striking illustration of the disinterestedness of our profession, when terror and death had relieved her of two-thirds of her population—when the dying and the dead, the putrid and the living lay mingled together, and the boldest

could not summon courage to venture on the separation. Even here the physician never abandoned his post, but sunk under the duties which his benevolence demanded. 'Twas then that their brothers from abroad were summoned to their assistance. Mobile was called on, and though her physicians had barely rallied from the arduous duties which the prevalence of the pestilence there had imposed on them, yet not an hour was lost, and as one platoon sank before the dreadful scourge, another stepped into its place undismayed, unabating in energy, till health was restored to the city.

Even now a scene is transpiring illustrative of the character of medical men, and of their appreciation by the public :

In the Crimea the demon of War is at work. There may be seen Europe's veteran warriors, calm and unterrified amid the dangers of battle, and every heart throbs with pride for the valor of their leaders. But at a short distance is a more fearful struggle. There the soldier in the vigor of life is stricken down by a hand he cannot see—an enemy he cannot resist. There the physician fights the soldier's battle, and the very sight of his smallest danger, sends dismay to the heart of the hero, whom the perils of twenty battles have failed to move. For one month before the last reports, not a British officer had courage to look for a moment on that scene of desolation and death, where the physician made his home.

But when Sebastopol shall have fallen—when the Mussulman and the Christian shall have marched together over the land of the Cossack—when Moscow shall have crumbled before the machinery of war, and hundreds of thousands of Russian citizens shall have slaked with their blood the ambition of the Saxon and the Gaul—when England's vengeance shall be glutted, and her glory borne to Heaven on the wailings of ten thousand of her own widows and orphans—then will be had the “triumphal entry” of England's benefactors—of the heroes who saved “their country !” But in the grand procession, what place, think you, will be assigned to the physician ? No matter ! He deserves no place of mark

—no expressions of a nation's gratitude; for whilst the leader has been most gloriously butchering his country's enemies, the physician has been content with the humble and menial occupation of quietly saving her friends!

I repeat, that it is our duty to relieve the community from the curse of quackery—that to do this we must leave off our abuse of it—that by our high example we must excite the emperic to become the man of science—that we must make this reform permanent, by providing such facilities for a proper scientific education, as shall create about us an atmosphere incongenial to imposture and empiricism—that we shall demand of community the means to enable us to provide such facilities—that we shall base these demands on the benefits we are constantly conferring on community, and by our sacrifices in its behalf.

Sir, permit me, before closing, to advert to some of the circumstances of the past year, and to say that much as we have accomplished, much more remains for us to do.

Whilst the dire accidents by flood and fire have filled the land with loud and bitter moanings, the effects of the pestilence which has swept over our state, has so absorbed our attention and our sympathies, and presented to us so pointedly the fact of our inability, in many instances, to wrestle successfully with the mysteries of disease, as greatly to have closed our ears to the wailings from abroad. We have seen the pestilence seize upon our friends—we have in many instances found ourselves wholly incapable of arresting for a moment the progress of the disease—we have seen Death snatch his victim from us as uninterruptedly in his progress as though we had not been there to interpose. I hope that no member of this society, in such cases, allowed himself to be satisfied with the reflection, that the result was one of God's providences, but that he more properly attributed it to his own ignorance of the nature and character of the pestilence, and that he determined not to be satisfied till he had fully unravelled the mystery.

But death stopped not with our patients—he entered our own

ranks, and selected as his victims two of the brightest ornaments of our profession.* They each have left for us a bright example of their devotion to the advancement of education, and of a willingness to meet cheerfully the dangers of our profession, for the benefit of our race.

In closing, permit me, gentlemen, to congratulate you on the fact that so much of harmony and good feeling has prevailed amongst us during our existence as a society, and to hope that in our efforts to elevate the standard of our professional attainments, the bonds of common interest, which bind us together as a brotherhood, will also be thrown around us in the social circle, and that whilst we remember with profit the benefits resulting from our meetings, as a society, the recollections of our social intercourse may be as bright spots to cheer us through the darkness of our declining years.

Mr. President, permit me, sir, to congratulate you on your accession to the honorable position to which you have just been chosen; for I cannot well imagine a more honorable station than that of presiding over the deliberations of men engaged in the benevolent purpose of alleviating the sufferings of their fellow-beings, and, aside from your success in the pursuit of the great objects of our association, I can express no higher wish for your official gratification, than that the members of this society may accord to you the same generous support and liberal construction of motives which I most gratefully acknowledge as having been extended to me during my official term, which closes with the performance of this duty.

After the address, the society adjourned *sine die*.

GEO. D. WILBER, Sec'y.

* Dr. A. P. Ladd and Prof. S. Pearl Lathrop.

APPENDIX A.

THE LAW OF WISCONSIN AUTHORIZING MEDICAL SOCIETIES.

Section 1. It shall and may be lawful for the physicians and surgeons in the several counties in this state, to meet together on such a day as they or a majority of them shall deem proper, at the place where the last term of the county court next preceding such meeting, shall have been held in their respective counties, and the several physicians and surgeons so convened as aforesaid, or any part of them, being not less than five in number, shall proceed to the choice of president, vice president, recording secretary, corresponding secretary, treasurer and three censors; who shall hold their offices for one year, and until others are elected to fill their places, and when the said society shall be so organized as aforesaid, they are hereby declared to be bodies corporate and politic, in fact and in name, by the names of the medical societies of the county where such society shall respectively be formed, and by those names shall be in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places, and in all matters and causes whatsoever, and may have a common seal which they may alter or renew at pleasure.

Sec. 2. All physicians and surgeons in the several counties, shall be entitled to meet in convention, for the formation of a medical society in their respective counties, agreeably to the provisions of the preceding section, and take part in its deliberations and become members under the provisions of this chapter, who shall have received a diploma from any incorporated medical college or society of any of the United States or Territories, or any foreign country.

Sec. 3. It shall and may be lawful for the medical societies of the several counties of this state, to purchase and hold any estate

real or personal, for the use of said society ; Provided, said estate shall in no case exceed the sum of five thousand dollars, and shall be used exclusively for objects promoting the advancement of medical science.

Sec. 4. It shall be lawful for the medical societies in the respective counties, to make such by-laws and regulations relative to the affairs, concerns and property of said societies, relative to admission and expulsion of members, the examination of students and relative to donations or contributions, as a majority of the members shall think proper at any regular meeting of said society : Provided, that such by-laws, rules and regulations be not contrary to, nor inconsistent with the laws of the United States, or of this state.

Sec. 5. The medical societies established as aforesaid are hereby respectively empowered to examine all students who may present themselves for that purpose, and to grant them diplomas under the hand of the president and seal of the society ; which diploma shall constitute them members of said society. And it is hereby made the duty of the censors of each medical society, carefully and impartially to examine all medical students who shall present themselves for that purpose, and report their opinion in writing to the president of the society.

Sec. 6. No person shall be permitted to be examined as a candidate for a diploma and membership of any of said societies unless he shall have arrived at the age of twenty-one years, has, at least, a good English education, and has studied medicine at least three years with some respectable practitioner, and can produce satisfactory evidence of good moral character.

Sec. 7. Any student who may receive a diploma from any medical society of the state, shall pay to the president thereof ten dollars on receiving the same.

Sec. 8. It shall be lawful for each medical society to cause to be raised and collected from each of the members of said society a sum not exceeding three dollars in any one year, for the purpose of procuring a medical library, anatomical cabinet, chemical ap-

paratus, or for the encouragement of useful discoveries in the science of medicine.

Sec. 9. The president shall preside at and govern all meetings of said society, and perform all other duties which appertain to his office; and in case of absence or disability of the president the vice president shall perform the duties of president.

Sec. 10. The treasurer of each medical society established as aforesaid, shall receive and be accountable for all moneys that may come into his hands by virtue of this chapter, and the by-laws of such society; and also of all moneys which shall come into the hands of the president thereof, for the admission of members or licensing students; which moneys the president is hereby required to pay to the said treasurer, who shall account therefor to the society at its annual meetings; and no money shall be drawn from the treasury, unless such sums, and for such purposes as shall be agreed upon by a majority at their annual meetings, and by an order signed by the president and countersigned by the recording secretary.

Sec. 11. It shall be the duty of the recording secretary of each of said societies, to provide a book, in which he shall make an entry of all by-laws, resolutions, rules and regulations, which may be had from time to time, and also the name of each and every member of said society, and the time of his admission, and also the annual reports relative to the state of the treasury, and all such other things as a majority of the society shall think proper, to which book any member may at any time have access; and the same together with all books, papers and records, the property of said society, which may be in his hands, shall be delivered over to his successor in office.

Sec. 12. It shall be the duty of the corresponding secretary of each of said societies, to correspond on subjects relating to medical science, with the profession throughout the United States and foreign countries, and with the different societies of this state, when requested to do so by a resolution of the society of which he is a member, or whenever he may deem it advisable, and re-

port to the meetings of said society everything relating to such correspondence, which may be interesting to the profession.

Sec. 13. If there should not be a sufficient number of physicians and surgeons in any of the counties of this state, to form themselves into a medical society, agreeably to the provisions of this chapter, it shall be lawful for such persons to associate themselves with the physicians and surgeons of adjoining counties, for the purposes hereby contemplated.

Sec. 14. This chapter shall not be so construed, as to prevent any person from practising physic or surgery within this state, who is not a member of any of said societies.

Sec. 15. All the county medical societies which have been heretofore organized, shall be continued, with all the powers and privileges they have heretofore had.

Of the State Medical Society.

Sec. 16. The medical society of the territory of Wisconsin, is hereby continued, under the name of the medical society of the state of Wisconsin, and as such shall enjoy all the rights and privileges, and possess all the powers heretofore had and exercised by it.

Sec. 17. Said association may adopt such constitution, and shall be capable of ordaining and enforcing such by-laws and regulations, as may be necessary for the admission and expulsion of its members, election of its officers, and for the proper management of its concerns; Provided, that said constitution and by-laws, rules and ordinances shall not be repugnant to the constitution of the United States, or the laws of this State, or contravene the provisions of the chapter organizing county medical societies.

Sec. 18. Each of the county medical societies of this state shall be entitled to elect delegates annually from its own body, not to exceed one for every five of its whole number of members, to represent it in the state society, who shall be entitled to all the privileges of membership of said body during the time for which they are elected.

Sec. 19. It shall be lawful for the medical society of the state of Wisconsin to grant diplomas, under the same restrictions required by the law organizing county medical societies.

Sec. 20. Said medical society shall be entitled to admit permanent members in accordance with its constitution and by-laws.

Sec. 21. All members of county medical societies, and all applicants for diplomas to said societies, who may be expelled or refused diplomas from the same, shall be entitled to the right of appeal to the medical society of the state, whose decision in the case shall be final.

Sec. 22. The property of said society, and also the property of the medical societies in the different counties of this state, shall be forever exempt from taxation.

APPENDIX B.

CONSTITUTION.

We, the undersigned, Physicians and Surgeons of the State of Wisconsin, in order to cultivate harmony and kind feelings amongst the members of our profession, to promote the advancement of the medical and collateral sciences, to assist us in acquiring a knowledge of the same, and in keeping pace with the progress of medical science, to help us appreciate the nature and magnitude of the mutual duties and responsibilities existing between the medical profession and community, and to protect ourselves and society against the impositions of medical pretenders, do hereby agree to associate ourselves together, and be governed by the following

CONSTITUTION :

Article I. This organization shall be known by the name of "THE WISCONSIN STATE MEDICAL SOCIETY."

Art. II. This society shall meet annually at Madison, on the last Wednesday in January of each year, at 2 o'clock P. M.

Art. III. Seven members of this society shall constitute a quorum for the transaction of business, but any number may adjourn from time to time.

Art. IV. The officers of this society shall be a President, a first and second Vice-President, a Secretary, a Treasurer and three Censors ; who shall be elected at the annual meetings, and shall hold their offices respectively for the term of one year, and until their successors are duly elected and qualified.

Art. V. The president shall preside at the meetings, preserve order and decorum in debate, give a casting vote when necessary, and perform all the other duties that custom and parliamentary usage may require, and deliver an address at the close of his term of office. He may call special meetings at any time, if deemed

necessary, and it shall be his duty to call such meetings whenever requested in writing so to do by five members of this society.

Art. VI. In case of the absence or inability of the President to discharge his duties, the latter shall devolve upon the Vice Presidents and in the order of their election.

Art. VII. The Secretary shall record the minutes and authenticate the proceedings, give due notice of all meetings, conduct the correspondence and preserve all records and papers belonging to the society. At the close of his term of office, he shall lay before the society a full report of his official correspondence and doings.

Art. VIII. The Treasurer shall collect and receive all monies due, or presented to the society, and shall disburse the same under its direction. He shall keep a book in which he shall enter the debits and credits of every member, the amounts received and disbursed by him as Treasurer; and at the expiration of his term of office, and at all other times when requested so to do by the society, he shall report the condition of the Treasury, and specify the receipts and disbursements. He shall also give good and sufficient bond to the Secretary, in behalf of the society, for the faithful discharge of his trust.

Art. IX. The Censors shall constitute a committee for the examination of applicants for membership.

Art. X. Any regular physician in good standing, presenting the Censor's certificate of proper qualification, and receiving the votes of two-thirds of the members present at any annual meeting, shall be entitled to membership, on his paying two dollars into the Treasury and signing this constitution.

Art. XI. This society may elect honorary members at any annual meeting, by a vote of three-fourths of the members present.

Art. XII. This society shall have power to obtain funds by an equal assessment of its members, by voluntary contributions, and by the disposal or sale of publications and of works for publication. But no assessment shall be made for more than three dollars upon each member in any one year, nor except at annual

meetings or at meetings called for that express purpose, in which case, the object of the meeting shall be set forth and published in the call.

Art. XIII. Any member of this society may be censured, suspended, or expelled for any improper conduct, as may be prescribed in the By-Laws of this society.

Art. XIV. No amendment shall be made to this constitution, unless the proposed amendment shall have been submitted at some previous annual meeting of the society, and for such action eight members shall be necessary for a quorum, and two-thirds of the members present must vote for the amendment: Provided, however, that by a unanimous vote of ten or more members present at any annual meeting, any of the articles of this constitution may be altered or repealed and articles added thereto, without such previous notice.

APPENDIX C.

BY - L A W S .

Article I. The parliamentary rules of debate shall be observed in the discussion and disposition of all business coming before the Wisconsin State Medical Society; and "Jefferson's Manual" shall be the guide.

Art. II. The order of business at the annual meetings of this society shall be as follows:

1. The calling of the roll.
2. Reading of the minutes.
3. The admission of members.
4. The reports of the Treasurer, and of the Secretary.
5. The reading and consideration of the reports of the Standing Committees.
6. The reading of essays and reports of cases.
7. Miscellaneous and unfinished business.
8. The election of officers.
9. The appointing of Standing Committees.
10. The Presidents' address.
11. Adjournment.

Art. III. The code of ethics of this society shall have the full force upon the members thereof, of any article of the Constitution or By-Laws.

Art. IV. Any member shall be liable to censure, suspension, or expulsion, for wilfull neglect of the rules and regulations of this Society, for any violation of our code of ethics, or for any gross or immoral conduct. A vote of two-thirds of the members present shall be requisite to censure, suspend or expel.

Sec. 2. In case of charges being preferred against any member which might lead to his censure, suspension or expulsion, the

Secretary shall immediately give the accused a written copy of the charges, and state by whom preferred. The matter shall then lie over until the next annual meeting, when due action shall be taken thereon.

Sec. 3. Any member of this society who from professional incompetence, or for any other sufficient reason not already mentioned, shall be deemed unworthy of the fellowship of this society, may be deprived of his membership by a vote of two-thirds of the members present at any meeting when action is taken thereon as provided in the first and second sections of this article.

Art. V. The following named Standing Committees, each composed of three members to be appointed by the President—except the committee on publication, otherwise provided—shall be organized at every annual meeting, for preparing, arranging and expediting business for each ensuing year, and for carrying out the objects of the society, not otherwise provided—namely :

A Committee on Arrangements; a Committee on Practical Medicine; a Committee on Surgery; a Committee on Obstetrics; a Committee on Finance, and a Committee on Publication.

The Committee on Arrangements shall be mainly composed of members residing in Madison, if no sufficient reason prevent, who shall provide suitable accommodations for the meetings and for members from abroad, and in general to attend to the wants of the profession while attending the meetings of the society.

The Committee on Practical Medicine shall make an annual report, embodying the recent discoveries and improvements in the theory and practice of medicine, and shall also give a history of the diseases prevailing endemically, or epidemically in Wisconsin, during the year for which the committee is appointed.

The Committee on Surgery shall make an annual report on the progress of this department of medicine, embodying the most recent and important discoveries and improvements in the theory and practice of surgery.

The Committee on Obstetrics shall make an annual report on obstetrics and the diseases of women and children, giving a sum-

mary of the recent discoveries and improvements in the theory and practice of this branch of medicine.

The Committee on Finance shall be the executive committee of this society, to whom all accounts must be referred, and who shall make an annual report on the financial condition of the society, and on all matters usually falling to the consideration of executive committees.

The Committee on Publication shall be composed of the Secretary, President, and Treasurer, who shall have charge of all matter intended for the press, and shall superintend the publication of the same, exercising a discretionary power to publish or withhold any matter submitted to them for that purpose, and make an annual report of their proceedings.

Art. VI. Every member of this society, not appointed to deliver an essay, nor on one of the standing committees, shall give at each annual meeting a detailed history of one case or disease occurring in his own practice, comprising its etiology, diagnosis, pathology, prognosis, treatment and termination.

Art. VII. These by-laws may be altered, repealed, or added to, by a three-fourths vote at any annual meeting.

APPENDIX D.

CODE OF MEDICAL ETHICS.

INTRODUCTION.

Medical ethics, as a branch of general ethics, must rest on the basis of religion and morality. They comprise not only the duties, but also the right of a physician; and in this sense they are identical with medical deontology—a term introduced by a late writer, who has taken the most comprehensive view of the subject.

In framing a code on this basis, we have the inestimable advantage of deducing its rules from the conduct of the many eminent physicians who have adorned the profession by their learning and their piety. From the age of Hippocrates to the present time, the annals of every civilized people, contain abundant evidences of the devotedness of medical men to the relief of their fellow-creatures from pain and disease, regardless of the privation and danger, and not seldom obloquy, encountered in return; a sense of ethical obligations rising superior in their minds, to considerations of personal advancement. Well and truly was it said, by one of the most learned men of the last century, that the duties of a physician were never more beautifully exemplified than in the conduct of Hippocrates, nor more eloquently described than in his writings.

We may here remark, that, if a state of probation be intended for moral discipline, there is, assuredly, much in the daily life of a physician, to impart this salutary training, and to insure continuance in a course of self denial, and at the same time, of zealous and methodical efforts for the relief of the suffering and unfortunate, irrespective of rank or fortune, or of fortuitous elevation of any kind.

A few considerations on the legitimate range of medical ethics will serve as an appropriate introduction to the requisite rules for our guidance in the complex relations of professional life.

Every duty or obligation implies, both in equity and for its successful discharge, a corresponding right. As it is the duty of the physician to advise, so he has a right to be attentively and respectfully listened to. Being required to expose his health and life for the benefit of the community, he has a just claim in return on all its members, collectively and individually, for aid to carry out his measures, and for all possible tenderness and regard to prevent needlessly harrassing calls on his services, and unnecessary exhaustion of his benevolent sympathies.

His zeal, talents, attainments and skill, are qualities which he holds in trust for the general good, and which cannot be prodigally spent, either through his own negligence or the inconsiderateness of others, without wrong and detriment, both to himself and to them.

The greater the importance of the subject, and the more deeply interested all are in the issue, the more necessary is it that the physician—he who performs the chief part, and in whose judgment and discretion, under Providence, life is secured, and death turned aside—should be allowed the free use of his faculties, undisturbed by a querulous manner, and desponding, angry, or passionate interjections, under the plea of fear or grief, or disappointment of cherished hopes, by the sick and their friends.

All persons privileged to enter the sick room, and the number ought to be very limited, are under equal obligations of reciprocal courtesy, kindness and respect; and, if any exception be admissible, it cannot be at the expense of the physician. His position, purposes, and proper efforts, eminently entitle him to at least the same respectful and considerate attentions, that are paid as a matter of course, and apparently without constraint, to the clergyman, who is admitted to administer spiritual consolation, and to the lawyer, who comes to make the last will and testament.

Although professional duty requires of a physician, that he should have such a control over himself as not to betray strong

emotion in the presence of his patient, nor to be thrown off his guard by the querulousness or even rudeness of the latter, or of his friends at the bedside, yet, and the fact ought to be generally known, many medical men, possessed of abundant attainments and resources, are so constitutionally timid and readily abashed, as to lose much of their self-possession and usefulness at the critical moment, if opposition be abruptly interposed to any part of the plan which they are about devising for the benefit of their patients.

Medical ethics cannot be so divided as that one part shall obtain the full and proper force of moral obligations on physicians universally, and at the same time the other be construed in such a way as to free society from all restrictions in its conduct to them; leaving it to the caprice of the hour to determine whether the truly learned shall be overlooked in favor of ignorant pretenders—persons destitute alike of original talent and acquired fitness.

The choice is not indifferent, in an ethical point of view, besides its important bearing on the fate of the sick themselves, between the directness and sincerity of purpose, the honest zeal, the learning and impartial observations, accumulated from age to age for thousands of years, of the regularly initiated members of the medical profession, and the crooked devices and low arts, for evidently selfish ends, the unsupported promises and reckless trials of interloping empirics, whose very announcements of the means by which they profess to perform their wonders, are for the most part misleading and false, and, so far, fraudulent.

In thus deducing the rights of a physician from his duties, it is not meant to insist on such a correlative obligation, that the withholding of the right exonerates from the discharge of the duty. Short of the formal abandonment of the practice of his profession, no medical man can withhold his services from the requisition of an individual or of the community, unless under circumstances of rare occurrence, in which his compliance would be not only unjust but degrading to himself and to a professional brother, and so

far diminish his future usefulness. In the discharge of their duties to society, physicians must be ever ready and prompt to administer professional aid to all applicants, without prior stipulation of personal advantages to themselves.

On them devolves, in a peculiar manner, the task of noting all the circumstances affecting the public health, and of displaying skill and ingenuity in devising the best means for its protection. With them rests, also, the solemn duty of furnishing accurate medical testimony in all cases of criminal accusation of violence, by which health is endangered and life destroyed, and in those other numerous ones, involving the question of mental sanity and of moral and legal responsibility.

On these subjects—Public Hygiene and Medical Jurisprudence—every medical man must be supposed to have prepared himself by study, observation and the exercise of a sound judgment. They cannot be regarded in the light of accomplishments merely; they are an integral part of the science and practice of medicine.

It is a delicate and noble task, by the judicious application of public hygiene, to prevent disease and to prolong life; and thus to increase the productive industry, and, without assuming the office of moral and religious teaching, to add to the civilization of an entire people.

In the performance of this part of their duty, physicians are enabled to exhibit the close connection between hygiene and morals; since all the causes contributing to the former, are nearly equally auxillary to the latter.

Physicians, as conservators of the public health, are bound to bear emphatic testimony against quackery in all its forms; whether it appears with its usual effrontery, or masks itself under the garb of philanthropy, and sometimes of religion itself.

By an anomaly in legislation and penal enactments, the laws, so stringent for the repression and punishment of fraud in general, and against attempts to sell poisonous substances for food, are silent, and of course inoperative, in the cases of both fraud and

poisoning so extensively carried on by the host of quacks who infest the land.

The newspaper press, powerful in the correction of many abuses, is too ready for the sake of lucre to aid and abet the enormities of quackery. Honorable exceptions to the once general practice in this respect are happily more numerous, and they might be more rapidly increased, if physicians, when themselves free from all taint, were to direct the attention of editors and proprietors of newspapers, and of periodical works in general, to the moral bearings of the subject.

To those who, like physicians, can best see the extent of the evil, it is still more mortifying than in the instances already mentioned, to find members of other professions, and especially ministers of the gospel, so prone to give their countenance, and, at times, direct patronage, to medical empirics, both by their use of nostrums, and their certificates in favor of the absurd pretensions of these impostors.

The credulous, on these occasions, place themselves in the dilemma of bearing testimony either to a miracle or to an imposture: to a miracle, if one particular agent, and it often of known inertness or slight power, can cure all diseases, or even any one disease in all its stages; to an imposture, if the alledged cures are not made, as experience shows that they are not.

But by no class are quack medicines and nostrums so largely sold and distributed as by apothecaries, whose position towards physicians, although it may not amount to actual affinity, is such that it ought, at least to prevent them from entering into an actual, if not formally recognized, alliance with empirics of every grade and degree of pretension.

Too frequently we meet with physicians who deem it a venial error, in ethics, to permit, and even to recommend, the use of a quack medicine or secret compound by their patients and friends. They forget that their toleration implies sanction of a recourse by the people generally to unknown, doubtful and conjectural fashions of medication; and that the credulous in this way soon

become the victims of an endless succession of empirics. It must have been generally noticed, also, that they whose faith is strongest in the most absurd pretensions of quackery, entertain the greatest skepticism toward regular and philosophic medicine.

Adverse alike to ethical propriety and to medical logic, are the various popular delusions, which, like so many epidemics, have in, successive ages, excited the imagination with extravagant expectations of the cure of all diseases, and the prolongation of life beyond its customary limits, by means of a single substance. Although it is not in the power of physicians to prevent, or always to arrest, these delusions in their progress, yet it is incumbent on them, from their superior knowledge and better opportunities, as well as from their elevated vocation, steadily refuse to extend to them the slightest countenance, still less support.

These delusions are sometimes manifested in the guise of a new and infallible system of medical practice,—the faith in which among the excited believers, is usually in the inverse ratio of the amount of common sense evidence in its favor. Among the volunteer missionaries for its dissemination, it is painful to see members of the sacred profession, who, above all others, ought to keep aloof from vagaries of any description, and especially of those medical ones, which are allied to empirical imposture.

The plea of good intention is not an adequate reason for the assumption of so grave a responsibility as the propagation of a theory and practice of medicine, of the real foundation and nature of which the mere medical amateur must necessarily, from his want of opportunities for study, observation and careful comparison be profoundly ignorant.

In their relations with the sick, physicians are bound, by every consideration of duty, to exercise the greatest kindness with the greatest circumspection; so that, whilst they make every allowance for impatience, irritation, and inconsistencies of manner and speech of the sufferers, and do their utmost to soothe and tranquilize, they shall, at the same time, elicit from them, and the persons in their confidence, a revelation of all the circumstances

connected with the probable origin of the diseases which they are called upon to treat. Owing either to the confusion, and at times obliquity of mind produced by the disease, or to considerations of false delicacy and shame, the truth is not always directly reached on these occasions ; and hence the necessity of a careful and minute investigation into both the physical and moral state of the patient.

A physician in attendance on [a case should avoid expensive complications and tedious ceremonials, as being beneath the dignity of true science, and embarrassing to the patient and his family, whose troubles are already great.

In their intercourse with each other, physicians will best consult and secure their own self-respect and consideration from society in general, by a uniform courtesy and high-minded conduct toward their professional brethren. The confidence in his intellectual and moral worth, which each member of the profession is ambitious of obtaining for himself among his associates, ought to make him willing to place the same confidence in the worth of others.

Veracity, so requisite in all the relations of life, is a jewel of inestimable value in medical description and narrative, the lustre of which ought never to be tainted for a moment by even the breath of suspicion. Physicians are peculiarly enjoined, by every consideration of honor, and of conscientious regard for the health and lives of their fellow beings, not to advance any statement unsupported by positive facts, nor to hazard an opinion or hypothesis that is not the result of deliberate inquiry into all the data and bearings of which the subject is capable.

Hasty generalization, paradox and fanciful conjectures, repudiated at all times by sound logic, are open to the severest reprehension, on the still higher grounds of humanity and morals.— Their tendency and practical operation cannot fail to be eminently mischievous.

Among medical men associated together for the performance of professional duties in public institutions, such as Medical Colleges, Hospitals and Dispensaries, there ought to exist not only

harmonious intercourse, but also a general harmony in doctrine and practice; so that neither students nor patients shall be perplexed, nor the medical community mortified by contradictory views of the theory of disease, if not of the means of curing it.

The right of free inquiry, common to all, does not imply the utterance of crude hypothesis, the use of figurative language, a straining after novelty for novelty's sake and the involution of old truths, for temporary effect and popularity by medical writers and teachers. If, therefore, they who are engaged in a common cause, and for the furtherance of a common object, could make an offering of the extreme, the doubtful and the redundant, at the shrine of philosophical truth, the general harmony in medical teaching, now desired, would be of easy attainment.

It is not enough, however, that the members of the medical profession be zealous, well informed and self-denying, unless the social principle be cultivated by their seeking frequent intercourse with each other, and cultivating reciprocally, friendly habits of acting in common.

By union alone can medical men hope to sustain the dignity and extend the usefulness of their profession. Among the chief means to bring about this desirable end, are frequent social meetings and regularly organized societies; a part of whose beneficial operation would be an agreement on a suitable standard of medical education, and a code of medical ethics.

Greatly increased influence, for the entire body of the profession, will be acquired by a union for the purposes of common benefit and the general good; while to its members, individually, will be insured a more pleasant and harmonious intercourse, one with another, and an avoidance of many heart-burnings and jealousies which originate in misconception, through misrepresentations on the part of individuals in general society, of each others disposition, motives and conduct.

In vain will physicians appeal to the intelligence and elevated feelings of the members of other professions, and of the better part of society in general, unless they be true to themselves, by

a close adherence to their duties, and by firmly, yet mildly, insisting on their rights; and this not with a glimmering perception and faint avowal, but rather, with a full understanding and firm conviction.

Impressed with the nobleness of their vocation, as trustees of science, and almoners of benevolence and charity, physicians should use unceasing vigilance to prevent the introduction into their body of those who have not been prepared by a suitable preparatory moral and intellectual training.

No youth ought to be allowed to study medicine, whose capacity, good conduct, and elementary knowledge are not equal, at least to the common standard of academical requirements.

Human life and human happiness must not be endangered by the incompetency of presumptuous pretenders. The greater the inherent difficulties of medicine, as a science, and the more numerous the complications that embarrass its practice, the more necessary is it that there should be minds of a high order and thorough cultivation, to unravel its mysteries, and to deduce scientific order from apparently empirical confusion.

We are under the strongest ethical obligations to preserve the character which has been awarded by the most learned men and best judges of human nature, to members of the medical profession for general and extensive knowledge, great liberality and dignity of sentiment, and prompt effusions of beneficence.

In order that we may continue to merit these praises, every physician within the circle of his acquaintance, should impress both fathers and sons with the range and variety of medical study, and with the necessity of those who desire to engage in it, possessing not only good preliminary knowledge, but likewise, some habits of regular and systematic thinking.

If able teachers and writers, and profound inquirers, be still called for to expound medical science, and to extend its domain of practical application and usefulness, they cannot be procured by intuitive effort on their own part, nor by the exercise of the elective suffrage on the part of others. They must be the pro-

duct of a regular and comprehensive system—members of a large class, from the great body of which they only differ by the force of fortuitous circumstances, that gives them temporary vantage ground for the display of qualities and attainments common to their brethren.

CHAPTER I.

Of the Duties of Physicians to their Patients, and of the Obligations of Patients to their Physicians.

ART. I.—DUTIES OF PHYSICIANS TO THEIR PATIENTS.

Section 1. A physician should not only be ever ready to obey the calls of the sick, but his mind ought also to be imbued with the greatness of his mission, and the responsibility he habitually incurs in its discharge. Those obligations are the more deep and enduring, because there is no tribunal, other than his own conscience, to adjudge penalties for carelessness or neglect. Physicians should, therefore, minister to the sick with due impressions of the importance of their office; reflecting that the ease, the health, and the lives of those committed to their charge, depend on their skill, attention and fidelity. They should study, also, in their deportment, so to unite tenderness with firmness, and condescension with authority, as to inspire the minds of their patients with gratitude, respect and confidence.

Sec. 2. Every case committed to the charge of a physician should be treated with attention, steadiness and humanity. Reasonable indulgence should be granted to the mental imbecility and caprices of the sick. Secrecy and delicacy, when required by peculiar circumstances, should be strictly observed, and the familiar and confidential intercourse to which physicians are admitted

in their professional visits, should be used with discretion, and with the most scrupulous regard to fidelity and honor. The obligation of secrecy extends beyond the period of professional services; none of the privacies of personal and domestic life, no infirmity of disposition or flaw of character observed during professional attendance, should ever be divulged by him, except when imperatively required to do so. The force and necessity of these obligations are indeed so great that professional men have, under certain circumstances, been protected in their observance of secrecy by courts of justice.

Sec. 3. Frequent visits to the sick are in general requisite, since they enable the physician to arrive at a more perfect knowledge of the disease—to meet promptly every change which may occur and also tend to preserve the confidence of the patient. But unnecessary visits are to be avoided, as they give useless anxiety to the patient, tend to diminish the authority of the physician, and render him liable to be suspected of interested motives.

Sec. 4. A physician should not be forward to make gloomy prognostications, because they savor of empiricism, by magnifying the importance of his services in the treatment or cure of the disease. But he should not fail, on proper occasions, to give to the friends of the patient timely notice of danger, when it really occurs; and even to the patient himself, if absolutely necessary. This office however, is so peculiarly alarming, when executed by him, that it ought to be declined whenever it can be assigned to any other person of sufficient judgment and delicacy. For, the physician should be the minister of hope and comfort to the sick; that, by such cordials to the drooping spirit, he may smooth the bed of death, revive expiring life, and counteract the depressing influence of those maladies which often disturb the tranquility of the most resigned, in their last moments. The life of a sick person can be shortened not only by the acts, but also by the words or manner of a physician. It is therefore a sacred duty to guard himself carefully in this respect, and to avoid all things which have a tendency to discourage the patient and to depress his spirits.

Sec. 5. A physician ought not to abandon a patient because the case is deemed incurable; for his attendance may continue to be highly useful to the patient, and comforting to the relatives around him, even in the last period of a fatal malady, by alleviating pain and other symptoms, and by soothing mental anguish. To decline attendance under such circumstances, would be sacrificing to fanciful delicacy and mistaken liberality that moral duty, which is independent of and far superior to all pecuniary consideration.

Sec. 6. Consultations should be promoted in difficult or protracted cases, as they give rise to confidence, energy, and more enlarged views in practice.

Sec. 7. The opportunity which a physician not unfrequently enjoys of promoting and strengthening the good resolutions of his patients, suffering under the consequences of vicious conduct, ought never to be neglected. His counsels, or even remonstrances, will give satisfaction, not offence, if they be proffered with politeness, and evince a genuine love of virtue, accompanied by a sincere interest in the welfare of the person to whom they are addressed.

ART. II.—OBLIGATIONS OF PATIENTS TO THEIR PHYSICIANS.

Sec. 1. The members of the medical profession, upon whom are enjoined the performance of so many important and arduous duties toward the community, and who are required to make so many sacrifices of comfort, ease and health, for the welfare of those who avail themselves of their services, certainly have a right to expect and require that their patients should entertain a just sense of the duties which they owe to their medical attendants.

Sec. 2. The first duty of a patient is, to select as his medical adviser one who has received a regular professional education. In no trade or occupation do mankind rely on the skill of an untaught artist; and in medicine, confessedly the most intricate of the sciences, the world ought not to suppose that knowledge is intuitive.

Sec. 3. Patients should prefer a physician whose habits of life are regular, and who is not devoted to company, pleasure, or to any pursuit incompatible with his professional obligations. A patient should, also, confide the care of himself and family, as much as possible, to one physician, for a medical man who has become acquainted with the peculiarities of constitution, habits and predispositions of those he attends, is more likely to be successful in his treatment, than one who does not possess that knowledge. A patient who has thus selected his physician should always apply for advice in what may appear to him trivial cases, for the most fatal results often supervene on the slightest accidents. It is of still more importance that he should apply for assistance in the forming stage of violent diseases; it is to a neglect of this precept that medicine owes much of the uncertainty and imperfection with which it has been reproached.

Sec. 4. Patients should faithfully and unreservedly communicate to their physician the supposed cause of their disease. This is the more important, as many diseases of a mental origin stimulate those depending on external causes, and yet are only to be cured by administering to the mind diseased. A patient should never be afraid of thus making his physician his friend and adviser; he should always bear in mind that a medical man is under the strongest obligations of secrecy. Even the female sex should never allow feelings of shame or delicacy to prevent their disclosing the seat, symptoms, and causes of complaint peculiar to them. However commendable a modest reserve may be in the common occurrences of life, its strict observance in medicine is often attended with the most serious consequences, and a patient may sink under a painful and loathsome disease, which might have been readily prevented, had timely intimation been given to the physician.

Sec. 5. A patient should never weary his physician with a tedious detail of events or matters not appertaining to his disease. Even as relates to his actual symptoms, he will convey much more real information by giving clear answers to interrogatories, than

by the most minute account of his own framing. Neither should he obtrude the details of his business, nor the history of his family concerns.

Sec. 6. The obedience of a patient to the prescriptions of his physician should be prompt and implicit. He should never permit his own crude opinions as to their fitness, to influence his attention to them. A failure in one particular may render an otherwise judicious treatment, dangerous and even fatal. This remark is equally applicable to diet, drink and exercise. As patients become convalescent they are very apt to suppose that the rules prescribed for them may be disregarded, and the consequence but too often is a relapse. Patients should never allow themselves to be persuaded to take any medicine whatever that may be recommended to them by the self-constituted doctors and doctresses, who are so frequently met with, and who pretend to possess infallible remedies for the cure of every disease. However simple some of their prescriptions may appear to be, it often happens that they are productive of much mischief, and in all cases they are injurious by contravening the plan of treatment adopted by the physician.

Sec. 7. A patient should, if possible, avoid even the friendly visit of a physician who is not attending him; and when he does receive them, he should never converse on the subject of his disease, as an observation may be made, without any intention of interference, which may destroy his confidence in the course he is pursuing, and induce him to neglect the directions prescribed to him. A patient should never send for a consulting physician without the express consent of his own medical attendant. It is of great importance that physicians should act in concert; for, although their modes of treatment may be attended with equal success, when employed singly, yet conjointly they are very likely to be productive of disastrous results.

Sec. 8. When a patient wishes to dismiss his physician, justice and common courtesy require that he should declare his reasons for so doing.

Sec. 9. Patients should always, when practicable, send for their physician in the morning, before his usual hour of going out; for by being early aware of the visits he has to pay, during the day, the physician is able to apportion his time in such a manner as to prevent an interference of engagements. Patients should also avoid calling on their medical adviser unnecessarily during the hours devoted to meals or sleep. They should always be in readiness to receive the visits of their physician, as the detention of a few minutes is often of serious inconvenience to him.

Sec. 10. A patient should, after his recovery, entertain a just and enduring sense of the value of the services rendered him by his physician: for these are of such a character, that no mere pecuniary acknowledgment can repay or cancel them.

CHAPTER II.

Duties of Physicians to each other, and to the Profession at large.

ART. I.—DUTIES FOR THE SUPPORT OF PROFESSIONAL CHARACTER.

Section 1. Every individual on entering the profession, as he becomes thereby entitled to all its privileges and immunities, incurs an obligation to exert his best abilities to maintain its dignity and honor, to exalt its standing and to extend the bounds of its usefulness. He should therefore observe strictly, such laws as are instituted for the government of its members; should avoid all contumelious and sarcastic remarks relative to the faculty, as a body; and while, by unwearied diligence, he resorts to every honorable means of enriching the science, he should entertain a due respect for his seniors, who have, by their labors, brought it to the elevated condition in which he finds it.

Sec. 2. There is no profession, from the members of which greater purity of character and a higher standard of moral excellence are required, than the medical; and to attain such eminence, is a duty every physician owes alike to his profession and to his patients. It is due to the latter, as, without it, he cannot command their respect and confidence, and to both, because no scientific attainments can compensate for the want of correct moral principles. It is also incumbent upon the faculty to be temperate in all things, for the practice of physic requires the unremitting exercise of a clear and vigorous understanding; and on emergencies for which no professional man should be unprepared, a steady hand, an acute eye, and an unclouded head may be essential to the well-being, and even to the life of a fellow-creature.

Sec. 3. It is derogatory to the dignity of the profession to resort to public advertisements, or private cards or hand-bills, inviting the attention of individuals affected with particular diseases—publicly offering advice and medicine to the poor, gratis, or promising radical cures; or to publish cases and operations in the daily prints, or suffer such publications to be made—to invite laymen to be present at operations—to boast of cures and remedies—to adduce certificates of skill and success, or to perform any other similar acts. These are the ordinary practices of empirics, and are highly reprehensible in a regular physician.

Sec. 4. Equally derogatory to professional character is it for a physician to hold a patent for any surgical instrument or medicine, or to dispense a secret *nostrum*, whether it be the composition or exclusive property of himself or of others. For, if such a *nostrum* be of real efficacy, any concealment regarding it is inconsistent with beneficence and professional liberality; and if mystery alone give it value and importance, such craft implies either disgraceful ignorance, or fraudulent avarice. It is also reprehensible for physicians to give certificates attesting the efficacy of patent or secret medicines, or in any way to promote the use of them.

ART. II.—PROFESSIONAL SERVICES OF PHYSICIANS TO EACH OTHER.

Sec. 1. All practitioners of medicine, their wives, and their

children, while under the paternal care, are entitled to the gratuitous services of any one or more of the faculty residing near them whose assistance may be desired. A physician afflicted with disease is usually an incompetent judge of his own case; and the natural anxiety and solicitude which he experiences at the sickness of a wife or a child, or any one who by the ties of consanguinity is rendered peculiarly dear to him, tend to obscure his judgment, and produce timidity and irresolution in his practice. Under such circumstances, medical men are peculiarly dependant upon each other, and kind offices and professional aid should always be cheerfully and gratuitously afforded. Visits ought not however, to be obtruded officiously; as such unasked civility may give rise to embarrassment, or interfere with the choice on which confidence depends. But if a distant member of the faculty, whose circumstances are affluent, request attendance, and an honorarium be offered, it should not be declined; for no pecuniary obligation ought to be imposed which the party receiving it would wish not to incur.

ART. III.—OF THE DUTIES OF PHYSICIANS AS RESPECTS VICARIOUS OFFICES.

Sec. 1. The affairs of life, the pursuit of health, and the various accidents and contingencies to which a medical man is peculiarly exposed, sometimes require him temporarily to withdraw from his duties to his patients, and to request some of his professional brethren to officiate for him. Compliance with this request is an act of courtesy, which should always be performed with the utmost consideration for the interest and character of the family physician, and when exercised for a short period, all the pecuniary obligations for such service should be awarded to him. But if a member of the profession neglect his business in quest of pleasure and amusement, he cannot be considered as entitled to the advantages of the frequent and long-continued exercise of this fraternal courtesy, without awarding to the physician who officiates the fees arising from the discharge of his professional duties.

In obstetrical and important surgical cases which give rise to unusual fatigue, anxiety and responsibility, it is just that the fees accruing therefrom should be awarded to the physician who officiates.

ART. IV.—OF THE DUTIES OF PHYSICIANS IN REGARD TO CONSULTATIONS.

Sec. 1. A regular medical education furnishes the only presumptive evidence of professional abilities and acquirements, and ought to be the only acknowledged right of an individual to the exercise and honors of his profession. Nevertheless, as in consultations the good of the patient is the sole object in view, and this is often dependent on personal confidence, no intelligent regular practitioner who has a license to practice from some medical board of known and acknowledged respectability, recognized by this association, and who is in good moral and professional standing in the place in which he resides should be fastidiously excluded from fellowship, or his aid refused in consultation when it is requested by the patient. But no one can be considered as a regular practitioner, or a fit associate in consultation, whose practice is based on an exclusive dogma, to the rejection of the accumulated experience of the profession, and of the aids actually furnished by anatomy, physiology, pathology, and organic chemistry.

Sec. 2. In consultations no rivalry or jealousy should be indulged; candor, probity, and all due respect should be exercised toward the physician having charge of the case.

Sec. 3. In consultations, the attending physician should be the first to propose the necessary questions to the sick; after which, the consulting physician should have the opportunity to make such further inquiries of the patient as may be necessary to satisfy him of the true character of the case. Both physicians should then retire to a private place for deliberation; and the one first in attendance should communicate the directions agreed upon to the patient or his friends, as well as any opinions which it may be thought proper to express. But no statement or discussion of it should take place before the patient or his friends, except in the presence of all the faculty attending, and by their common con-

sent; and no opinions or prognostications should be delivered, which are not the result of previous deliberation and concurrence.

Sec. 4. In consultations, the physician in attendance should deliver his opinion first; and when there are several consulting, they should deliver their opinions in the order in which they have been called in. No decision, however, should restrain the attending physician from making such variations in the mode of treatment as any subsequent unexpected change in the character of the case may demand. But such variation and the reasons for it ought to be carefully detailed at the next meeting in consultation. The same privilege belongs also to the consulting physician if he is sent for in an emergency, when the regular attendant is out of the way, and similar explanations must be made by him at the next consultation.

Sec. 5. The utmost punctuality should be observed in the visits of Physicians when they are to hold consultations together and this is generally practicable, for society has been considerate enough to allow the plea of a professional engagement to take precedence of all others, and to be an ample reason for the relinquishment of any present occupation. But as professional engagements may sometimes interfere and delay one of the parties, the physician who first arrives should wait for his associates a reasonable period, after which the consultation should be considered as postponed to a new appointment. If it be the attending physician who is present, he will of course see the patient and prescribe; but if it be the consulting one, he should retire, except in case of emergency, or when he has been called from a considerable distance, in which latter case, he may examine the patient, and give his opinion in writing, and under seal, to be delivered to his associate.

Sec. 6. In consultation, theoretical discussions should be avoided, as occasioning perplexity and loss of time. For there may be much diversity of opinion concerning speculative points, with perfect agreement in those modes of practice which are founded not on hypothesis, but on experience and observation.

Sec. 7. All discussions in consultation should be held as secret, and confidential. Neither by words nor manner should any of the parties to a consultation assert or insinuate, that any part of the treatment pursued did not receive his assent. The responsibility must be equally divided between the medical attendants—they must equally share the credit of success as well as the blame of failure.

Sec. 8. Should an irreconcilable diversity of opinion occur when several physicians are called upon to consult together, the opinion of the majority should be considered as decisive; but if the numbers be equal on each side, then the decision should rest with the attending physician. It may, however, sometimes happen that two physicians cannot agree in their views of the nature of a case, and the treatment to be pursued. This is a circumstance much to be deplored, and should always be avoided if possible, by mutual concessions, as far as they can be justified by a conscientious regard for the dictates of judgment. But in the event of its occurrence, a third physician should, if practicable, be called to act as umpire, and if circumstances prevent the adoption of this course, it must be left to the patient to select the physician in whom he is most willing to confide. But as every physician relies upon the rectitude of his judgment, he should when left in the minority, politely and consistently retire from any further deliberation in the consultation, or participation in the management of the case.

Sec. 9. As circumstances sometimes occur to render a special consultation desirable, when the continued attendance of two physicians might be objectional to the patient, the member of the faculty whose assistance is required in such cases, should sedulously guard against all future unsolicited attendance. As such consultations require an extraordinary portion both of time and attention, at least a double honorarium may be expected.

Sec. 10. A physician who is called upon to consult, should observe the most honorable and scrupulous regard for the character and standing of the practitioner in attendance; the practice of

the latter, if necessary, should be justified as far as it can be, consistently with a conscientious regard for truth, and no hint or insinuation should be thrown out which could impair the confidence reposed in him, or affect his reputation. The consulting physician, should also carefully refrain from any of those extraordinary attentions or assiduities, which are too often practiced by the dishonest for the purpose of gaining applause, or ingratiating themselves into the favor of families and individuals.

ART. V.—DUTIES OF PHYSICIANS IN CASES OF INTERFERENCE.

Section 1. Medicine is a liberal profession, and those admitted into its ranks should found their expectations of practice upon the extent of their qualifications, and not on intrigue or artifice.

Sec. 2. A physician, in his intercourse with a patient under the care of another practitioner, should observe the strictest caution and reserve. No meddling inquiries should be made; no disingenuous hints given relative to the nature and treatment of his disorder; nor any course of conduct pursued that may directly or indirectly tend to diminish the trust reposed in the physician employed.

Sec. 3. The same circumspection and reserve should be observed, when from motives of business or friendship, a physician is prompted to visit an individual who is under the direction of another practitioner. Indeed such visits should be avoided, except under peculiar circumstances, and when they are made, no particular inquiries should be instituted relative to the nature of the disease, or the remedies employed, but the topics of conversation should be as foreign to the case as circumstances will admit.

Sec. 4. A physician ought not to take charge of or prescribe for a patient who has recently been under the care of another member of the faculty in the same illness, except in cases of sudden emergency, or in consultation with the physician previously in attendance, or when the latter has relinquished the case or been regularly notified that his services are no longer desired. Under such circumstances, no unjust and illiberal insinuations should be thrown out in relation to the conduct or practice previously pursued, which should be justified as far as candor, and regard

for truth and probity will permit; for it often happens that patients become dissatisfied when they do not experience immediate relief, and, as many diseases are naturally protracted, the want of success in the first stage of treatment, affords no evidence of a lack of professional knowledge and skill.

Sec. 5. When a physician is called to an urgent case, because the family attendant is not at hand, he ought, unless his assistance in consultation be desired, to resign the care of the patient to the latter on his arrival.

Sec. 6. It often happens, in cases of sudden illness, or of recent accidents and injuries, owing to the alarm and anxiety of friends, that a number of physicians is simultaneously sent for. Under these circumstances courtesy should assign the patient to the first who arrives, who should select from those present any additional assistance that he may deem necessary. In all such cases, however, the practitioner who officiates, should request the family physician, if there be one, to be called, and, unless his farther attendance be requested, should resign the case to the latter on his arrival.

Sec. 7. When a physician is called to the patient of another practitioner, in consequence of the sickness or absence of the latter, he ought, on the return or recovery of the regular attendant and with the consent of the patient, to surrender the case.

Sec. 8. A physician, when visiting a sick person in the country may be desired to see a neighboring patient who is under the regular direction of another physician, in consequence of some sudden change or aggravation of symptoms. The conduct to be pursued on such an occasion is to give advice adapted to present circumstances; to interfere no farther than is absolutely necessary with the general plan of treatment; to assume no future direction, unless it be expressly desired; and, in this last case, to request an immediate consultation with the practitioner previously employed.

Sec. 9. A wealthy physician should not give advice gratis to the affluent, because his doing so is an injury to his professional brethren.

ren. The office of a physician can never be supported as an exclusively beneficent one ; and it is defrauding in some degree the common funds for its support, when fees are dispensed which might justly be claimed.

Sec. 10. When a physician who has been engaged to attend a case of midwifery, is absent, and another is sent for, if delivery is accomplished during the attendance of the latter, he is entitled to the fee, but should resign the patient to the practitioner first engaged.

ART. VI.—OF DIFFERENCES BETWEEN PHYSICIANS.

Sec. 1. Diversity of opinion, and opposition of interest, may in the medical, as in other professions, sometimes occasion controversy and even contention. Whenever such cases unfortunately occur, and cannot be immediately terminated, they should be referred to the arbitration of a sufficient number of physicians, or a court-medical.

As peculiar reserve must be maintained by physicians toward the public in regard to professional matters, and as there exist numerous points in medical ethics and etiquette through which the feelings of medical men may be painfully assailed in their intercourse with each other, and which cannot be understood or appreciated by general society, neither the subject matter of such differences, nor the adjudication of the arbitrators should be made public, as publicity in a case of this nature may be personally injurious to the individuals concerned, and can hardly fail to bring discredit on the faculty.

ART. VII.—OF PECUNIARY ACKNOWLEDGMENTS.

Sec. 1. Some general rules should be adopted by the faculty in every town or district, relative to pecuniary acknowledgments from their patients, and it should be deemed a point of honor to adhere to these rules with as much uniformity as varying circumstances will admit.

CHAPTER III.

Of the duties of the profession to the public, and of the obligations of the public to the profession.

ART. I.—DUTIES OF THE PROFESSION TO THE PUBLIC.

Sec. 1. As good citizens, it is the duty of the physicians to be ever vigilant for the welfare of the community, and to bear their part in sustaining its institutions and burdens. They should also be ever ready to give counsel to the public in relation to matters especially appertaining to their profession, as on subjects of medical police, public hygiene, and legal medicine. It is their province to enlighten the public in regard to quarantine regulations, the location, arrangement, and dietaries of hospitals, asylums, schools, prisons, and similar institutions—in relation to the medical police of towns, as drainage, ventilation, &c., and in regard to measures for the prevention of epidemic and contagious diseases; and when pestilence prevail it is their duty to face the danger and continue their labors for the alleviation of the suffering, even at the jeopardy of their own lives.

Sec. 2. Medical men should also be always ready, when called on by the legally constituted authorities, to enlighten coroners' inquests and courts of justice, on subjects strictly medical—such as involve questions relating to sanity, legitimacy, murder by poisons or other violent means, and in regard to the various other subjects embraced in the science of medical jurisprudence. But in these cases, and especially where they are required to make a post mortem examination, it is just, in consequence of the time, labor, and skill required, and the responsibility and risk they incur, that the public should award them a proper honorarium.

Sec. 3. There is no profession, by the members of which eleemosynary services are more liberally dispensed, than the medical, but justice requires that some limits should be placed to the performance of such good offices. Poverty, professional brotherhood, and certain public duties referred to in Sec. 1, of this chapter, should always be recognized as presenting valid claims for gra-

tuitous services, but neither institutions endowed by the public or rich individuals, societies for mutual benefit, for the insurance of lives or for analogous purposes, nor any profession or occupation, can be admitted to possess such privilege. Nor can it be justly expected of physicians to furnish certificates of inability to serve on juries, to perform militia duty, or to testify to the state of health of persons wishing to insure their lives, obtain pensions, or the like, without a pecuniary acknowledgement. But to individuals in indigent circumstances, such professional services should always be cheerfully and freely accorded.

Sec. 4. It is the duty of physicians, who are frequent witnesses of the enormities committed by quackery, and the injury to health and even destruction of life, caused by the use of quack medicines, to enlighten the public on these subjects, to expose the injuries sustained by the unwary, from the devices and pretensions of artful empirics and impostors. Physicians ought to use all the influence which they may possess, as professors in Colleges of Pharmacy, and by exercising their option in regard to the shops to which their prescription shall be sent, to discourage druggists and apothecaries from vending quack or secret medicines, or from being in any way engaged in their manufacture and sale.

ART. II.—OBLIGATIONS OF THE PUBLIC TO PHYSICIANS.

Sec. 1. The benefits accruing to the public, directly and indirectly, from the active and unwearied beneficence of the profession, are so numerous and important, that physicians are justly entitled to the utmost consideration and respect from the community. The public ought likewise to entertain a just appreciation of medical qualifications, to make a proper discrimination between true science and the assumptions of ignorance and empiricism, to afford every encouragement and facility for the acquisition of medical education, and no longer to allow the statute books to exhibit the anomaly of exacting knowledge from physicians, under liability to heavy penalties, and of making them obnoxious to punishment for resorting to the only means of obtaining it.

APPENDIX E.

AN ACT ENTITLED AN ACT TO LEGALIZE THE STUDY OF ANATOMICAL AND SURGICAL SCIENCE.

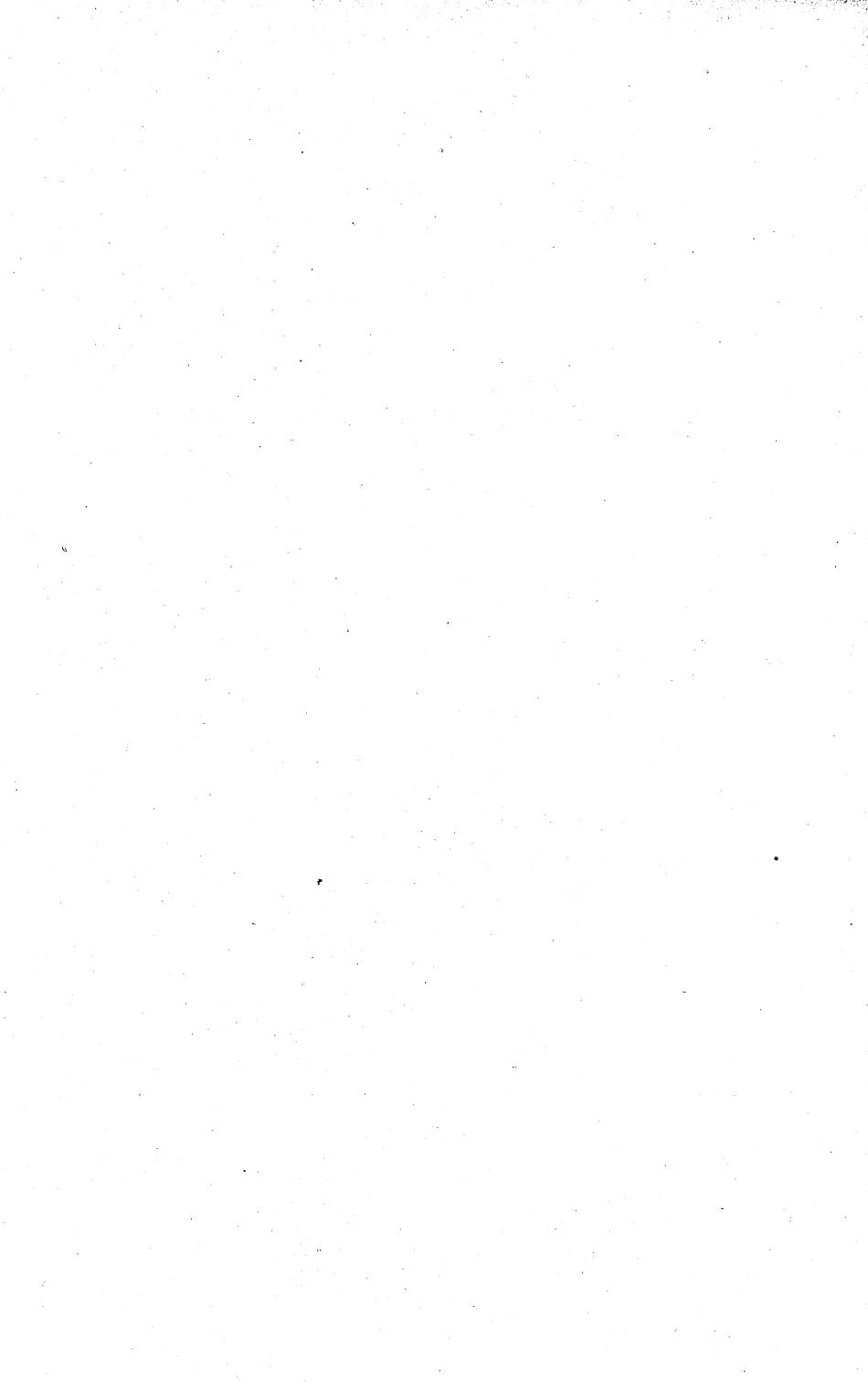
*The People of the State of Wisconsin, represented in Senate and
Assembly, do enact as follows:*

Section 1. It shall be lawful from and after the passage of this act, for the supervisors of any town or county, or the aldermen or board of health of any incorporated city or village in this state, or any of them, to deliver to any regularly educated and well-known physician, or person under his direction, on his application for the same, the dead body or bodies of such person or persons as may be required to be buried at the public expense, said body or bodies to be used by said physician or his agent for the advancement of anatomical and surgical science, preference being in all cases given to the medical schools that are now or may hereafter be established by law in this state, and to such persons as are or may be engaged in instruction in medical science; provided that said remains shall not have been regularly interred, and shall not have been desired for interment by any relative or friend of said deceased persons within twenty-four (24) hours after death; provided, also, that the remains of no person, who may be known to have relatives or friends, shall be delivered or received without the consent of said relatives; and, provided that the remains of no traveler who died suddenly without having an opportunity of making known who he was or from whence he came, nor of any person who shall have expressed a desire in his or her last illness that his or her body may be interred, shall be delivered or received as aforesaid, but shall be buried in the usual manner; and provided also, that in case the remains of any person so delivered or received shall be subsequently claimed by any surviving relative, they

shall be given up to said relative or friend for interment; and it shall be the duty of the said physicians thus receiving said bodies as aforesaid, decently to bury in some cemetery the remains of all bodies after they shall have answered the purposes of study aforesaid; and for any neglect or violation of this provision of this act, the party so neglecting shall forfeit and pay a penalty of not less than twenty-five (25) nor more than fifty (50) dollars, to be sued for and recovered by the health officers of said city or village, or town, for the benefit of their department.

Sec. 2. Every person who shall deliver up the remains of any deceased person in violation of or contrary to any or all of the provisions contained in the first section of this act, and every person who shall receive said remains, knowing the same to have been delivered contrary to any of the provisions of said section, shall each and every of them be deemed guilty of a misdemeanor.

Sec. 3. All former laws, so far as inconsistent with this act, are hereby repealed.



SPECIAL REPORT

OF THE

Commissioners of the Lunatic Asylum,

IN ANSWER TO A RESOLUTION, PASSED BY THE ASSEMBLY OF THE

STATE OF WISCONSIN,

JANUARY 19, 1855.

**MADISON :
BERIAH BROW, PRINTER.**

1855.



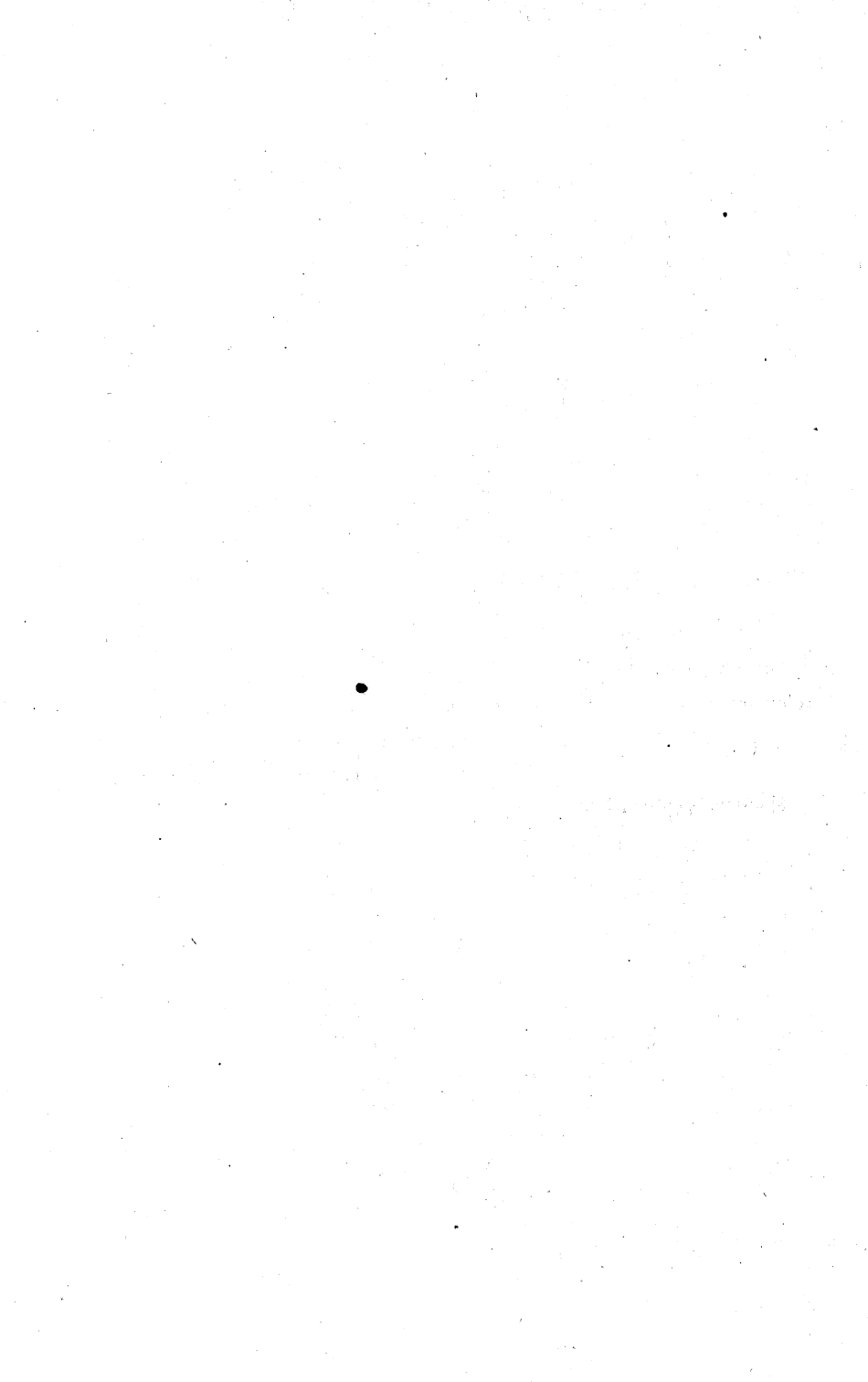
To the Honorable the Assembly, of the State of Wisconsin :

By direction of the Board of Commissioners of the Wisconsin State Lunatic Asylum, I herewith lay before you their Report, asked for under a resolution passed by you, January 19, 1855, together with accompanying papers.

GEO. R. McLANE,

Sup. of Wis. State Lunatic Asylum.

Madison, January 22, 1855



SPECIAL REPORT.

To the Assembly of the State of Wisconsin:

In a resolution, passed by you, January the 19th, 1855, a copy of which directed to us, is in the words and figures following, to wit:

ASSEMBLY HALL,

MADISON, January 19, 1855.

To the Commissioners of the State Lunatic Asylum:

A resolution, of which the following is a true copy, passed the Assembly this morning:

Resolved, That the Board of Commissioners, appointed by the Governor, by virtue of an act, entitled "An Act to provide for a State Lunatic Asylum," approved, March 30, 1854, be requested to inform this House, at as early a day as possible, what, if any, contract has been entered into by them on the part of the State, by virtue of Section 7, of aforesaid act, and if any contract has been made, transmit to this House a copy of the same, with all specifications connected therewith or alluded to in such contract; also, the number of bids or proposals received before the letting of said contract; the prices contained in each bid, the names of persons making such bids; also, the estimated expense necessary to complete and furnish the Asylum under the present contract, and that the Chief Clerk of this House, be instructed to transmit to said Board of Commissioners a copy of this resolution.

Attest:

DAVID ATWOOD,

Chief Clerk Assembly.

You request to be informed at as early a day as possible.

First. What, if any, contract has been entered into by the Commissioners on the part of the State, by virtue of Section 7, of the aforesaid act.

Second. That if any contract has been made, we transmit to you a copy of the same, with all specifications connected therewith or alluded to in such contract.

Third. To be informed of the number of proposals received before the letting of said contract, the prices contained in each bid, and the names of persons making such bids.

Fourth. To be informed of the estimated expense necessary to complete and furnish the Asylum under the present contract.

In reply to the first request, we would most respectfully refer you to our Report, made to the Honorable Legislature at its present session, by reading which you will be fully informed on that subject.

In compliance with the second, we herewith transmit to you a copy of the contract, with the written specifications connected therewith.

Also, in compliance with the third, we herewith send you a copy of all the proposals received by us before the letting of said contract, in which proposals is specified the price for materials and work.

And in answer to so much of the fourth, as relates to the expense necessary to complete said Asylum, we would again refer you to our said Report. And as to the expense necessary to furnish the Asylum, the Commissioners have not had that matter under consideration, and therefore, cannot at this time give you an estimate of the cost with any certainty of accuracy.

We have in our office plans and drawings of the Asylum, which are made a part of the aforesaid contract, but we do not herewith submit copies thereof, for the reason that it would involve the expenditure of about four hundred dollars, which we deem a useless outlay, inasmuch as we heretofore have stated to the Legislature, that the said plans and drawings are open to inspection at the office of the Asylum, and accessible to all ; but if the Assembly upon mature reflection, considers that the public interest demands a copy of these drawings and plans, the Commissioners will procure the same as soon as possible.

The Commissioners at the time of entering into the contract aforesaid, thought proper to request of the contractor a bond with sureties, to secure the performance of his agreements, with which request he promptly complied ; and a copy of said bond is also herewith submitted to you.

ALDEN S. SANBORN,
SAM. G. BUGH,

Madison, January 22, 1855.

Comm'rs of Wis. State Lunatic Asylum.

(copy.)

PROPOSAL.

To the Governor and Commissioners of the State Lunatic Asylum,

GENTS:—I hereby propose to do all the work and furnish the materials for the State Lunatic Asylum, to be contracted at Madison, according to the plan and specifications exhibited by you, and agree to build the main building and two longitudinal and two transverse wings in the year 1855, and the remainder of the building whenever the Board of Commissioners or Legislature consider it necessary; and I will give satisfactory security to any amount you may require, to secure the completion of the work according to contract: the State to pay 80 per cent. of the work as it progresses, at the end of each and every thirty days, and the balance of twenty per cent. when the work is completed; and I further agree to commence the work immediately, and to drive it until completed, provided I am paid according to contract at the following rates, viz:

For all excavation necessary, and depositing the same as required by the Commissioners or Superintendent,	35cts per cubic yard.
For all rock excavation	\$1,50 do
For all rabble or rough masonry, such as cellar walls, partition walls, and the outer walls of building,	3,60 per perch.
For all cut stone masonry	16,50 do
do brick in work	12,50 per thousand.
do cast iron in work	12 cts. per pound.
do wrought iron in work	16 cts. do
do locks used in building	2,50 each.
do bolts do	1,25 each.
do screws do	2,00 per gross.
do butts do	3,00 per doz. pair.
do nails do	7 cts. per pound.
do pine lumber, used in building,	34,75 per thousand.
do oak lumber do	22,50 do
Lathing in work complete	28 cts per yard.
Cross tin, leaded and painted on both sides, laid on roof	25 cts per foot.
For all 4in. tin conductors put up	25 do
do 12in. tin flues	50 do

Plastering, two coats, brown, and one coat hard finish,	28 cts per yard.
Fancy and hydraulic cement plastering	37½ do
Rough casting and pencilling exterior with composition of washed sand and tallow, and finishing the same good	45 do
For speaking tubes of tin in work	25 cts per foot.
Painting according to specifications, main building, 1,000,00	
do do do for each longitudinal and each transverse wing,	666,66
For all glass used in said building in work	9,50 per box.
Joiner work on main building, as specified,	7,495,00
Joiner work on each longitudinal and transverse wing	4,995,00
Extra items not included in the above schedule that may be necessary on main building,	1,800,00
Extra items on each longitudinal and transverse wing	1,200,00

The above materials to be of excellent quality and the work to be done in a substantial and workmanlike manner.

Respectfully submitted,

ANDREW PROUDFIT.

WAUPUN, October 18, 1854.

ARTICLE OF AGREEMENT.

Article of agreement made and concluded this sixteenth day of November, in the year of our Lord one thousand eight hundred and fifty-four, between Andrew Proudfit of the county of Waukesha, in the State of Wisconsin, of the first part, and David S. Vittum, Samuel G. Bugh and Alden S. Sanborn, commissioners of the Wisconsin State Lunatic Asylum of the second part, whereof it is covenanted and agreed as follows : That the said Andrew Proudfit hereby contracts, covenants and agrees to furnish all the materials which shall be of a sound and good quality, and perform all the labor necessary to construct and finish, in every respect, in a good and substantial and workmanlike manner, "The Wisconsin State Lunatic Asylum," on the terms and for the price set forth and stated in his proposal hereunto annexed ; the said work to be executed and conform in all respects to the annexed specifications, and the plans now in the possession of the said commissioners, and to be completed as follows :

The main building and two longitudinal and two transverse wings on or before the first day of January one thousand eight hundred and fifty-six; two more longitudinal and two more transverse wings on or before the first day of January one thousand eight hundred and fifty-seven; and two more longitudinal and two more transverse wings whenever the commissioners shall direct, giving one years time to do said last mentioned work after notice given to said Andrew Proudfit.

And it is further agreed that the building contracted to be built shall during its erection be under the inspection of the superintendent of said asylum and the commissioners thereof.

And it is further agreed on the part of said commissioners that monthly estimates shall be made, either by them or some one to be appointed by them, and that upon said monthly estimate of materials furnished and work done, the State shall pay to the contractor, Andrew Proudfit, eighty per cent. on the amount of work done and materials furnished.

And it is further agreed that within thirty days after the said building shall be completed according to the terms and conditions of this contract and the specifications hereunto attached, and accepted by the said commissioners, the State of Wisconsin shall pay to the said Andrew Proudfit the sum which, according to the terms of this contract, shall remain unpaid after deducting all previous payments.

And it is further understood and agreed by and between the parties to this contract that the work about said building shall be measured including openings.

ANDREW PROUDFIT, [SEAL]

D. S. VITTUM, [SEAL]

ALDEN S. SANBORN. [SEAL]

SAM G. BUGH. [SEAL]

Sealed, signed and delivered in presence of Geo. R. McLane. E. M. Hunter as to the signature of S. G. Bugh.

(COPY.)

SPECIFICATION

Of work and materials to be used in the erection of the Wisconsin State Lunatic Asylum.

DESCRIPTION.

The buildings are composed of a centre 65 feet by 120, and on each side are three longitudinal and three transverse wings. The centre building is four stories high. The first story, 12, second 15, third 13, and the fourth 11 feet, each in the clear of the floor and ceilings. The longitudinal wings are three stories high, each 12 feet in the clear; the transverse wings have an additional story, which is 7 feet high at the eaves, but extends up into the roof to the height of 10 feet, and is finished to the collar beams; a cellar is throughout the whole extent, and is 8 feet deep in the clear of floor and lower edge of joists. On the centre building is a dome, intended to receive the water tanks, and on each transverse wing is a dome of smaller dimensions or cupola, intended as ventilators for the flues and ducts throughout the building. For the interior arrangements and other particulars, reference is to be had to the plans, when all are figured and fully explained.

EXCAVATIONS.

The cellar will be excavated throughout the whole extent of the building, and to measure 8 feet in the clear of floor and lower edge of joists, when finished. Foundation trenches will be dug for the outer walls; centre building 18 inches, wings 12 inches, and for all the partition walls 6 inches, below the level of the floor of the cellar; all earth from the excavations will be leveled and graded around the building. The foundations will all be sunk deeper than the above specifications, if necessary to procure an approved foundation. All rubbish will be removed from the building and cellar, and the floor of the cellar prepared for grouting and paving.

CUT STONE.

A base of hammer dressed stone will extend around the whole building, 8 inches wide, which will form the sills of the cellar windows, and will project 2 1-2 inches from the face of the wall, with a wash on the same at the opening of the cellar windows, they will be 9 inches thick on the top: the outside door sills and steps of front and back main entrances, and all the window sills

will be of cut stone ; likewise the rustic groins of the centre building, up to the level of the second floor, and the rustic blocks around the windows of the first story centre building ; the stone must be of the best that can be procured in the vicinity, and all excepting the base, smoothly dressed, and all firmly and solidly set, and where necessary well strapped with iron into the masonry ; 12 stone sills will likewise be required at the doors of the cross corridor entrances, 12 inches broad on the top, and 6 inches thick ; all the bath rooms and water closets in the wings, and drying rooms, and kitchen floors, will be laid with clay tiling or stone flagging, well bedded in cement, the cross passage between the corridors will be done in like manner.

MASONRY.

All the exterior walls will be built of quarry building stones, laid on their broadest beds, and the foundation stones broad and flat, and solidly bedded in mortar. Those of the cellar centre building will be 3 feet thick, and wings 2 feet, with footings of 6 inches projecting from each face of the same ; the walls of the centre building, up to the level of the second floor will be 2 feet 6 inches, from that line up to the level of the third floor 2 feet 3 inches, thence up to the fourth floor 2 feet, and upwards 22 inches, in the tympanum the wall will be 18 inches ; from the cellar walls up to the level of the third floor in the wings will be 20 inches, and the remainder 18 inches ; all the partition walls will be built of brick. In the centre building up to the line of the first floor, all the corridor walls will be 22 inches thick, all the others and all on the wings excepting those in the crossings between the corridors, will be 18 inches ; the cross partitions of the centre building, and the walls of the cross corridors will be 13 inches, and all others on the wings will be 9 inches, as, also, the corridor walls above the ceiling of the third floor ; the cross passages between the corridors will be arched, and made thoroughly fire proof ; the heads of all the openings throughout the cellar will be arched, likewise the heads of the cellar windows and cellar doors, and arching likewise will be required where the partition wall commences over an opening. All openings intended for cold and hot air, flues, gas, ventilators, &c., will be made according to the plans, and where directed by the superintendent during the progress of the work. All flues to be well and thoroughly parquettèd. All the masonry, including the brick work, to be done in the best and most substantial manner ; the brick to be good, and the stone to be well selected. The mortar to be composed of clean sharp sand, and fresh wood burned lime, in such proportions as will ensure an approved cement. Iron bars 1-4 by 2 1-2 inches will be required in

the cellar for the support of the flues at starting, and anchors from the joists into the walls, and iron rods with screw backs, for the support of some of the partition walls, and all other iron rods and bars required in the construction of the above, must be inserted in the same.

CAST IRON AND WROUGHT IRON WORK.

All the outside windows throughout the whole building, excepting those opening from the corridors, will have a neat wrought iron guard, to extend within 5 inches of the top and bottom of the lower sash, securely fastened on the outside of each, and all the upper sash of the dormitories, bath rooms and water closets, will be made of cast iron, securely fastened to a frame of wood. Wrought iron guards will be made for all the windows in the corridors, secured on the inside across the same, with doors of stout wire in each, to be hinged and secured with bolts and lock; likewise at the foot and head of stairs, will be doors of the same kind made, and securely hung and fastened with locks and bolts. Wrought iron bearers, with cast iron risers, will be made for all the stairs in the wings, and likewise in the centre building, the flight leading from the first story into the second; this flight will have iron balusters and hand rail, and will be entirely of that material, excepting wooden treads, secured upon the iron bearers and risers, open cast iron guards will be made and walled in the cellar windows, but in four of each longitudinal wing, they will be hung and secured with bolts; 1 1-2 inch iron rods with screw backs riveted on the ends, will be required wherever a partition wall is started over an opening above 10 feet space, to support the brick work of the same; an iron frame and door will be made and hung at each end of the cross corridors, and secured with strong locks and bolts, and a complete set of iron safe doors for the centre building; wickets about 8 inches square will be made and inserted in all the dormitory doors, with suitable locks on the same. The balconies in the centre building will be of iron, excepting the joists, rafters and roof, and all in accordance with the elevation. 1 1-4 inch iron rods will be required for the framing of the trussed girders, and bolts for the same, and for the domes; anchors for the joists, eyes for the cellar doors opening into the air chamber, jumb screws for all the dormitory door frames, stubs, screws and every thing else necessary to complete the building.

LUMBER, HARDWARE AND CARPENTER WORK.

All the flooring joists in the centre building and transverse wings will be 3×12 inches, and in the longitudinal wings 3×8 inches, ceiling joists of

longitudinal wings 2×8 inches, ceiling joists of centre building 3×10 inches and ceiling joists of collar-beams over the rooms in the transverse wings will be 2×10 inches, and all placed 16 inches between centres; all joists over 12 feet to be backed, and all leveled up straight across the ends, and blocked up with hard dry blocking. In all framing for stair-ways the trimmers will be double and pinned together; all requisite framing to be attended to for flues, dumb-waiters, water closets, &c.; the common rafters on the longitudinal wings will be 3×6 inches, and will be placed 20 inches between centres, secured on wall-plates on the corridor walls, and tied together with collar-beams of inch board nailed across them; on the back part of the transverse wings the roof will be hipped, and the front part as shown in the elevation. Strong collar beams will be required both front and back of 2×10 inch plank to form the ceiling of the fourth stories; in the centre building over the chapel will be required three single trussed girders to support the roof over the same; they will be laid cross-wise the room; the ceiling joists will be secured between by cleating the girders and notching the ends of the joists on them; the rafters will be placed across the girders, and raising pieces secured on the top of the ceiling joists in the usual manner; the tie-beam or lower piece of timber of the girders will be 5×12 inches; braces and level plates 5×5 , with centre $1\frac{1}{2}$ inch iron rods, with stout plates well riveted on one end and double nuts on the other. Over the other portion of the centre building the ceiling joist will be laid across the walls in the usual manner, on wall plates, and the rafters will bear upon the raising pieces, and the corridor walls, which will be carried up to the roof; these rafters will all be 3×8 inch joists, and placed 20 inches between centres; directly under the dome will be laid 4×14 inch joists, 12 inches between centres, covering a space not less than 40 feet square; this floor of joists is to receive the water tanks and likewise the sills of the dome, which will be a circular rim 4×10 inches; posts 4×9 tapered up to 4×5 ; plates, ties and braces 4×5 inches, and the upper floor of joist will be 3×10 , ceiling 3×8 , and the ribs will be made with 3×6 scantling (chord), arc of plank well secured and braced to the same. The smaller domes and ventilators will be made in the same manner, with posts 3×6 tapered up to 3×4 ; the base of the dome and roof will be boarded from tinning, and all other parts will be made in accordance with the elevation; all other external finish will be in accordance with the elevation, viz: eaves and cornice, front dressings of the windows of the second story of the transverse wings, the pediment heads of which will be of wood; front door-ways and windows of centre building balconies, &c. All partitions not of brick will be 4×4

inch studding, 16 inches between centres, all the joists will have strips of 1x2½ inch, well nailed on them to receive rough boarding for deafening of sound; and the boarding will be kept 2 inches below the top of the joists, where the floors are intended to be flagged, the joists will be leveled two inches lower than the others, and in such cases the rough boarding may be nailed on the top of the joists.

FLOORS.

Planed and grooved flooring 5-4 thick of oak or yellow pine will be laid and well nailed to the joists, and the joints shot throughout the building excepting where the floors are flagged, including balconies. The main entrance outside door frame will be a large beaded jam, secured against the stone jam of the same, and the back door frames will be of 3x6 inch scantling (these last mentioned are those on the stairways of the wings.)

WINDOW FRAMES.

All the window frames will be made plank front, or casing with moulding on the front, and all double wing with the best axle pullies cord and weights, excepting on the dormitories, where they will be hung single, and in the corridors where they will be hung with hinges, and these will be secured with bolts, top, bottom and middle, those of the dormitories will be secret hung; the sash will all be 1 3 4 inches thick in the centre building and transverse wings, they will be made 12 lights in the usual manner excepting those opening down to the floor where they will be 15, and those in the dormitory will be made 5 lights wide, each 5 1-2 inches and 4 high. 1st and 2nd stories 18 inches, and 3d 16 inches, the others will be marked on the ground plans, 4 windows in every ward will have a wire frame made and hung on the inside of the windows, likewise in all of the dormitories for noisy patients will be the same but of stouter and stronger materials and all secured with locks and bolts, all windows opening out on the balconies will extend to the floor, and the lower sash will be made to fly up into the head, one light.

STAIRS.

All the wood work of the stairs will be required to be put up, viz: in the wings a newel will be made of 1 1-2 inch plank, planed and grooved together which forms a square trunk or box, and which will be arranged for a ventilator for the corridor and will connect with the corridor above and below the stairs viz: at the floor and ceiling, around this shaft the steps will be secured, being let into it and likewise secured on the iron bearers, which will be put up

distinct and separate from the shaft, the other end of the steps and landings will be skirted in the usual manner, all to be prepared for finishing without plastering on the under side. The main flight first story will require the steps to be secured to the risers and bearers, and trim and finish around the floor on the second story and also to secure the newels on the first. The other stairs will be all of wood, and continued bend rail, and all the steps to be of oak 6-4 thick, there to be tongued and blocked together, and let into the wall string and built upon four carriages of 3 inch posts, the hand rail to be 2 1-2 x 4 1-2, the balusters of 2 1-2 inch square at the base and the newels 8 inches, all of oak, and the two latter neatly turned, and the whole put up in a complete and substantial manner, stairs will be continued to the cellar where they are marked on the plans, and done in the usual manner, likewise stairs will be continued up to the fourth story wings in the same manner as the others in the wings, but all of wood, also stairs will be continued up to the dome and will be enclosed within a partition of boards planed and grooved, a grooved floor will be laid around the tank, and likewise up into the dome. The dormitory door frames will be made of 4x6 inch scantling, and on the corridor side a moulding 2 inches wide will cover the joint of plastering, they will be made with an opening of five inches wide over the door, and well secured into the walls by jamb screws and stubs at the bottom, all the other room doors will be jamb cased with two inch plank rebated, and all over 14 inches wide, framed, head and butt in imitation of the doors, closet doorways will be jamb cased with 1½ inch plank, the windows in the front half of the centre building, 1st, 2d and 3d stories will be jamb cased for inside shutters with back and jambs continued to the floor and panelled soffits, this panelling will all be flat with edges of stiles and rails slightly bevelled.

The dressings around the doors of the parlors and dining rooms in the wings will be an architrave 6 inches wide, first and third, centre building 7 inches, and in the second 9 inches, all two inches thick on the back edge ; this includes the windows, likewise in the 1st, 2nd and 3rd stories, front half of the centre building, all the window jambs of the remainder being plastered ; the windows intended for inside shutters will be finished with sills and fascia in the usual manner, and all the others will have a sill of 2 inch plank with a neat fascia under the same. The wash-boards in the corridors will be 6 inches wide, the top edge slightly bevelled ; the skirtings of the stairs in the wings will be done in the same manner ; this style of wash-board will be put up in the 4th stories of the wings and 4th story centre building ; in the parlors and dining rooms of

the wings the wash-boards will be 8 inches and moulding on top, and the skirting of the main stairways finished to match. The main entrance doors will be made in pairs in two thicknesses or $1\frac{1}{2}$ inch plank, secured together and moulded on the front side, hung with 5x5 inch butts, and secured with 8 inch up-right mortice locks and iron flush bolts. All the dormitory, parlor and dining-room and cross passage doors will be $1\frac{3}{4}$ inches thick, and excepting those in the noisy patients, made bead and butt on both sides, hung with 4x4 inch butts and secured with $4\frac{1}{2}$ inch mortice locks; the noisy patients dormitories doors will be made in two thicknesses of inch grooved boards made crosswise and put together with wrought nails and hung and secured in the same manner as the others. In all the dormitory doors will be an iron wicket inserted with a spring lock on each (described under the head of iron work); sash doors will be made and hung in the partition wall between the associated dormitories and the attendants rooms with locks same as dormitory doors. All the closets, clothes-hoppers, dumb-waiters and bath-room doors will be made the same as those of the dormitories and $1\frac{1}{2}$ inches thick, hung with $3\frac{1}{2}$ inch butts, and secured in the same manner; the doors also in the 4th story of the wings, also the doors in the first and third story of the centre building, but in thickness they will be two inches; the doors in the second story centre building will be panelled the same, but made in two thicknesses of $1\frac{1}{4}$ inches, secured together, hung with 5x5 inch butts and secured with 5 inch mortise locks; the 4th story centre building room doors will be $1\frac{1}{2}$ inches, closets $1\frac{1}{4}$, hung and secured same as bath-room doors; all the doors excepting the closet, bath-room and 3d and 4th stories centre building will have three hinges on each door.

INSIDE SHUTTERS.

All the windows in the centre building will have inside shutters, one inch thick, in four folds, bead and butt on one side, flat panel on the other, and styles and rails slightly bevelled, to be hung with back flaps and secured with hooks in the usual manner; all excepting those of the 4th story to be cut at the meeting rail, and in the 1st, 2nd and 3rd stories front they will fold into boxes, and where the walls are thicker than required to secure the shutters the jambs will be widened to meet them, all the others will open against the jambs without boxes; the inside shutters will be square headed in all the frames; clothes-hoppers will be made where marked on the plans, enclosed by doors on every story; a horizontal shaft for ventilation will be made of planed and grooved boards over the corridors of the wings, which will connect with the ventilators on the roof; all the brick flues and likewise the shaft through stairs will be made to

empty into the same; particular care will be taken to have it air tight; those for the centre building will be led by ducts up into the dome above the floor of the same, made smooth on the inside and perfectly air tight.

CLOSETS.

All the closets will be made where marked on the plans, and fitted up with shelves, and, where needed, pin rails and clothes pins of the most approved kind; and in the dining rooms and those for kitchen purposes, the shelves will be made moveable for cleansing.

DUMB WAITERS

Will be made of the most approved kind, to be hung with weights, and, in addition, a windlass will be required to work from below; where required, the dumb waiters will be enclosed with doors, which come under the denomination of closet doors, and will be made the same. All the dumb waiters operate from the cellar upwards.

WATER CLOSETS

Will all be made where marked, and will require a seat hinged, to operate in connection with the plumbing. Each noisy patient's dormitory will be fitted up with one where marked on the plan. The water closet intended for the physician's family, will be enclosed, with riser, in the usual manner of dwelling houses.

BATH ROOMS.

All the wood work required in the securing of the tubs and other matters, will be attended to by the carpenters. Frames for wire will be made and hung on the inside of the windows of all the dormitories of noisy patients, and to four in each of the other wards, and secured with a spring lock and bolt.

CHAPEL.

The chapel will be fitted up with comfortable pews without doors, with scroll backs. A platform will be raised three risers, and a neat pulpit or desk built upon the same.

All the locks must be of a superior kind, and case-hardened, and must be made so that the keys of one wing cannot possibly open the locks of the other; and in addition to the locks on the dormitory, will be two small flush bolts on the corridor side of the door, and the doors will all be hinged to open out.

wards into the corridor. The carpenter will be required to put up all iron guards and inside iron frames, and doors or grates in the same, secure all the anchors on the joists, and attend to setting the iron window guards of the cellar. All lintels must be placed upon their edges, and to suit the thickness of the walls, and none less than eight inches deep for the doors, and six inches for the windows. All requisite bond timbers and wooden brick to be cut for the brick layer, and attention paid to setting the same; also, to setting all window frames, door frames, &c.

WASH BOARDS.

The wash boards in the centre building, first and third stories, will be ten inches wide, including a sub-base of two and a half inches; in the second story it will be twelve inches, likewise including a sub-base, and mouldings on the top of each. All the joists will be of pine, and the first floor, free from sap, and all the lumber to be thoroughly seasoned, and of the best quality, for the different kinds of work, and the work to be done in the best and most substantial manner. All hardware must likewise be of the best quality; also smith work, including every thing in both branches requisite to complete the carpentry in a workmanlike manner.

TIN WORK.

The whole building, including domes, ventilators and balconies, will be covered with the best cross leaded roofing tin, put on standing grooves, and well cleated to the boards, painted on both sides, the upper side two coats, the first coat to be red lead; all the gutters will be properly formed in the roof, and a sufficient number of four inch tin conductors to be put up to convey the water to the ground, and spout stones to be provided for the same. The whole of the base of the domes will be covered, commencing with the roof, in a complete and satisfactory manner; tin flues, 12 inches in diameter, will be required for dust conductors, with flanges and doors of iron made and hung in the cross corridors of each story of wings, as shown in the plan.

PLASTERING.

All the interior walls, partitions and ceilings above the first floor will be plastered with two coats of brown mortar and one of hard white finish; the cellar ceiling of the warm air chamber will also be plastered in two coats of brown mortar; all the jambs of the windows in the dormitories and fourth story of the wings will be plastered and angles rounded; those of the Parlors and Dining

rooms will be plastered and a moulding run on the angles, as will also all the windows on the rear portion of the centre building, including the chapel; in the 4th story front the jambs will be rounded; the inside of the dormitory doors will also be rounded; in the kitchens, store rooms, dormitories, water closets, bath rooms and drying rooms a coating of hydraulic cement will be put on the walls directly above the floor instead of wash boards. On all the rough flooring, excepting the fourth story centre building, will be put a coating of mortar one inch thick, and the same kept one inch below the top of the joists for deafening of sound. The mortar for the plastering of the interior to be composed of clean sharp sand, and fresh burnt lime, and slaughtered hair, in such proportions as will ensure an approved cement.

ROUGH CASTING.

All the exterior walls will be coated with rough casting mortar, composed of washed sand, fresh burnt lime, and in the mixture a portion of tallow, each in such proportion as will ensure an approved cement, the whole to be laid off in blocks in imitation of cut stone, and tinted as directed. The architrave of the windows will be formed in the same material.

SPEAKING TUBES

Will be inserted in the walls to communicate with the dining rooms and kitchen, and bells also in connection with them.

GAS PIPES

Will be inserted in the walls and ceiling all over the building, except the dormitories.

PAINTING AND GLAZING.

All the wood work usual to paint will be painted in three coats of pure white lead and linseed oil, in such colors as directed. All the iron work likewise in three coats, the first to be read lead, to be finished as directed. The roofing of the domes all likewise included, and in such colors as directed. All the sash will be glazed with the best American glass, well bedded, bradded and back puttied. The sizes can be had from the plans on which they are marked.

[copy.]

PROPOSAL.

We, the undersigned, propose to do the excavation of the cellars and all other necessary excavation of earth and rock, and furnish the materials, and do all of the masonry, stone and brick work, including iron bars, and bolts and fastenings for the same, for the Wisconsin State Lunatic Asylum, in accordance with the plans and specifications now in the office of the Commissioners, to wit:

For excavation of common earth, and depositing the same at a convenient distance from the buildings, and leveling the same, per cubic yard, - - - - -	\$00 35
For excavation of loose and detached rock, and moving the same, per cubic yard, - - - - -	00 75
For excavation of solid rock, and moving the same, per cubic y'd, - - - - -	1 50
For furnishing rock, lime, sand, &c., and laying up the main walls and cellar, partition and corridor walls, per perch, - - - - -	4 00
For all fine cut stone for sills, pilasters, flagging, &c., per foot, - - - - -	1 00
For brick laid in walls, per thousand, - - - - -	13 50
For iron bars, bolts and fastenings, - - - - -	00 25
For Pine lumber in work, - - - - -	40 00
For Oak do do - - - - -	25 00
For lathing in work complete, - - - - -	25
Tin roofing, per foot, - - - - -	18
Plastering, per yard, - - - - -	30
Painting main building and finding materials, &c., - - - - -	1,300 00
Painting each wing and furnishing materials, - - - - -	775 00
Carpenter work for main building, - - - - -	9,250 00
do do each wing, - - - - -	6,600 00

For all extra items not included in the above bid, we will charge the usual retail market price.

The above bid is on conditions that the whole is accepted, and the supposition that the rock can be had from the quarry near the tavern at the going rates; if, however, the quarry should prove insufficient, there would have to be added for hauling; but it is our opinion, that the quarry will prove good and sufficient for all purposes with some expense in opening.

C. H. LAMAR,
ARTHUR KELSEY.

Madison, Oct. 31st, 1854.

[COPY.]

BOND.

Know all men by these presents, that we, Andrew Proudfit and James K. Proudfit, N. P. Hawks, Wm. M. Jacques, Albert Alden, David E. Clapperton, Wm. H. Thomas, Wm. M. Dennis, Beriah Brown, William S. Strong, Samuel Hale, Geo. P. Delaplaine, Elisha Burdick and E. W. Edgerton, are held and firmly bound unto the State of Wisconsin in the sum of Fifty Thousand Dollars, lawful money of the United States, for which payment well and truly to be made we bind ourselves, our heirs, executors and administrators jointly and severally firmly by these presents. Sealed with our seals, and dated at Madison, the capitol of said state, this sixteenth day of November, in the year of our Lord one thousand eight hundred fifty-four.

The condition of the above obligation is such that, whereas the said Andrew Proudfit has this day entered into a contract with the Commissioners of the Wisconsin State Lunatic Asylum to erect a certain building therein described. Now, therefore, if the said Andrew Proudfit shall well and truly perform the said work, and erect the said building in all respects in strict compliance with the terms and conditions of said contract, and the specifications and proposals thereto annexed, and at the time therein named, then this obligation to be void; otherwise to remain in full force and virtue in law.

ANDREW PROUDFIT,	[L. S.]
JAMES K. PROUDFIT,	[L. S.]
N. P. HAWKS,	[L. S.]
WILLIAM M. JACQUES,	[L. S.]
ALBERT ALDEN,	[L. S.]
DAVID E. CLAPPERTON,	[L. S.]
WM. H. THOMAS,	[L. S.]
WILLIAM M. DENNIS,	[L. S.]
BERIAH BROWN,	[L. S.]
WM. S. STRONG,	[L. S.]
SAMUEL HALE,	[L. S.]
GEORGE P. DELAPLAINE,	[L. S.]
ELISHA BURDICK,	[L. S.]
E. W. EDGERTON.	[L. S.]

Figure 1

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MAJORITY AND MINORITY REPORTS

OF THE

JOINT COMMITTEE

OF THE

TWO HOUSES,

TO INVESTIGATE THE MATTERS OF

THE LUNATIC ASYLUM,

WITH THE

EVIDENCE TAKEN BEFORE THEM.

MADISON:

BERIAH BROWN, STATE PRINTER.

1855.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

PHYSICS 311

MAJORITY REPORT.

The joint committee, appointed to investigate the matters relating to the State Lunatic Asylum, have to the best of their abilities, performed the duty assigned them, and beg leave to report as follows.

In their investigations, they have constantly had reference to the resolution of the assembly, designating the subject of inquiry, which reads as follows:

“Resolved, That a special committee of five be appointed by the speaker, to investigate and report upon the character of the contract, entered into by the commissioners, appointed under an act to provide for a State Lunatic Asylum, approved March 30, 1854, with the advice and consent of the Governor; and the said committee is hereby further authorized and instructed, to inquire into the manner, in which contract was made, what facilities were offered by the commissioners for bids, by any person or persons—whether the contract contemplates such a building as was specified or intended by the act that provides for said Asylum, whether the contract prices at which work was let under said contract, are reasonable and just, what will be the probable cost of the erection and completion of said Asylum upon the plan proposed by said contract, under the terms and conditions thereof. Whether the commissioners, or any, or either of them at the time of the execution of said contract, in any wise, legally disqualified from acting as such commissioners, and to make such further examination and investigation in regard to the obligations of such contract, and all thing relating thereto, and in regard to the extent in

which the State is liable and bound by the same, as in the judgment of the committee, the nature of the case may demand."

Upon an examination of authorizing the erection of an Asylum, they find that the Governor was directed to appoint three commissioners, whose duty it should first be, to select and purchase a suitable tract of land for the location of said Asylum.

They were further authorized, with the advice and consent of the Governor, to cause to be erected upon the grounds purchased for that purpose, suitable buildings for the accommodation of such institution, the law particularly specifying, that "such buildings shall be constructed in accordance with the plan of Worcester hospital for the insane, as recommended by the committee in their report to the senate," a copy of which report is to be found in the journal of the senate, for the year 1854, commencing on page 323. But before making such contract, and after the site for such Asylum had been conveyed to the State, the commissioners were required to publish a notice in at least six newspapers in this State, and for six weeks successively, that sealed proposals would be received by them, for furnishing materials, and doing the work for the erection of the Asylum building, specifying in such notice particularly the manner and time of the making and submitting of such proposals, vide Sec. 7, Chap. 59, General Laws of 1854. In pursuance of this law, it appears that in the month of April, 1854, and a few days after the passage of the law, Dr. G. R. McLane, was appointed superintendent, and that D. S. Vittum and Sam G. Bugh, were appointed commissioners, and immediately entered upon the duties of their office, and that in the month of July following, A. S. Sanborn, was appointed a third commissioner, and the board was then made full.

It further appears, from the testimony of Leonard J. Farwell, that the ground for the location of the building, consisting of 100 acres of land, in the vicinity of Madison, was conveyed to the State on the 22d day of September last, although the contract for the same was made in the month of August previous.

On the 9th of August, the commissioners caused to be published a notice for proposals, of which the following is a copy :

"Notice to Contractors.

Sealed proposals to be opened on the 20th day of October next, by the undersigned, will be received for furnishing materials and doing the work for the erection, in the vicinity of Madison, of the State Lunatic Asylum building, or such portion thereof, as the Governor and commissioners may deem it advisable to have erected.

The stone work and materials, the plastering and materials, and the joiner's work and materials, may be bid for separately or jointly, at the option of the bidder.

The plans and specifications will be exhibited by Dr. G. R. McLane, supt. of said asylum, on and after the 20th day of Sept. next, in the village of Madison, and until the opening of said proposals.

S. G. BUGH,
D. S. VITUM,
A. S. SANBORN,

Commissioners State Lunatic Asylum.

Dated August 9th, 1854."

"The opening of said proposals will be postponed until the first day of November, and the reception of the same until the twentieth day of October next.

Madison, Sept. 20th, 1854."

After the publication of such notice, and on or about the 31st day of October 1854, two separate proposals were handed to the commissioners, or the superintendent, as appears from their own testimony, one of which proposals was signed by Andrew Proudfit, dated Oct. 18th, and the other by Lamar and Resley, dated Oct. 31st, copies of both of which may be seen in the special report of the commissioners. See pages 7, and 20.

No bid or proposal of any kind or description, or from any person was received by the commissioners until after the 20th of Oc-

tober, and upon this point there is no variance whatever in the testimony.

The two and only proposals received or considered, were given to the commissioners on or about the 31st day of October, eleven days after the time limited by the advertisement for the reception of proposals, and but a single day before the opening of the same.

It is contended on the part of the commissioners, that the notice of postponement fixes the time for the reception of proposals from the 20th of October until the first of November, and that after the 20th of September, the date of the notice of postponement up to the 20th of October, no proposals could be received, which would leave the whole matter in this shape.

Under the first notice, proposals were to be received until the 20th of October, at which time, they were to be opened, and on the appearance of the notice of postponement, which was the 20th of September, then the time of reception was suspended until the twentieth of October, after which time, and until the first of November only, could bids be received.

This, in the opinion of your committee, is a construction which the language employed by the commissioners will not authorize. Under the notice published they had no right to receive any bids after the 20th of October, and as before that time no proposals for the building were received by the commissioners, the time limited for their reception expired without any being placed in their hands, and the reception of bids after the 20th of October, was wholly unauthorized, contrary to the notice of publication, and in direct violation of the provisions of the law. Again, the commissioners violated the 7th section of the act under which they were appointed, in causing any notice to be published before the site for such asylum had been conveyed to the state, and the notice published on the 9th of August, was wholly without law or authority. Nor had the grounds been conveyed to the state at the time the notice of postponement bears date.

The commissioners further disregarded that portion of the law which required that the notice of publication for sealed proposals

should be for six weeks after the site for the asylum had been conveyed to the state. Such conveyance being made on the 23d of September, and the proposals being opened on the first of November.

Your committee are strengthened in the conclusion to which they have necessarily arrived, with reference to the only construction that can properly be given to the notice of postponement, by the testimony of the commissioners themselves.

The illness of Mr. Vittum, one of the commissioners, and that he might not be able to be present at the opening of bids on the 20th of October, was assigned as a reason for the notice of postponement, which was perhaps a good and sufficient cause for delay in the opening of proposals, and at the same time would have furnished an excuse and justification to them in refusing to extend the time for the reception of proposals, had different circumstances so required. The construction now asked for by them is such as would never suggest itself to the mind of any person in reading the notice, and if it was the real intention of the commissioners to postpone the time for the reception of bids, they were certainly very unfortunate in the language used.

Again, what consistency would there be in receiving proposals from the 9th of August until the 20th of September, then entirely suspending for a month their reception, afterwards to be resumed for ten days, and if there was any impropriety in placing in the hands of the commissioners proposals during the month following the 20th of September, would not the same reasons hold good for the month preceding?

In another particular was the notice defective, and not in accordance with the spirit and intention of the act, in not describing definitely what portion of the building they wished to receive bids for, whether the whole or a part.

An individual might have wished to make proposals for a portion of the building, who would not have been able to have given the necessary bonds for a contract for the entire building, or for other reasons would not have wished so extensive a contract.

On the other hand, contractors who would have been anxious to have taken the whole work, on seeing a notice which left it wholly discretionary with the commissioners to determine how much or what portion of the building should be erected after the proposals had been submitted, might have been deterred from bidding on that account.

Before any notice was published, in the opinion of your committee, the plans and all plans usual and necessary for making out proposals, together with the proper specifications, should have been procured and ready for exhibition. The portion of the building to be erected determined upon, the amount of work and material made certain, and then a full opportunity, of at least six weeks, given to the public for the examination of plans and preparation of bids.

Too much pains could not have been taken by the commissioners in calling to the matter the attention of the public, in affording to contractors or individuals who might wish to bid, every facility for information within their power, that the interests of the State might not suffer for the want of fair and just competition, or the appearance of favoritism be given to the whole transaction. Commissioner Sanborn, in a letter bearing date October the 12, 1854, states that "It will be a great contract and require a vast amount of labor"; and in proportion to the vastness of the enterprise should have been the means employed by them, in giving to the whole matter publicity.

Having given a brief account of all the matters connected with the Asylum, so far as they have come to the knowledge of your committee, up to the time of the publication of the notice for proposals, we will proceed in as brief a manner as possible to narrate the result of our investigations in reference to the several objects of inquiry contained in the resolution of the assembly.

First, as to the manner in which the contract was made, and secondly, what facilities were given by the contractors for the making of bids.

As the consideration of the first would of necessity more

or less involve that of the second, we propose to answer both at the same time. In the notice for proposals, published on or about the 9th day of August, it states as follows: "The plans and specifications will be exhibited by Dr. G. R. McLane, Sup't of said asylum, on and after the 20th day of Sept. next, in the village of Madison, and until the opening of said proposals."

It cannot but be seen at a glance that the notice is still for another reason, very indefinite and insufficient, for the reason that it does not point out or designate any particular place, office, or building, where the plans might be seen, and only informs the public that they will be exhibited by Dr. McLane, in the village of Madison.

If Dr. McLane had been a resident of Madison, and had an office in the village, or if he had established an office in that village as sup't of the asylum, or even if the commissioners themselves had provided an office for the accommodation of the officers of that institution, then perhaps there might have been some excuse for the very loose and vague manner in which the notice is drawn.

But neither the sup't or the commissioners in their individual or official capacities had any office in the village of Madison from the 9th day of August until the first of November, and hence the reason that the particular place where such plans could be seen ought to have been particularly specified.

One witness, Mr. Livsey, testified that he called at the office of an architect residing in Madison, thinking that as no place was named in the notice, the most natural place to find the plans, would be at the architect's office, and that being both unable to find the plans or their whereabouts, he was prevented from putting in proposals for a contract that he was desirous to bid for. How many others, either residing in the village of Madison, or other parts of the state, there may have been similarly situated, it is of course impossible to estimate—that there were many is not very improbable.

Whether or not there was any design in so drawing the notice, as either intentionally to mislead the public or withhold from them

that information which was so important in order that all might have the same advantages in competing for so large a job, or whether it was the result of carelessness or inattention, we do not wish to give an opinion. That the notice should have designated some particular place of easy and convenient access to the public, all will admit. The facts as proved before the committee show that such plans as Dr. McLane brought back with him from his eastern trip were first placed in the Governor's room—afterwards removed to the consultation room of the judges of the Supreme Court; a third time changed to the office of the Attorney, and lastly carried to the room in Bruen's block, now occupied by the commissioners, which last removal was sometime in the month of November, and after the awarding of the contract.

In answering the question whether proper facilities were given for bids, the fact that no sufficient notice was given, or no proper office provided, is of but little consequence, as it is shown conclusively by the testimony that no plans from which an architect or contractor could make proper proposals, had reached Madison until the 26th of October, only four days before the opening of bids. It is true that upon this point the evidence may appear somewhat conflicting, but upon consideration of all the facts that came to the knowledge of the committee, the testimony of different individuals examined with reference to that matter, we came to the unanimous conclusion that the plans and drawings designed especially for this asylum, and which were prepared by Messrs. Sloan and Stewart, architects, residing in Philadelphia, at an expense of some \$300, and which are the only plans now in possession of the commissioners, from which proper estimates or proposals could be made, first reached the hands of the commissioners on the 26th of October last. Dr. McLane, when first called, and he was the first witness who testified, says "the plans and specifications for the building were prepared and open for inspection about the 15th of September, and that they were open for inspection at all times thereafter, until the letting of the contract," but the plans referred to were not the plans particularly designed or prepared for the

asylum, or such plans as estimates for proposals could properly be made from.

Messrs. Sloan and Stewart, in a letter to the committee, state that they had the plans prepared on the first of October, but cannot state the precise time when they left Philadelphia. The agent of the express company, says the tin can, which was admitted to have contained the plans, was delivered on the 26th of October, and that it left Cleveland on the 20th, and Mr. Sanborn, when first sworn, says they came on or about the 25th of October.

This conclusion is also confirmed by the fact, that different persons who called at the Governor's and consultation room during the month of October, for the purpose of seeing the plans, to enable them to make out proposals, were informed that the plans had not yet arrived, and Mr. Sanborn, one of the commissioners, in a letter written to W. S. Bailey, bearing date, October the 12th, says, "The plans and specifications for the asylum have not yet been submitted, or agreed upon.

"I suppose they will be made public on the 20th of this month." Again he writes, in a letter of same date: "Nothing can be done in the way of taking contracts, until the plans are agreed upon. When the plans are submitted, necessarily need to come and see them in order to know what work, and how much, is to be done."

In another letter from commissioner Sanborn, to same person, bearing date the 19th of October, the following language is used: "I suppose those plans will be exhibited on and after to-morrow, and" &c., all of which goes to show that not only the plans had not arrived, but that up to the 19th of October, no plans had been agreed upon by the board of commissioners as the basis for the Wisconsin asylum, or if such plans were in their possession, they had been carefully kept from public inspection.

Edward Illsley, a witness called, testified that early in the month of October, he called at the Governor's room, and inquired for the plans and specifications, for the purpose of enabling him to make out proposals, and that he was informed that the plans and specifications were not there, except the front elevation, and that wit-

ness was not directed to any other place where such plans and specifications might be found.

Benjamin Judkins, another witness called and sworn, says that about the first of October, he called at the office of the commissioners, in the capitol, and found Dr. McLane, and that on calling for the plans and specifications, witness (Judkins,) was informed that the ground plan was to be seen, but that the others, as well as the specifications had not arrived, but would be received in about a week, at the same time stating that the ground plan referred to, was called by architects the front elevation plan. He further testifies that about a week or ten days thereafter, and about the 10th of October, he called again at the office, and asked if the plans and specifications were then ready to be seen, stating at the same time, that the object was to bid, and thereupon, he was informed that they were not then ready, or had not been received.

Arthur Resley sworn, says that about the 25th of October, he asked Mr. Sanborn about the plans and specifications, and Sanborn told him that Dr. McLane was to have had them here before that time, and he did not know the reason why they had not come.

It further appears from the testimony of witness competent to judge upon that matter, that it would require from eight to ten days to make out proper proposals, in the manner in which they are usually made, after having had a full opportunity to examine the plans and specifications.

Such being a history of the facts, with no proper plans from which to make proposals, until six days after the time had expired for their reception, or with their construction of the notice, but four days prior to the limitation, while it is an easy matter to solve the question why not more than two bids were offered for so important a work, it is only to be wondered that even those two should have been made.

In considering the subject of the manner in which the contract was made, we have to remark further, that no estimates whatever, of the costs of the building upon the plan adopted

were made or procured by the commissioners, and at the time they entered into a contract, they were in utter ignorance of the amount to be expended, or what the building ought to cost. If the resources of the state had been inexhaustible, the treasury groaning with a superabundance of the precious metal, and the commissioners clothed with unlimited power, an excuse, but no reason, would have been furnished for so reckless an indifference to the true interests of the state.

It is not the manner in which all prudent individuals manage their own private matters, and such a course of procedure deserves none the less to be condemned, when the interests of the public are confided to the hands of its officers. Prudence and economy, would have detected that some gross sum should have been named in the contract, within which the whole cost of the building should be limited, for in the manner in which the contract is made, it is of that elastic kind, that is capable of almost indefinite expansion.

The specifications, in many particulars, are deficient and not full, many important parts of the work are left to the discretion of the contractor, and whenever it may be advantageous, or profitable for him to use more of any material than is absolutely necessary under the terms of the contract, he cannot be well prevented from so doing. But the committee waiving for the present this branch of the inquiry, will pass to the consideration of the legality and binding force of the contract.

In the consideration of a subject of this magnitude, it becomes necessary to examine not only what the commissioners did do under the advice of the Governor, but what they were authorized to do.

Before the passage of the act, entitled "an act to provide for a State Lunatic Asylum," there was no authority to appoint such commissioners, and in case they had been appointed contrary to law, there was no authority for them to act. The only power to appoint those commissioners arose from the passage of that law, and the only power of the commissioners when appointed under it, was derived, and could only be derived from its express provisions.

What were those provisions, and what were the powers of these commissioners, are the great questions upon the determination of which this state is to save or to lose a very large sum of money.

Your committee feels great delicacy in approaching the discussion of this branch of the subject from the fact that the contractor, Mr. Proudfit, employed Messrs. Ryan, Arnold, Randles, Orton and Knowlton, all distinguished lawyers, to appear before your committee either with oral or written arguments in favor of the validity of his contract as against the state.

Yet a majority of your committee, fully conceding the eminent ability of the contractor's counsel, and in full view of their responsibility, most fully declare that they are satisfied beyond a question or cavil, that the contract is not binding against the state, and that none but counsel so able could have ever made an agreement in its favor appear plausible.

The reasons which have satisfied your committee, appear so plain to your committee, that it would seem not even to require a lawyer to maintain them.

Your committee, in consideration of the importance of the subject, feel bound at some length to discuss and dissect the law, and the contract, which it is pretended was made under it. The first section of the act provides for the appointment of three commissioners, and for the purchase of a site for the Lunatic Asylum.

The second section provides the manner in which the land shall be conveyed to the state, and for the payment of the purchase money for the same.

Section three says, "The said commissioners are hereby further authorized, with the advice and consent of the Governor, to cause to be erected upon the grounds purchased for that purpose, suitable buildings for the use and accommodation of said institution, which shall hereafter be called and known by the name of the Wisconsin State Lunatic Asylum; and also to make such other improvements upon and about the grounds, as they may think expedient and proper." If the act had stopped with section three, the power of the commissioners, acting under their discretion in

adjudging what were suitable buildings for the use and accommodation of said institution, would have been unlimited except for the conservative power and supervision which the Governor had over all their acts.

They were only authorized to cause buildings to be erected as the Governor advised and consented, and without his advice and consent could cause nothing to be erected.

That conservative provision was a wise one, and was intended to prevent an inconsiderate, improper and unjust contract from being entered into; to prevent any improper license which the commissioners might assume in causing the erection of these buildings; to prevent large sums of the public moneys to be uselessly squandered, and in full reliance upon his integrity, to make him a guardian over the public interests of the state.

For these purposes such is the provisions of section three, and no contract could have been perfected over which he had no control, and none would have been obligatory upon the state from which he withheld his assent, even though the commissioners had to the letter confined themselves to the act in letting a contract, or in causing buildings to be erected. It required, therefore, not only the action of the commissioners, but also the act of the Governor, by advice and consent, to make a contract obligatory upon the state.

The Governor alone could not make a contract of any kind under this act, and the commissioners alone could not make a contract for the erection of suitable buildings. To make a contract, therefore, required the action of the commissioners and the concurrence of the Governor, making them all parties to the contract in their separate capacities as agents of the state.

But to make a legal contract, something else than the acts of commissioners and the advice and concurrence of the Governor was necessary. It was necessary that both the Governor and commissioners should act within the scope of their authority. The Governor, by virtue of his office, had no more to do with a Lunatic Asylum, outside of this act, than any private individual.

He had no authority to advise and consent to a contract under the act except what the act gave him.

He was just as much limited in the character of his duties as the commissioners were in the character of theirs, and he had no more right to advise and consent to an illegal or fraudulent contract than the commissioners had to make one. He had a conservative power to control the action of the commissioners, and to prevent excess, but he, as well as they, were confined in all their actions, to just such limits as are and were prescribed by the act. All their power came by the act, and what did not come by the act the Governor and commissioners had no right to exercise, and while the state would be bound by their contract if made within the limits of their authority, yet it could in no wise be bound by their excesses, beyond the warrant of the act.

Your committee suggested that if the act had stopped with section three, the power of the Governor and commissioners would have been almost unlimited; but it did not stop there. There were other sections which have a very important bearing upon this case. Section three says the commissioners, with the advice and consent of the Governor, shall cause to be erected suitable buildings, &c.; and section four tells us what those suitable buildings shall be, and it refers by its particular phraseology to the suitable buildings mentioned in section three. It says, "Such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the insane, as recommended by the committee in their report to the senate."

The words "such buildings," in the first part of section four, refer to the "suitable buildings" which the commissioners were authorized to cause to be erected, with the advice and consent of the Governor, mentioned in section three. The first division of section four is neither premissory or provisional. It is compulsory. It is, in effect and intent, an order,—a command to the Governor and commissioners. "*Such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the insane, as recommended,*" &c. The two sections, as well as all the sections

in the act, are to be construed together, to ascertain the intent of the legislature.

They do not conflict in the least. The 3d section, as was before remarked, authorizes the erection of "suitable buildings," &c., and the 4th section states distinctly what those suitable buildings shall be; or in other words, *after what plan they shall be constructed*. If the act had intended to leave the plan altogether to the discretion and determination of the Governor and commissioners, it would not have specified any particular plan, and then declared that "such buildings shall be constructed" in accordance with that plan. If it had intended that the commissioners, with the advice and consent of the Governor, should adopt any plan of any State, or of the United States, it would have said so, and not have said to them—"Messrs. Commissioners and Governor, you are authorized to cause to be erected suitable buildings for the use and accommodation of said institution, and such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the insane, as recommended," &c. These different sections of the act, as we said, are not to be construed separately, but in order to ascertain the intention of the legislature, not only sections three and four are to be construed together, but all the sections of the act are to be so construed.

For authority upon this point, your committee refers to Bacon's Abridgement, vol. 7, page 452; "The most natural and genuine way of construing a statute is, to construe one part by another part of the same statute; for this best expresseth the meaning of the makers." "If any part of a statute be obscure, it is proper to consider the other parts; for the words and meaning of one part of a statute frequently lead to the sense of another." Ibid. p. 454. "The general words in one clause of a statute may be restrained by the particular words in a subsequent clause of the same statute." Apply this to the case in hand, and the general powers conferred in general words, upon the Governor and commissioners, in section three, "to cause to be erected suitable buildings," &c., are restrained, limited, and defined by the particular words in

section four, which says, "such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the insane, as recommended by the committee in their report to the senate," &c.

For a further and conclusive authority upon this point, your committee recite as follows: "It is proper to consider the whole of a statute and the preamble and probable intention of the legislature, in order to ascertain the meaning of any particular section; and this mode of interpretation is justifiable even when the words of the section itself are unambiguous, and if the general meaning and object of a statute should be inconsistent with the literal import of any particular clause or section, such clause or section must, if possible, be construed according to the spirit of the act; but to warrant the application of this rule, the intention of the legislature must be clear and manifest." 1 Pick, p. 248-250; 10 Pick, 235, and 20 Pick, 267.

The question upon this part of the case, so far then, stands thus: The commissioners, with the advice and consent of the Governor, were authorized "to cause to be erected upon the grounds purchased for that purpose, suitable buildings for the use and accommodations of said institution, which shall hereafter be called and known by the name of the 'Wisconsin State Lunatic Asylum;' and it was emphatically ordered that such buildings should be constructed in accordance with the plan of the Worcester Hospital for the Insane, as recommended by the committee in their report to the senate." Thus far they were limited, and a single step beyond, would be doing what the law neither authorized, directed or commanded.

In law all words and phrases are to be construed according to the common and approved usage of our language, except such technical words and phrases as have acquired a peculiar and appropriate meaning in the law. There are no technical words or phrases either in sections three or four of the act which have acquired any peculiar meaning in the law. They are to be construed, therefore, according to the common and approved use of

our language. To accord means to agree with ; to resemble ; to be similar to ; "in accordance with the plan of the Worcester Hospital," means agreeing with the plan of the Worcester Hospital ; resembling the plan of the Worcester Hospital—similar to the plan of the Worcester Hospital, &c. In other words, the act meant that the building should be built like the Worcester Hospital for the insane, as that building was described in the report of the senate committee referred to in the act. Your committee cannot see how words can make it plainer or clearer than it is. The phrase "as recommended by the committee in their report to the senate," calls for some little attention, because it was made the strong point of one of Mr. Proudfit's attorneys in his argument before the committee. He admitted that if the word "described" had been used in place of the word recommend, there would then have been no question but that the design of the legislature was to confine the commissioners to the Worcester Hospital, as described in that report ; but that the word "recommend" not having been used in the report of the senate committee, there was, therefore, no plan recommended in that report of the senate committee. The importance of this point to the minds of your committee, rests only in the importance which seemed to be attached to it by Mr. Proudfit's attorney, and it is thought that there can be no serious difficulty involved here. To recommend means "to praise to another ; to offer or commend to another's notice, confidence or kindness by favorable representations ; to make acceptable ; recommended means praised to another ; offered or commended to another's notice, confidence or kindness, by favorable representations ; made acceptable. To recommend, therefore, is not necessarily done by saying, "I recommend or he recommends ;" but it is saying that which commends to one's confidence by favorable representations. Now, for a moment, let us see whether in the report of the senate committee referred to, there was a "recommendation" of any plan for an Asylum. On page 329 of the Journal of the Senate for 1854, in the report of the senate committee referred to, that committee

says, "The Hospital at Worcester was established at the sole expense of the State of Massachusetts, and is at the present time a glorious monument of the liberality and philanthropy of that commonwealth. It was the first Asylum for the insane pauper in the United States, and on account of its wonderful success, its widely extended benefits and comparatively moderate expense, deserves, in the opinion of this committee, to be held up as a model for our imitation." If the language there used in the report of the senate committee, did not commend the plan of the Worcester Hospital to the confidence of, and make it acceptable to the legislature, by favorable representations, your committee cannot conceive how it is possible for a recommendation to be made in the English language.

We leave the discussion of that question. There is a proviso to section four, following the portion already quoted, which is as follows: "*Provided*, That said commissioners shall have power to make any alterations therein, which they may think necessary, and which will not materially change said plan, or increase the cost of said building."

The plan of the Worcester Hospital, as described in the report of the senate committee, is also described in the paper hereto annexed, marked "D." In order to a full understanding of the powers of the commissioners to make alterations, we will state the converse of the proviso, as follows: "*Provided*, That said commissioners shall not have power to make any alterations therein, which they may think necessary, and which will materially change said plan, or which will increase the cost of said building." They might make alterations, but none which would materially change said plan. They might make alterations, but none which would increase the cost of said building.

It is contended by the attorneys of Mr. Proudfit, that the word "materially" is indefinite as here used, and therefore the power to alter the plan or increase the expense may be exercised indefinitely. The conclusion is by no means warranted by the argument. **Material** means important, substantial, of great consequence, es-

sential. The commissioners had no right to make important, substantial or essential alterations, or alterations of great consequence, either in the plan of the building, or by way of increasing its cost. In relation to its cost, the senate committee said, in their report, that aided by a gentleman of this town, well acquainted with building, they had made an estimate of the expense of erecting an asylum in this state upon the plan of that at Worcester, and that according to the estimate the total expense would be \$22,320; and the committee added that "The above estimate may not be entirely correct in every particular, but the committee are confident the expense will not exceed the above estimate." Upon such a report, by such a committee, in regard to the plan of the building, and in regard to the expense, the act authorizing the erection of a lunatic asylum was passed. The act referred to the report so far as it effected the plan and estimated expense, and those portions of the report became by the intent of the act, a part of the act itself.

The question again recurs, What is a material alteration in the plan, or material increase of the cost of the building? The term material may be used relatively. Is the alteration such as to change the general character, order or details of the building? If so it is important, substantial, essential, and therefore material. Is the alteration such as to increase the cost of the building beyond the expense estimated by the committee, or beyond the expense of the plan proposed or recommended by the committee of the senate? If so, then it is important, substantial, essential, material. An immaterial alteration in the plan, or in the details, would not change the general order, harmony or proportions of the building, nor increase the expense. If it changed the proportion or symmetry, it was a material alteration. That is a material, important, essential alteration which changes the relation of one part to another; which increases the extent so as to increase the cost.

That is a material alteration which destroys proportion. The word plan, as applied to architecture, means something showing form, extent and divisions; extent is the "space or degree to which

a thing is extended, compass, bulk, size; 2d, length; 3d, communication, distribution." That is a material change of plan which destroys the proportion of the building in its relative parts to each other,—which destroys the relation which one part bears to another. That is a material change of plan which changes the form, extent, or divisions of a building—which alters the length, or which alters the communication or distribution. The commissioners had no right to make any alterations which would increase the cost of the building beyond what that cost would be, in case such alterations were not made, and that would be a material change in cost certainly, which made the alteration twenty times more expensive, than the whole estimate cost of the building, without alteration. Let us apply these rules and definitions to this case, and see whether the commissioners made alterations in the plan of the Worcester Hospital for the insane, as recommended by the committee in their report to the senate, which did materially change the plan or increase the cost of the building. It certainly could not be contended, by any man out of a Lunatic Asylum, that an authority to make alterations, which should not materially change the plan, would be an authority to discard the plan altogether, and adopt an entire new one; or that an authority to change it, but so as not to increase the cost, would be an authority, to so alter it as to double the cost or thruple the cost—much less to increase it twenty fold. The plan of the Worcester Hospital, as described in the report of the senate committee, is this: It consists of "a centre building and two wings; the centre building is seventy six feet long, forty feet wide, and four stories high; the wings and back ninety feet long in front and one hundred feet in rear, thirty six feet wide and three stories high, and the wings extend from the opposite ends of the centre building." This would give the extreme length of the whole building at 256 feet. The plan of the Wisconsin Asylum, as adopted by the commissioners, under the advice and consent of the Governor, is as follows: "The buildings are composed of a centre 65 feet by 120 feet, and on each side are three longitudinal and three transverse

wings, the extreme length of the building completed, would be over 800 feet, or more than 48 rods, making a difference in the length of the two buildings of over 550 feet, between the Worcester plan and the plan adopted by the commissioners. The centre building of the Worcester Asylum, as described, is 76 feet long and 40 feet wide, with two wings projecting from the ends; the centre building of the Wisconsin Asylum, as adopted, is 65 feet by 120 feet, wings projecting from the sides. The Worcester Asylum has two wings longitudinal, one on each end. The Wisconsin Asylum has twelve wings, six on each side, or in other words, three longitudinal and three transverse wings on each side. The ground covered by the main building of the Worcester Asylum, according to plan recommended by senate committee, would be 3040 feet. The ground covered by the main building of the Wisconsin Asylum, according to plan adopted, would be 7800 feet. The Wisconsin plan, adopted, covering 4760 feet, superficial feet, more than the Worcester Asylum plan proposed. The two wings of the Worcester plan, would cover 6840 superficial feet, the twelve wings of the Wisconsin Asylum plan, as adopted, would cover 36,680 superficial feet. The wings of the Wisconsin plan, covering 29,840 superficial feet more than the wings of the Worcester plan. The whole building upon the Worcester plan, would cover 9880 superficial feet, while the whole building of the Wisconsin plan, as adopted by the commissioners, would cover 44,480 superficial feet, or 34,580 superficial feet more than the Worcester Asylum plan, according to which the law ordered buildings to be erected.

The Wisconsin plan, as adopted, would cover nearly four times and a-half the quantity of ground more than the Worcester plan proposed; and yet, it is contended, that the plan of the Wisconsin Asylum, as adopted by the commissioners with the advice of the Governor, is not a material alteration of the plan of the Worcester Asylum, as recommended in the report of the senate committee, and is no material change of said plan in any respect which would increase the cost of said building.

The Asylum upon the Worcester plan, was to have been heated by furnaces in the cellar; the Wisconsin Asylum, by plan as adopted, was to be "warmed by passing air over pipes or plates containing steam under low pressure or hot water, and the boilers for generating steam, were to be in a detached building, and the whole building to be lighted with gas." The plan of the Worcester Asylum, as recommended, was in almost every respect, different in the detail and arrangement. The general arrangement of the Wisconsin plan, as adopted, is briefly given in the report of the superintendent, he says (vide page 18.): The building will be of stone, consisting of a basement, and two principal stories in every part, excepting the centre and projecting portions of the wings, which will rise higher. On the centre building will be a dome, in which will be placed the water tanks. Ventilating shafts will terminate on the projecting portions of the wings and in the central dome. The central building separates the two sexes, and on either side of it, are three (3) ranges of wings. The first range is separated from the centre building by a space eight feet wide, and the other ranges fall back sufficiently far, to leave the corridors open at both extremities—giving when completed eight distinct wards for each sex, besides accommodations for more violent patients.

"The cellar is excavated throughout its whole extent, in which are the air-chambers, reservoirs, passages by railways for conveying food from the kitchen to the different dumb waiters between it and the extreme wings, purposes of ventilation, &c. All culinary arrangements, with those for heating, gas making, and procuring water for the establishment, and, indeed, wherever fire is requisite, occupy a distinct building from the Asylum. All pipes, flues, &c., will be conducted by archways to the main building." A comparison of the plan recommended and particularly described in the report of the senate committee, with the details of the plan and arrangement of the Wisconsin Asylum as adopted, show so remarkable a degree of difference that there is hardly a point where a similitude may be traced. This last plan is full

of modern improvements: the working power of the institution is a steam engine; the building is to be lighted with gas; and the food for officers and patients to be literally conveyed by railroads over an acre and a half of cellar, to different points or stations, whence it is to be raised to the several apartments for which it is destined. Before we discuss any farther the entire departure of the commissioners and Governor from the directions of the law in the plan for this asylum, your committee will call attention to the question of cost, because the same conclusions must be arrived at in regard to both questions. Mr. D. S. Vittum, one of the Lunatic Asylum commissioners, was, during the session of the legislature of 1854, a member of the senate, and was chairman of the committee which made the report upon which the Lunatic Asylum act was based, and recommended the expenditure of the sum of money which, as one of that committee, he estimated the building would cost: the sum of \$22,320.

There was no authority in the act to so alter the plan of the Asylum as recommended by the committee, which would materially change the plan or increase the cost. We have already seen the gross and unauthorized change in the plan of the buildings made by the commissioners with the advice of the Governor. Let us now call attention to the remarkable change in cost, or rather increase in cost, keeping pace with the alterations in the plan. The increase in the cost of the building, would seem by the language of the act to refer to the estimated cost reported by the senate committee; but in any event, it referred to the cost of the building ordered to be erected upon the plan of the Worcester Asylum, as recommended, and that was estimated at \$22,320. But in case the cost of the buildings, if erected upon the plan recommended as that of the Worcester Asylum, had overrun or would have overrun that sum—giving the broadest latitude to the discretion of the commissioners under the act—and the cost could not have been increased beyond what would be a reasonable and necessary expense in the erection of buildings upon the plan of the Worcester Asylum, as proposed by the senate committee. In order to set at

rest any question upon this subject, your committee called witnesses and took proof under oath, as to what the cost and expense would be of erecting such an Asylum as was recommended by the senate committee. The result shows that the senate committee either intended to deceive the legislature at its last session, in order to induce the passage of the Lunatic Asylum act, or else that committee was guilty of a great outrage, not only toward the legislature, but toward the people, in making recommendations blindly and without due consideration. The testimony of Mr. Mygatt, of Milwaukee, an able and experienced architect, and of A. A. Bird, of Madison, an experienced builder, shows that the cost of a Lunatic Asylum built at Madison, upon the plan recommended by that senate committee, at fair and reasonable prices for work and labor, would have been \$64,340; and for the purpose of determining the questions involved here, it is immaterial whether we take the assumed cost reported by that committee, or the actual cost as proved by the witnesses above named. Your committee called upon these witnesses to make a chart and estimate of the expense of the buildings upon the plan of the Worcester Asylum, and also the expense of the Wisconsin Asylum, as adopted by the commissioners, with the advice and consent of the Governor.

1st. Expense of Asylum upon plan adopted by the commissioners, under the contract with Mr. Proudfit, and opposite the same, the estimated expenses at fair Madison prices, which are somewhat higher than the prices at Milwaukee :

EXPENSES UNDER CONTRACT.		ESTIMATED EXPENSE.
Main building,	\$77,869 60	\$53,382 84
Wing "A,"	106,168 86	72,305 68
Wing "B,"	99,412 00	66,634 00
Wing "C,"	97,400 00	63,360 00
Gas building, engine, &c., estimated,	30,000 00	30,000 00
	<hr/> 410,850 46	<hr/> 285,672 02

The actual cost of the asylum upon the plan adopted by the commissioners under the contract with Mr. Proudfit, giving that contract a construction most favorable to the state, as proved by witnesses, will be,	\$410,850 46
And estimating the cost of each transverse and longitudinal wing separately, would increase the cost, as proved by witnesses under the contract,	41,389 96
Making the gross sum of,	\$452,140 42
At a fair, just and reasonable price, as above quoted, the cost of same building would be,	\$285,672 02
Difference between cost under Proudfit's contract, giving most favorable construction for the state, and cost at fair, just and reasonable prices, as proved by witnesses Mygatt, Palmer and Bird,	\$125,178 44
Difference between cost under Proudfit's contract, estimating each transverse and longitudinal wing separately, and cost of same at fair, just and reasonable prices, as proved, &c.,	\$166,468 40
It was proved by Messrs Mygatt and Bird that an asylum, built upon the plan of the Worcester Asylum, as recommended in the report of senate committee, at the prices named in Proudfit's contract, would cost the state,	\$83,980 00
And the cost of same at fair prices, &c.,	64,340 00
Difference,	\$19,640 00
Difference between cost of asylum upon plan adopted by commissioners under Proudfit's contract, constructed most favorably for state, and cost of asylum upon plan proposed by senate committee, at fair, just and reasonable prices,	\$346,510 00
Difference between cost of asylum upon plan adopted by commissioners under Proudfit's contract, estimating each transverse and each longitudinal wing sep-	

arately, and cost of asylum upon the plan proposed	
by senate committee, at fair prices, &c.,	- \$387,800 42
Difference between highest cost of present plan under	
Proudfit's contract, and cost of Worcester Asylum	
plan, as estimated by senate committee,	- \$429,840 42
Difference between lowest cost under Proudfit's con-	
tract, &c.,	- \$388,450 46

Mr. Mygatt states, also, in his testimony, that under the contract let to Proudfit, the cost of the building can be made much more than the estimates under the contract makes it. He says this can be done in the iron work generally, because greater weight of iron may be put in than is necessary, for the reason that all the sizes are not named in the specifications. In making the estimates they say the size and weight have been taken, which seemed sufficient for the purposes of the building. The size of the joists and partitions may also be increased under the contract, and other things which are not specifically described.

The remarkable cost of this asylum, under Proudfit's contract, beyond what was intended by the legislature only keeps pace with the remarkable and unaccountable departure of the commissioners from the plan of the Worcester Hospital for the insane, as recommended by the senate committee.

This state of the case leads us again to recur to the act, and to inquire whether the commissioners, under the proviso of section 4, had a right to make such alterations in the plan as have been made, and to make such increases in the cost of the contemplated building as necessary follows so strange an alteration of the plan. The legislature by that law never intended to confer such license upon the commissioners. If their departures are warranted by any construction of the act, then indeed, as contended by the able counsel of Mr. Proudfit, the power of the commissioners was unlimited, and they might have made contracts for a building five miles in length, to accommodate five thousand lunatics, and to support five hundred appointed officers, taken from the body of the legislature and favorites among the people, at a cost to the state of ten or fif-

teen millions of dollars, (and all with the advice and consent of the governor.)

Your committee cannot believe for one moment, that these alterations do not "materially" change the plan designated clearly by the legislature; nor can your committee but believe that the change has or will, if the contract with Proudfit is ratified and carried out, materially increase the cost of the building.

But there are other evidences, to satisfy your committee, not only of material changes, but of the fact that the plan intended by the legislature was entirely abandoned, and one entirely new adopted. These evidences are found in the report of the commissioners, in the report of the superintendent, in the testimony of Mr. Palmer and in the positive and unequivocal testimony of the superintendent himself. This testimony is in addition to the great mass of testimony furnished by the equivocal character of the whole transactions connected with this Lunatic Asylum project, and your committee feel to congratulate the people of this state that the attention of their representatives was called to so (stupendous) infamous a scheme before it was too late to apply the remedy and prevent its final consummation. On page 5, of the commissioners report, we find the following: "One of the commissioners was delegated, in the early part of the season, to visit the Worcester Hospital, and he was there and elsewhere advised by scientific physicians that the Worcester Hospital had not only ceased to be a model institution, but had fallen into the rear rank of the march of improvement." About four months previous to this visit to Worcester, this same commissioner, then in his place in the senate, called the Worcester Asylum, in an official report, "a glorious monument of the liberality and philanthropy," of the commonwealth of Massachusetts, and said that it deserved to be held up "as a model for our imitation." This was done while the effort was being made to pass the law authorizing the appointment of commissioners to erect a Lunatic Asylum, with the advice and consent of the Governor. Comment here is unnecessary. Within four months, the Worcester Asylum fell "into the rear rank of

the march of improvement," and here commenced the departure from the line of official duty. On page 6, of the commissioners report, they say the plan adopted by them was a "plan matured by Doctor Kirkbride, of the Pennsylvania Hospital, and approved by every superintendent in the United States, and it may be safely asserted, that if carried out in the true spirit of enlightened philanthropy, it cannot fail to give us an institution of a high order, every way superior to any previously erected, and at as small a cost as can effect the object desired. For a full and specific account of the plan of the buildings, the commissioners would refer to the report of the superintendent, and also the drawings and specifications now in their office. It is gratifying to know that this plan has received the approval of every well-educated man to whom it has been submitted." Again, on page 10, they say, "In settling upon a plan for this asylum, the commissioners had to decide whether they would have constructed a building at small expense, possessing very limited good qualities and usefulness, or such a building at greater cost as would meet the approbation of those who best know what is needed, and which would not be immediately obnoxious and subject to revision, change or total abandonment." We have made the above quotations from the report to show that instead of going on and causing buildings to be erected in accordance with the plan of the Worcester Asylum, they adopted a plan and contracted to build like it. The superintendent of this asylum, who was a member of the senate when the bill passed authorizing its erection, and was appointed by Gov. Barstow immediately afterwards, or soon afterwards, in his report to the commissioners, says: "Under a resolution passed by your Board, and by the advice of the Governor, you are aware that I visited most of the similar institutions in the United States, and upon my return, laid before you a plan which was adopted without reservation." The plan adopted, and the contract for the erection of which was awarded to Andrew Proudfit, is not the plan of the Worcester Hospital. There is no pretence that it was so. Edwin Palmer testifies, "that the portion of the Wisconsin

Asylum to be built the first year would cost much more than the construction of the Worcester Asylum according to the plan reported by the senate committee, as appears in the senate journal of 1854, and is upon a plan differing very materially.

The erection of the Wisconsin Asylum main building, would cost much more than the main building of the Worcester Asylum, for the reason that it is more than twice as large, and for the reason also that the Worcester Asylum is heated by furnaces within the building, and the Wisconsin Asylum is heated by apparatus in a building removed from and entirely distinct from the main building." In addition your committee took the testimony of Doctor McLane, the superintendent, that the Worcester plan was abandoned as behind the spirit of the age, and that the commissioners adopted altogether a different plan.

The testimony of the superintendent is as follows: He "examined both Worcester and Taunton asylums, but found them both insufficient to meet our purposes, and determined not to take either as a model for ours, both in reference to cost and arrangement. Upon consideration witness adopted the plan as recommended and decided upon by the Board of Superintendents of Insane Asylums of the United States, and now adopted and in course of erection by the U. S. Hospital for the Insane of the Army and Navy, of the District of Columbia, by the General Government, as also by some ten or dozen other Institutions in the United States, the plan being varied to suit the means and necessities of this State. This plan was reported to the Commissioners and by them adopted. The form of the Worcester Asylum is different from the plan adopted, but the treatment is similar." Here then we have the whole thing in all its bold aspects. The Superintendent and Commissioners, with the advice and consent of the Governor, disregarded the law, repudiated the Worcester Asylum plan as recommended, &c., and adopted that of a building for a U. S. Hospital for the Insane, for the Army and Navy, for the District of Columbia. There is no rule of law better settled than that in the construction of a statute the whole act must be construed to.

gether, every section considered, and the intention of the Legislature sought out. Upon this point authorities are abundant and specific. It is settled, in the minds of your committee, that the legislature intended that a lunatic asylum should be erected in accordance with the plan of the Worcester Hospital for the insane, as recommended in the report of the senate committee. It is equally settled in the minds of your committee what the plan was. It is certain that the commissioners disobeyed the law, and adopted a plan for an asylum, differing in size, form, extent, proportion, arrangement, and in detail, in every essential particular, and a plan, too, which, if pursued, would involve the expenditure of hundreds of thousands of dollars, where the legislature intended to confine the expenditure to thousands merely. Your committee is also—from the law and the evidence—satisfied that the departure of the commissioners from the line of their authority, was not only unwarranted by any construction of the act under which they were appointed, but was a most wanton and flagrant transgression of the law and their duties, for which no excuse can be rendered, and which nothing can palliate. The question arises, therefore, how far the state is bound by their acts, and what is the duty of the state in the premises. A majority of your committee, after full and careful deliberation, say that the state is not bound by the contract made by the commissioners with Mr. Proudfit. That whatever the intention of the commissioners may have been, the contract was a fraud against the state, and is void. And your committee herewith give their reasons and the law, and fearlessly put themselves before the legislature and the people.

It is well settled that in all cases of special agency, or in other words—an agency to do a particular thing or a particular piece of business, or to perform certain specific duties, must be confined to the particular thing to be done, or the particular duties to be performed. The law which is most clear upon this subject, and which not only defines the power of agents, but also the liability of the principal for the agent's act, is most fully and particularly set out and discussed in the court of errors in New York, in the case of *Delafield, appellant, vs. The State of Illinois, respondent*.

The principal points, there determined, which have a bearing here, are that an authorized contract entered into by the agents of the State, acting under unlimited power conferred by statute, cannot be ratified by any acts of the Governor or other officers, but only by the State itself." And "though the mere silence of a principal for a very short period, may in some instances amount to a presumptive ratification of the acts of an agent, the rule does not apply where the principal is a State." The same principles are well defined, and their application confirmed in a case between the same parties, reported in the 26th Wendell. These cases are so full and important, that your committee must be indulged in quoting largely from them. Your committee, for the more clear understanding of this case, submit in distinct points the questions upon which the authorities are conclusive :

1st. The contract made with Proudfit, by the commissioners, was illegal and void.

1st. Because the contract was let for the erection of a Lunatic Asylum, differing materially from the plan of the Worcester Hospital for the Insane, as recommended in the report of the senate committee, and for the erection of an asylum both in plan, character and expense not contemplated by the law, and in direct violation of the statutes under which any building was authorized to be erected ; and 2d, Because the commissioners were not authorized to cause any buildings to be erected, or anything to be done except as specified, mentioned and directed in the law. The commissioners appointed by the Governor, who made this contract with Proudfit, were and are not judicial officers, but were agents of the state, and the statute under which alone they could act, was a special power of attorney, constituting such commissioners special agents of the state, and as such they were to be governed by their instructions under the act, and there is no distinction between the agents of a state and the agents of an individual. A person dealing with an agent with limited powers is bound to examine the authority of that agent. Chitty on contracts, page 58, 1st Peters S. C. Reports 264, 15 East, 43. The agents of a state have

no authority except what is derived from the statutes of the state. The principal is not bound by the acts of the agent beyond his authority. Story on Agency, 160 and 170, 18 John Rep. 363.

2d. There has been no ratification of this contract with Proud-
fit. 1st. A contract can only be ratified by one who had the power originally to authorize the making of the contract. 2d. The state, by the legislative act, expressly directed the plan upon which the asylum was to be erected, and by the whole tenor and spirit of the act, and by its express provisions the commissioners or agents were prohibited from making any alterations in the same which would materially change the plan or increase the cost of the building. Hence nothing short of an act of the legislature can make valid a contract entered into in contravention of her statutes and the law. 24th Wend. p. 431. 3d. The acts which are alleged as amounting to a ratification are only the acts of those agents who either made, or advised and consented to, the contract originally. The contract being unauthorized originally, every subsequent act under it is unauthorized, illegal and void. In the case cited the court said, "It is an universal rule, that in order to bind the principal upon a contract made by an agent, the contract must be within the authority committed to that agent, and that the authority must be strictly followed. If the agent's acts vary substantially from his authority in nature, or extent, or degree, they are void as to the principal, and do not bind him. Comyn's Digest, tit. att'y, chap. 11, 15; also Story on Agency, 165 and 170. "There is," the court says, "another rule founded on obvious reasons and often applied, that when the agency is created or conferred by a written instrument, and grows wholly out of it, the nature and extent of the authority must be ascertained from the instrument itself, and cannot be varied or enlarged by usage." "The courts have never questioned the strict application of the rule when the agent is employed specially for any particular transaction. There, if the agent exceed his special and limited authority, the principal, according to Judge Story, is not bound by his acts, but they become mere nullities so far as he is concerned.

This is particularly applicable where the agency is created by a written instrument or authority known to the party dealing with the agent as the source of his authority, and directing and regulating its object, extent and exercise. Thus in the case of *Gardner vs. Bailie* 6 T. R. 591, a case decided by the King's Bench, after consulting with the Judges of the Common Pleas, and in *Hogg vs. Smith*, 1 Taunt, R. 439, it was decided that written instruments setting forth the power must be strictly pursued, and cannot be enlarged by evidence of usage." Such is peculiarly the case here. The whole authority of the public officers or agents or commissioners who made this contract with Proudfit, with the advice and consent of the Governor, is controlled and regulated by the act of the legislature, which formed the basis for any action upon the subject of an asylum.

In the court of Chancery in New York, in the case of a purchase of lands from an officer specially authorized to sell those lands, by statute, it was held by Chancellor Kent, that "a special authority must be strictly pursued, and the purchaser is presumed to know that special authority, for it is contained in the act, and if he purchases in cases in which that special authority was not pursued, he purchases at his own peril." Apply the rule to the case of this contract with Proudfit, and if the commissioners did not strictly pursue the authority contained in the act, in making that contract, the contract is void, and Mr. Proudfit made his contract with them at his peril, for the law presumes that Proudfit knew of this special authority, or in other words, knew of the statute under which the commissioners assumed to act. In the case decided in the 2d Hill, on page 174, where a party contracted with agents appointed by the Governor of Illinois for a specific purpose, the court said that the party contracting with the agents, "knew that he was contracting with special agents, and was bound to know the extent of their authority."

Another question is raised by one of the attorneys of Mr. Proudfit, and that is, that this contract has been ratified and approved by the Governor, and that therefore the state has become

bound, even although, the contract at first was an illegal one. This is assuming that the Governor is the principal, and that, representing the state in some things, he has a right to bind by acts of assent or dissent in all things. Your committee answer this last hope of Proudfit's contract, by referring to the decisions made in the 26th Wendell, and the 2d Hill's reports. The case upon which those decisions were made, was a case where by a statute of Illinois, the Governor was authorized to appoint certain agents to sell some of the state bonds of Illinois, "the same were not however, to be sold for less than their par value." Such was the direction of the act under which the agent was appointed. The bonds were sold, and transferred for a sum less than their par value. Upon the question of ratification, the court said: "The only remaining inquiry is, whether any subsequent act, acquiescence or neglect of the state of Illinois, had ratified the contract made in her name. It is a maxim of general jurisprudence, familiar to the civil law, and long ago incorporated into our own system, that a "ratification is equivalent to an express authority," or in other words, that when the principal upon a full knowledge of all the circumstances of the case, deliberately ratifies the acts, or contracts of an agent, who has exceeded his lawful authority, or usurped an unauthorized agency, the principal will be bound thereby as fully as if the agent had been expressly employed for such purposes." Acts or acquiescence, do not, as is sometimes carelessly said, ratify the unauthorized contract, but in the more guarded and philosophical language of the better authorities, they authorize judges and juries to presume consent or ratification.

Certain conduct, according to the usual experience of human nature, or of business, ordinarily accompanies or indicates consent or approval. They are in judicial language, "inconsistent with any other supposition," and thus, "the presumption may become violent, and even conclusive," how that conduct which in a merchant or other individual who is cognizant of his own affairs, and able to interfere at any time in discovering the abuse of his confidence, would indicate, that he did not thus disavow or disapprove

of his agent's conduct, is not significant in the same manner of the will of a sovereign government, which must act according to its constitution and laws, whilst the people can know the acts of its agents only through its representatives." The court there said: "It was well replied by the Attorney General, that all the state officers together, including the Governor, the Auditor, and the fund commissioners, could not make such a contract as this, and therefore they could not ratify it directly, much less indirectly, by acts signifying acquiescence." In the same case as reported in Second Hill Reports, the court says: "The appellant relies on the fact that the Governor, after he knew of the contract, signed the bonds and caused them to be delivered; and that some of the public officers of the state acted under the contract, drawing for money, and receiving payment. But the difficulty is, that the Governor, was no more than the agent of the state, and he, as well as the commissioners, acted under a limited authority; and the same remark is applicable to the auditor, and other public officers, none of them had authority to make such contracts as those were, and if they could not make them originally, they could not ratify them. Ratification must come from the principal, the state of Illinois." The court said farther, "what has the state done by way of sanctioning the contract? The answer is nothing. The legislature has neither declared the contracts valid, nor done any act in affirmance of them.

But it is said that long acquiescence, or even more silence, may sometimes amount to a presumptive ratification of the acts of an agent: and that is undoubtedly true, (Story on Agency, 248, 250, 2d Kent, 614.) But before we infer anything from the mere silence of the principal, we must look into the nature of the original transaction, the relations between the parties, their habits of business, and the usage of trade; under particular circumstances, the silence of the principal for a very few days after he is advised of an act done by the agent, may amount to strong presumptive evidence of ratification, especially when such silence has a tendency to mislead the opposite party. But the court says "it will

never do to apply so rigorous a rule where the state is the principal."

I agree that when a state engages in trade, or makes contracts, it must, for most purposes, be regarded in the same light as an individual.

"But a state cannot act in the same form nor with the same promptitude as an individual. The legislature does not usually meet more than once in a year; and, when assembled, time must be given for maturing public acts.

"The appellant knew the character of the party with whom he was dealing, and he had no right to expect that the state would move with the celerity of a merchant in Pearl, or a broker in Wall street. Now what was done in this case? One of the contracts was made in April, and the other in May 1839, and the legislature did not assemble until the winter following. There was nothing in the meantime which could upon any just principle be construed into a ratification of the contract."

Now your committee most respectfully submits that if the case of the contract with Mr. Proudfit had been under the consideration of those courts, no language could have been used closer or more concise in showing the illegality of the contract, and that the state is in no wise bound by the same.

Every principle involved in this case, from the time of letting this contract to Mr. Proudfit, has been fully and clearly adjudicated and determined in the cases from which your committee has made so full and important quotations. It is not in the power of language to portray more clearly and truthfully the actual condition and rights of this state under Mr. Proudfit's contract than it has been done in the opinions of the court in the cases cited.

Your committee can but again express their entire confidence in the fact that this state is not bound by that contract, and express surprise that its legality and validity are at all insisted upon.

The course of the several officers in this case, is, to the minds of your committee, of the most startling character. A degree of li-

cense has been assumed in this case, which, if followed in other interests affecting this state, would lead to its utter prostration and ruin. From the evidence adduced before your committee, it would seem that the commissioners, through ignorance or design, had failed in almost every instance in following out the requirements of the law. The testimony of the commissioners before your committee does not all agree with their report to the legislature, and they either have wilfully intended to deceive and mislead the legislature, or else they are so entirely ignorant of their duties, and of the consequences likely to arise from their official action, that the immediate interference of the legislature is necessary to protect the interests of the state. The evidence, including the estimates, made of the expense of this overshadowing institution, is so voluminous that it is impossible that it be embodied in this report, but can only accompany the same. It is necessary, however, and proper to call attention to some portions of it in order to show the general character of this financial transaction.

The evidence shows that all the plans, specifications and drawings necessary to any person desirous of making estimates and bids, were not here more than three or four days previous to the opening of the bids, although some of them were here for several days longer. It appears from the evidence that it would take at least a week or ten days to make estimates upon those plans and specifications as a basis for building, before even an appropriation could be made toward a full understanding of what was necessary to be done; and it is certain, that for the short time they were here, before the letting of the contract, no five or ten persons desirous of bidding could at the same time have access to them, to make their calculations upon. It appears from the testimony that divers persons were desirous of examining these plans and specifications, with a view to make bids for the contract, and could get no access to them, others because they were not here or because they were concealed.

The intention of the law in ordering an advertisement of the letting of this contract, for six weeks previous to such letting, was

that the plans and specifications, during that whole time, should be open for inspection, in order that ample time might be afforded for full and fair examination, and full opportunity offered to all persons to make such estimates as the importance of the case demanded. The notice itself is blind. It advertised for proposals for letting the contract for the whole building, before it was determined by the commissioners, as one of the commissioners and other witnesses swear, whether they would let the contract for the whole or only a part of the asylum.

Witnesses who called for information could get none or but little information from the commissioners. The commissioners also swear that they never gave any information to any person or persons as to the manner in which bids should be made, and yet Mr. Proudfit, from Waupun, by a proposal dated October 18, 1854, previous to the time when, as it was proved, the plans and specifications necessary for a full understanding of the character of the work to be performed, or the amount of materials to be furnished, could be known, made a bid upon which the contract was let.

W. S. Bailey swears, that Sanborn, one of the commissioners, called on him at his house in Milwaukee, sometime in the summer, "and stayed at his house two or three days, and told him (Bailey) to come up to Madison and put in a bid for the job of building the Lunatic Asylum, and that he would use his influence to give him (Bailey) the job. Bailey got the impression from what was said, that he should have the job, and that he (Sanborn) would like to make something out of it. Sanborn said that if Bailey would put in a bid, he (Sanborn) would use his influence with the other commissioners, to get him (Bailey) the job, and that he (Sanborn) would go for him (Bailey) in any event. He (Sanborn) gave him (Bailey) the first intimation in reference to the building of the Lunatic Asylum. On the 30th of October, 1854, Bailey came to Madison, and on the morning of the 31st he found Sanborn, and with him went to the basement of the capitol, and there saw the front elevation of the asylum, and specifications, which were afterwards, on the same day, removed to the north west room

in the basement. He did not see the ground plans at that time, or any other plan except the front elevation.

Afterwards, on the same day, saw Sanborn and Mr. Bugh (he thinks,) another commissioner, together, and asked them whether the whole building according to the elevation plan, was to be built, or only a part of it, and they told him (Bailey) they had not decided. They wished to wait until another commissioner came. Bailey then asked them how the job was to be bid for, whether by the gross sum, or such per foot, or yard, or how the proposals should be put in, and he could get from them no satisfactory reply. Thinks Mr. Sanborn told him that the plans for the building had not arrived. Bailey then said to Sanborn, there is no use of staying here, I shall not get the job, and he (Sanborn) replied by saying "you know how State jobs always go," and Mr. Sanborn then said there was *one bid in and that it would be declared off the next day.*

On being cross examined by Mr. Sanborn, Mr. Bailey swore, among other things, speaking of the interview in Milwaukee, as follows: "I said to be Sanborn like this, Sanborn, if you will do something for me in that job, meaning the Lunatic Asylum contract, you shall not lose anything by it; to which Mr. Sanborn replied that he should like to make a thousand dollars out of it."

The superintendent, Dr. McLane, swore, among other things, that the grounds for the Lunatic Asylum were purchased with the advice and consent of the Governor; that the notice for proposals was also published with the advice and consent of the Governor, who consented to the manner of its publication; that the contract with Mr. Proudfit was entered into with the advice and consent of the Governor, who was present when the bids were opened, as was also George B. Smith. No architect was employed by him, or with his knowledge, to make any estimate of the cost of the Asylum under the contract, either before or since it was let. Mr. Resley swore, on being cross examined by Mr. Sanborn, among other things, that Mr. Sanborn stated to him that he would do all he could to get him (Resley) the contract, without saying he want-

ed an interest in the contract. Sanborn said to him (Resley) that he wanted to make something out of it, at the same time that he said he would do all he could to get him (Resley) the contract. The morning after the contract was let Mr. Sanborn told him (Resley) that Dr. Bugh and Proudfit kept aloof from him (Sanborn,) and he thought there was collusion between them, and "that Bugh told him (Sanborn) that Proudfit would give him (Sanborn) a place." Upon this point of the testimony, and that of like character, your committee make no comments in this place.

It appears, further, that Vittum, one of the commissioners, and Dr. McLane, the superintendent, were members of the senate at the time of the passage of the act, and that they were appointed to their respective offices by the Governor before the term of their office as senators had expired, in direct violation of the constitution, which expressly declares that "no member of the legislature shall, during the term for which he was elected, be appointed or elected to any civil office in the State which shall have been created or the emoluments of which shall have been increased during the term for which he was elected." We make no comment upon the object of these unconstitutional appointments.

We find that the sum of \$15,000 has been disposed of as follows :

Clearing ground for Asylum, expense of plans,		
publishing notices, office rent, &c.,		\$932 03
Salary of Geo. R. McLane, sup't,	\$1,350	
Expense of visiting eastern institutions,	250	
	<hr/>	1,600 00
S. G. Bugh, per diem,	\$765 00	
Stage fare and other expenses,	215 00	
	<hr/>	980 00
D. S. Vittum, per diem,	540 00	
Stage fare, carriage hire, &c.,	415 00	
	<hr/>	955 00
A. S. Sanborn, per diem,	700 50	
Stage fare, livery hire, &c.,	84 75	
	<hr/>	785 75
Paid to A. Proudfit, on estimates,		8,030 20
		<hr/>
Total,		\$14,801 93
Balance of \$15,000, supposed to be in the Treasury,		198 07

These accounts have been audited and paid to each other by the commissioners themselves. Mr. Sanborn has received per diem for over forty days longer than he has served; and Mr. McLane, on a salary of \$1200 per year, and before the close of his first year, has received \$1350. These statistics, taken from the records of the proceedings of the commissioners, show that they have been paying to Proudfit a large sum of money belonging to the State, before they had any means of knowing whether the State would ratify that monstrous contract, and they also show that the commissioners and superintendent were disposing of the public funds, and paying themselves for services never performed, upon a scale commensurate with the dignity of the State they serve, and with the magnificence of the contract they had made.

The State of Ohio has recently erected a splendid Lunatic Asylum, near Cleveland, of which the following is a description: The central part is four stories high, 120 feet long, and 70 feet wide. The wings extend on either side 136 feet, and cross wings 85 by 24 feet, built of grey sandstone. The first appropriation of the legislature was \$70,000, which has been increased by the legislature of 1854 with the sum of \$47,000; \$22,000 of which was for furnishing supplies and salaries of officers. The cost of the Asylum building is \$95,000. Ohio is but the second or third State in the Union in wealth and population; the population is about two millions. If that is a sufficient, convenient, and splendid institution for the great State of Ohio, how far, in the language of our commissioners, has Ohio "fallen into the rear rank of the march of improvement" behind Wisconsin, with her population of five hundred thousand,—her resources but partially developed,—and her Lunatic Asylum costing near half a million of dollars! The commissioners, in their report, tell us that in New York "the Utica Asylum originally cost \$200,000, and that until recently it has been regarded as a model institution, yet the legislature of New York, with a liberality that refuses to deny any expenditure that may be necessary to render it more perfect and an instrument for accomplishing the benevolent object of its erection, had authorized an

additional expenditure of \$75,000 the past season." Whole cost of the New York Asylum, capable of accommodating 600 to 700 patients, \$275,000. New York has a population of about three millions; is the richest State in the Union; is older than the Constitution of the United States; and has passed, even as a State, the three score and ten years allotted by the Psalmist as the limit of human life; and yet how far, in the mind of these commissioners, has New York fallen behind Wisconsin, "into the rear rank of the march of improvement." Nothing will answer for Wisconsin,—with her population only one-sixth as large as New York,—but an Asylum modelled after the great National Hospital for the Insane for the Army and Navy, in the District of Columbia, costing nearly half a million of dollars. Your committee may feel, with a just pride, that but a few years will elapse before the United States government will be behind Wisconsin, and will have "fallen into the rear rank in the march of improvement." The commissioners have told us, in their report, that the "Wisconsin State Lunatic Asylum, when *fully completed*, will accommodate from 250 to 300 patients; and the cost of the entire structure will be the sum of \$150,000." "But the wants of the insane in this State may not demand the expenditure of that amount for many years."

Yet the commissioners have let the contract to erect the whole building, the main building, and eight wings of which are to be built within two years, at an expense, as proved by unimpeachable witnesses, of over \$300,000; and the other wings to be erected when directed by the commissioners, giving one year's time, &c.

The commissioners say that the entire cost of the building, when completed, will be \$150,000; and yet they swear before your committee that they have never had any estimates made of what the expense would be under the contract. To put a charitable construction upon it, we may say that they are deceiving the legislature and the people, by guessing and reporting on expense that they know nothing about. On page 8 of their report they say "the cost of the portion of the building to be completed within the

year 1855 will be \$67,743. The estimate has been made with reference to the bid of Mr. Proudfit, by an able and experienced architect, and the commissioners are confident that such sum is abundantly sufficient." Two of the commissioners and the superintendent swore before the committee that they had no knowledge of any such estimates having been made at all, and Mr. Vittum swore, at first, that he had had several estimates made, by different persons; but finally, upon reflection, swore that the commissioners had never had any made, to his knowledge, as to the expense of that portion of the building to be completed during the year 1855, but that he had, for his own information, asked Mr. Newton, a stone mason, of Baraboo, what his opinion of the cost of the stone work would be, and he told him (Vittum), but Mr. Vittum could not recollect what that amount was. The report of the commissioners to the legislature was an official report, made by sworn officers. The statement of expense, and of the fact that an estimate had been made by an able and experienced architect, was a plain unequivocal statement in relation to a matter upon which they could not be deceived; and yet, in their testimony before your committee, the commissioners severally virtually swear that *that* statement in their report to the legislature was not true.

The amount necessary to be expended under the contract for the year 1855 would be, according to the contract,	\$184,000
Add cost of engine house, furnaces, &c.,	30,000
Add also necessary furniture, estimated at	20,000

And we have the gross sum of	<u>\$234,000</u>
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To be expended the present year, in order to get it into operation at all. In order to show that the commissioners have been most egregiously and unaccountably mistaken, and Messrs. Mygatt, Palmer and Bird, in the sworn estimates they made, both at contract and at just and fair prices, are correct, your committee avail themselves of the proposition made by Mr. Proudfit to the legislature on the 17th March, 1855. This proposition is made with a view, he says, of an adjustment of the matter at the present session of the legislature. He proposes to build the centre building

and one longitudinal and one transverse wing on each side, in the manner provided for in his contract, for the sum of \$155,000.— This is the portion of the building to be completed the present year, according to his contract, and is five thousand dollars more than the commissioners reported to the legislature the whole cost of the building would be, when entirely completed, and is \$87,257 more than the commissioners reported the same work would cost for the year 1855. The proposition is a kind of a compromise between fair, just, and reasonable prices and his contract prices. He also proposes to build two more longitudinal and two more transverse wings, in the manner provided by contract, for the sum of \$85,000; which is less than his contract price \$14,412, and more than a fair, reasonable, and just price, as proved \$18,366.

The whole work which he proposes to do under his proposition, would amount to the sum of \$240,000, which would be less than his contract price of \$43,450 46, and more than a fair, just, and reasonable price, as proved by Palmer, Mygatt and Bird \$47,677 68 —and at his last proposition, the expense to the State, including the expense of furnishing the Asylum, as estimated, would be the liberal sum of \$290,000, which exceeds the cost of the new and splendid Northern Ohio Lunatic Asylum the sum of \$173,000.

The proposition submitted by Mr. Proudfit to the legislature only shows more clearly the great wrong done to the state by the commissioners, under the advice and consent of the Governor; and it shows also that the commissioners are either entirely ignorant of what they are about, or else it shows that the estimates made in their report to the legislature were made far below what the commissioners knew the real expense would be, for the purpose of inducing the legislature to make some appropriation, or do some act which might be construed into a ratification of the contract, without due consideration, and thus fasten the liability of the state beyond the most remote chance of escape. There is another question in this case of some importance to the people of this state, and for the legislature to consider, and that is the constitutional prohibition against the state contracting public debts, which, in

the aggregate, shall exceed the sum of one hundred thousand dollars. It is of some importance to know whether that provision means anything. If it does mean anything, and means what it says, then every act which contracts a public debt above that sum, and every act of the legislature, or of the officers of state, in the process of contracting such a debt, is a nullity. If it does not mean anything, contracts may be loosely made, which will involve the state in debts, amounting to millions of dollars, and no limitation will be effectual. The state is already in debt far beyond the constitutional limit, independent of this Proudfit contract. A wide distinction may here be drawn between the state, incurring a liability on account of the mismanagement or misapplication of a trust, and a voluntary debt created by a voluntary contract. If the state has no right to create a public debt of over one hundred thousand dollars, the state has no right to make a voluntary contract, which will by its express operation create such a debt, for the making of such a voluntary contract is the process for creating the debt. Upon this ground also your committee is clearly of the opinion that the contract with Proudfit is unconstitutional and void. Your committee have been unable to see this whole transaction in any other light than that expressed in this report. The course which has been pursued is one unparalleled in the history of states. There would seem to be no safety for the people, and no confidence to be reposed anywhere. Your committee have endeavored to get at the whole facts connected with this matter, but are satisfied that they have not been able to do so. But they have been able to find evidence to show what is herein stated, and that the contract itself is a fraud upon the last legislature and the people, and that it is one which it is our duty to shake off. Whenever any testimony has been adduced, implicating any one of the commissioners, we have given them an opportunity to see the testimony, to cross examine the witnesses, and if they had chosen to introduce testimony by way of explanation. In some instances they have availed themselves of this privilege. Your committee has also given Mr. Proudfit ample opportunity to appear before your

committee with testimony and with counsel. He has availed himself of the latter, and your committee have listened with pleasure and instruction to the able oral arguments of Messrs. Ryan and Orton, and to the written arguments of Messrs. Knowlton, Randles and Arnold. Your committee are however well satisfied that the positions taken in this report, will bear both the scrutiny of the people and of the judicial tribunals, for we do not hesitate to declare our opinion that no judge of a court of record in this state would sustain this contract.

Your committee feel now that they have done their duty and can only further recommend that the law authorizing the appointment of commissioners, be repealed, and that Mr. Proudfit be notified that this state disavows the action of those commissioners. We are satisfied this is what the legislature ought to do, and what the people—whose burthens are already heavy—imperatively demand. With this view your committee report a bill for that purpose, and ask to be discharged from the further consideration of the subject.

P. H. SMITH,

Oh'n joint com.

B. G. GILL,

J. Q. ADAMS,

Senators.

A. W. RANDALL,

WM. W. FIELD,

A. FILER,

Assemblymen.

“A.”

ESTIMATES. \

TO HON. P. H. SMITH,

Chairman of Com. on Wisconsin State Lunatic Asylum:

SIR:—Agreeably to the request of your committee we have estimated the cost of the building to be erected under the contract of Andrew Proudfit, Esq., by the contract prices, and also by liberal prices for work and materials furnished and delivered on the grounds selected for the asylum, with the following results:

G. W. MYGATT,
EDWIN PALMER,
A. A. BIRD.

The first of these is the fact that the
 Government has been unable to secure
 the necessary funds to carry out its
 policy of non-interference. This is
 due to the fact that the Government
 has been unable to secure the necessary
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 interference. This is due to the fact
 that the Government has been unable
 to secure the necessary funds to carry
 out its policy of non-interference.

COST OF MAIN BUILDING,

Per Contract and Estimate Price.

	Contract.	Estimate.
1264 Yds. excavations for cellar and trenches for footings to stone walls,	\$00 35	\$00 15
	\$442 40	\$189 60
6801 Perches rubble work for cellar, corridor walls, and including 2nd, 3rd, and 4th stories and tympanum,	3 60	3 00
	24,483 60	20,403 00
27 Perch, or 455 feet cut stone for window sills, 2nd, 3rd, and 4th stories,	16 50	per ft. 00 50
	445 50	222 50
562 Perch cut stone, for first or basement story walls,	16 50	5 00
	9273 00	2810 00
100 Feet cut stone, for fire proof safe, floor and ceiling,	1 00	00 50
	100 00	50 00
55 Perch cut stone, for quoin corners (rustic),	16 50	5 00
	907 50	275 00
100 Perch cut stone, main drain, including water lime,	400 00	400 00
150 Yards excavation for drain,	00 35	00 15
	52 15	22 50
1050 Yards tiling or flagging for kitchen,	00 40	00 40
	420 00	420 00

	Contract.		Estimate.
177,500 Brick for partition walls, including arches and fire proof safe,	<u>12 50</u>	<u>10 00</u>	1775 00
1198 Yards mastic finish and pencilling outside walls, to 2d, 3d and 4th stories,	<u>45</u>	<u>45</u>	539 00
11034 Yards lathing and plast- ering, three coat work, includ- ing lath for outside walls,	<u>56</u>	<u>28</u>	3089 52
1456 Yds. deafning floors (mor- tar,)	<u>28</u>	<u>10</u>	145 60
269,750 Feet lumber, for joists, rafters, deafning, roof, cor- nices, windows, doors, shut- ters, stairs, flooring timber, cupola, and for finishing gene- rally throughout,	<u>34 95</u>	<u>9383 81</u>	
144,00 Feet common lumber for rafters, partitions, floors and roof boards,		<u>21</u>	3024 00
79,850 Feet clear lumber, for cornice, window shutters, stairs, doors and finish,		<u>30</u>	2395 50
36,000 Feet flooring, 1 1-4 clear,		<u>26</u>	936 00
2252 Ft. timber, lineal measure, or 9900 feet superficial,		<u>10</u>	225 2
3750 Ft. oak lumber, for treads, &c., to stairs,	<u>22 50</u>	<u>20</u>	75 00
12,766 Feet tin for roof, includ- ing dome and veranda,	<u>25</u>	<u>121</u>	1595 75

		Contract.	Estimate
272 Feet conductor pipes, tin, 4 inch,	<u>25</u>	68 00	54 50
172 Feet speaking tubes tin,	<u>25</u>	43 00	17 20
1500 Pounds gas pipe, average size, one inch,	<u>16</u>	2246 40	360 00
14040 Pounds wrought iron for anchors, rods, wire guards, railing, verandah, stairs, &c.,	<u>16</u>	2246 40	1825 20
The different sizes of iron used in building averages the amount of 13c. per lb., as in- cluded in the estimate price.			
22,070 Pounds cast iron for ve- randah columns, risers to st's, bracketts, window and dumb waiter weights,	<u>12</u>	2648 40	1765 60
65 Doz. per butts for doors and shutters, average size (4 in.,)	<u>3</u>	195 00	97 50
65 Gross screws, average size, 1 1-4,	<u>2</u>	130 00	48 75
91 Locks for doors,	<u>2 50</u>	197 50	136 50
35 Doz. cabin hooks for window shutters,		37½	13 12½
30 Doz. window frame pullies,		1	30 00
100 Pounds sash cords,		20	20 00
8 Dozen sash fastenings,		3	24 00
8 Iron sheaves for two dumb waiters		2	16 00

		Contract.		Estimate.
Rope and windlass for same,				10 00
5500 Pounds nails,	<u>7</u>	385 00	<u>7</u>	385 00
50 Boxes American glass,	<u>9 50</u>	475 00	<u>3 75</u>	187 50
13 Water-closet basins (iron,)	<u>18</u>	234 00	<u>18</u>	234 00
1 Bathing tub (zinc,)		15 00		15 00
48 Hot air registers,	<u>4 00</u>	192 00	<u>4 00</u>	192 00
48 Ventilators,	<u>2 00</u>	96 00	<u>2 00</u>	96 00
96 Tin frames or boxes for do.,	<u>50</u>	48 00	<u>50</u>	48 00
9829 Pounds lead for reservoir, and conducting soil, and other pipes for hot and cold water,	<u>10</u>	982 90	<u>10</u>	982 90
2000 Pounds iron for fire proof safe, half wrought and half cast iron, complete, with locks and bolts, &c.,		280 00		280 00
4 Spout stones for conductor pipes, 24 feet,	<u>1</u>	24 00	<u>50</u>	12 00
6 Bells with crank, wire and trimmings complete, to dining room,	<u>5</u>	30 00	<u>5</u>	30 00
Faucetts and stop cocks for hot and cold water pipes,		6 00		6 00
For fitting up water, soil and waste pipes, lining reservoirs, and plumbers' work, through- out,		500 00		500 00

Carpenter and Joiner work.

	Contract.	Estimate.
Framing and raising joists for floors, ceiling joists, roof timbers and rafters,		1000 00
Main cornice (552 feet).	\$2 00	1104 00
Roof Boarding,		30 00
Framing, Raising and furnishing cupola and dome, including base and cornice; also floor and ceiling,		500 00
Front veranah, roof floors, cornice, &c. to same,		250 00
Front and rear entrance doors, side lights and inside casings, fitting all trimmings to same,		75 00
91 window frames, sash shutters for all specified and including inside casings complete,		1092 00
22 cellar window frames, sash, &c. complete, 2 ea.		44 00
240 flooring planed and matched, and laid,		324 00
Setting partition studs,		20 00
98 Inside doors, including making casing and hanging; also, trimming complete, \$7 ea.		686 00
Fitting treads to main stair case, (iron string pieces) 1st. story,		30 00
Three flights stairs to 4th story, finished complete with moulded hand rail as per section, platform, base and skirting,		300 00
Finishing attic and cellar stairs,		20 00
Cross corridor doors and side lights for 1st and 4th stories,		60 00

	Contract.	Estimate.
Finishing two dumb waiters, fitting sheaves, cord and windlass, \$60 ea.	\$60	120 00
Finishing China closets, with shelves, &c.	—	35 00
Furnishing clothes closets with cleats and pins,		25 00
Fitting base for all rooms throughout,		140 00
Fitting water closets and bath rooms, and preparing for waste and water pipes,		80 00
Finishing steps to wing building from 3d. story and from platform of stairs,		10 00
Repairing for pipes to bath rooms and fitting same,		10 00
Carpenter work in fitting and putting up gas and water pipes,		80 00
Finishing pulpit and platform, 3 steps to platform in chapel,		30 00
35 seats in chapel with scroll backs and arms,	\$4 00	140 00
Deafning floors, boarded close and cut between joists, (three floors).		100 00
Wood work to reservoir in cupola or dome,		50 00
Fitting iron window guards,		34 00
Fitting furring to outside walls,		40 00
Preparing and fitting bond timbers and lintels for doors and windows,		50 00

Painting.

	Contract.	Estimate.
1418 yds. painting tin on roof, base, cornice and roof of dome, including verandah roof, two coats upper side and one coat under side,	25	354 50
150 yds. wood work to cupola, including cornice,	28	37 50
858 yds. main cornice, (girting same,)	25	221 25
444 yds. front verandah, includ- ing iron work, floors, ceilings, cornice and facia to floors,	25	111 00
1274 yds. painting and glazing windows, including inside casings, shutters and window guards,	25	318 50
60 yds. front entrance doors, side lights, including inside casings,	25	15 00
1078 yds. inside (room) doors, two sides, including casings and jambs,	25	269 50
262 yds. painting for 1st, 2d and 3d story stairs,	25	53 00
355 yds. painting base in all rooms, average width 8 inches,	25	88 75
140 yds. painting dumb waiters, including slides,	25	35 40
28 yds. painting water closets,	25	7 00

	Contract.	Estimate.
58 yds. painting cellar windows,	25	14 50
290 yds. painting seats, pulpit and steps to platform in chapel	25	72 50
Joiner work on main building, as per proposal,	7495 00	
Extra items as per proposal,	1800 00	
Painting on do do	1000 00	
Add for incidental expense,		325 00
Total cost of main building,	\$77,869 60	\$53,383 34

LONGITUDINAL AND TRANSVERSE 'WING BUILDING, A.

1112 yds. excavations for cellar and trenches for footing for stone walls,	\$0 35	\$398 20	\$0 15	\$166 80
2020 perch rubble work for cel- lar walls, including 2d and 3d stories, outside, and also, corri- dor walls,	3 60	7272 00	3 00	6060 00
2 perch rubble for steps,	3 60	7 20	3 00	6 00
523 perch cut stone, in first or basement story walls,	16 50	8629 50	5 00	2615 00
1½ perch basement steps in rear,	16 50	25 00	5 00	8 30
22 perch or 36 feet lieneal, for window sills,	16 50	363 00	pr. ft. lineal. 50	180 00
34 perch cut stone quoins, rustic,	16 50	561 00	5 00	170 00

		Contract.	Estimate.
564,000 brick for partition, corridor, arches, and cross corridor walls,	<u>12½</u>	7050 00	<u>10</u> 5640 00
1174 yds. mastic finish and penciling for outside walls, 2d, 3d and 4th stories,.	<u>45</u>	528 30	<u>45</u> 528 30
8706 yds. lathing and plastering, 3 coat work, including lath for outside walls,	<u>56</u>	4875 36	<u>28</u> 2437 68
700 yds. lathing and plastering, attic story,	<u>56</u>	392 00	<u>28</u> 196 00
1000 yds. deafning floors, (mortar,)	<u>28</u>	280 00	<u>14</u> 100 00
85 perch stone, connecting drain, including water lime,	<u>4 00</u>	340 00	<u>4 00</u> 340 00
100 yds. excavations for same,	<u>35</u>	35 00	<u>15</u> 15 00
205 ft. stone flagging on cross corridor, bath rooms and water closets,	<u>40</u>	82 00	<u>40</u> 82 00
92,444 ft. common lumber for joists, rafters, wall plates, roof boards, ventilator shafts, including deafning for floors, lintels to windows and doors,			<u>21</u> 1941 32
63,820 ft. clear lumber, for windows, doors, stairs, base, casings, sash doors,			<u>30</u> 1914 60
156,264 ft. lumber, common and clear, for work as above,	<u>34 75</u>	5430 17	

		Contract.		Estimate.
30,000 ft. flooring,	<u>34 75</u>		26 00	
		1042 50	<u> </u>	780 00
1000 ft. oak lumber for stairs,	<u>22 50</u>		20 00	
		22 50	<u> </u>	20 00
8582 ft. tin for roof, including dome, cornice and base,	<u>25</u>		12½	
		2145 50	<u> </u>	1072 75
200 ft. tin water conductors 4 in.	<u>25</u>		20	
		50 00	<u> </u>	40 00
100 feet dust conductors, 12 in.	<u>50</u>		40	
		50 00	<u> </u>	40 00
870 lbs. or 130 ft. gas pipes in corridors and large rooms, sto- ries,	<u>16</u>		per foot lineal. 30	
		139 20	<u> </u>	174 00
17,839 lbs wrought iron for an- chors, rods, wire guards, flue bars,	<u>16</u>		13	
		2854 24	<u> </u>	2319 07
365 lbs for wicket doors	<u>16</u>		13	
		58 00	<u> </u>	47 45
13,880 lbs cast iron for stairs, sash, window weights, dumb waiter weights, and upper sash for dormitory windows,	<u>12</u>		8	
		1665 60	<u> </u>	1110 40
11 doz butts 4 in. average,	<u>3 00</u>		1 50	
		33 00	<u> </u>	16 50
21 gross screws 1½ in. average,	<u>2 00</u>		75	
		42 00	<u> </u>	15 75
73 locks for doors, each	<u>2 50</u>		1 50	
		182 50	<u> </u>	109 50
6 do " sash doors, each	<u>2 50</u>		1 50	
		15 00	<u> </u>	9 00
73 do " wicket doors	<u>2 50</u>		50	
		182 50	<u> </u>	36 50
6 doz butts for do	<u>3 00</u>		1 00	
		18 00	<u> </u>	6 00
146 bolts for room doors	<u>1 25</u>		63	
		182 50	<u> </u>	91 25

		Contract.	Estimate.
20 doz window frame pullies,		1 00	
		<u> </u>	20 00
5 gross screws		50	
		<u> </u>	2 50
60 lbs sash cord,		20	
		<u> </u>	12 00
10 doz sash fastenings		3 00	
		<u> </u>	30 00
4 iron sheaves for dumb waiter,		2 00	
		<u> </u>	8 00
Rope and windlass to same,			5 00
58 boxes American glass	9 50	3 75	
	<u> </u>	<u> </u>	217 50
4,000 lbs. nails	7	7	
	<u> </u>	<u> </u>	280 00
2 water closet basins, iron, with cranks and trimmings complete		18 00	
		<u> </u>	36 00
2 bathing tubs, (zinc)		15 00	
		<u> </u>	30 00
85 hot air registers		4 00	
		<u> </u>	340 00
65 ventilators		2 00	
		<u> </u>	130 00
143 frames for do (tin,)		50	
		<u> </u>	71 50
325 lbs lead pipe for cold and hot water, soil pipes, dip traps, &c., to water closets, including tank in attic story,		10	
		<u> </u>	325 60
4 spout stones for conductor pipes, 24 feet,	1 00	50	
	<u> </u>	<u> </u>	12 00
3 iron doors for dust conductors weight 100 lbs	16	20	
	<u> </u>	<u> </u>	20 00
4 inside window guards to dormitory window, 200 lbs.	16	20	
	<u> </u>	<u> </u>	40 00

	Contract.	Estimates.
Faucetts and stop coeks for hot and cold water pipes	18 00	18 00
For fitting up water soil and waste pipes, lining reservoirs and plumber's work throughout,	300 00	300 00
Framing and raising joists for floors, roof, bridging floors		650 00
Roof boarding and fitting gutters		50 00
Main cornice, 458 feet	2 00	916 00
Framing and raising cupola, and finishing outside, floor, and ceiling,		350 00
128 windows, frame sash and inside casings complete,	8 00	1024 00
21 cellar windows, sash and frames, casings,	2 00	42 00
73 inside doors including making casing, hanging and trimming,	7 00	511 00
6 inside sash doors,	7 00	42 00
Laying floors throughout,		270 00
Finishing stairs from cellar to attic story, including ventillator and fitting iron work to same,		200 00
Fitting iron guards to cross corridors and wickets to room doors		115 00
Finishing dumb waiters, including rope, sheaves and windlass,		60 00
Finishing base for all rooms in different stories throughout,		150 00
5 250 ft, lineal		

Contract.

Estimate.

Finishing water closets, bathing room, and preparing for cold and hot water, and also for wash pipes,	30 00
Carpenter work in fitting gas and water pipes to different rooms and to reservoir,	30 00
Deafening floors, boarded close and cut between joists,	50 00
Fitting iron window guards to 149 windows,	37½
	56 00
Firring outside walls and preparing lintels for windows and doors and all openings,	75 00
Making and fitting ventilating shaft, horizontal and perpendicular,	50 00
Wood work to water tank, attic story,	25 00
Base in attic story, transverse wing,	10 00
1 gro. jamb screws for dormitory door jambs, 8c ea.,	11 52
3 rediment heads to front windows, transverse wing,	14 00

Painting. (Wing A.)

•1400 yds. painting tin roof, cupola and main cornice,	25	350 00
1187 yds. painting and glazing windows, inside casings, window guards, cellar windows and guards,	25	296 75

	Contract.	Estimates.
711 yds. painting inside doors, 2 sides, including casings, jambs and sash doors,	25 —	177 75
209 yds. painting staircase from cellar to attic story, including iron work,	25 —	52 25
390 yds. for base in all rooms, throughout,	25 —	97 50
70 yds. for dumb waiters, includ- ing slides,	25 —	17 50
4 yds. for water closets,	25 —	1 00
240 yds. for cross corridors and window guards throughout,	25 —	60 00
22 yds. for base in attic story, transverse wing,	25 —	5 50
Joiner work on each longitudinal and transverse wing, as per proposal,	4995 00	
Extra items, as per proposal,	1200 00	
Painting, as per proposal,	666 66	
Add for incidental expense,		175 00
		<u>\$36,152 84</u>
Add for corresponding wing, marked on plan A,	53,084 43	36,152 84
Total cost of two wing building A,	\$106,168 86	\$72,305 68
Cost of longitudinal and trans- verse wing building B,	49,706 00	33,142 00
Add for incidental expense,		175 00
		<u>\$33,317 00</u>

	Contract.	Estimates.
Add for corresponding wing, building B,	49,706 00	38,317 00
Total cost 2 wings B,	\$99,412 00	\$66,634 00
Cost of longitudinal and trans- verse wing building, marked C, (extreme wing)	48,700 00	31,560 00
Add for incidental expense,		175 00
		\$31,675 00
Add for corresponding wing, building C,	48,700 00	31,675 00
Total cost of 2 wings C,	\$97,400 00	\$63,350 00

Whole amount of cost of Main and Wing Buildings.

Main building,	77,869 60	53,382 34
Wing building A, including lon- gitudinal and transverse wings,	106,168 86	72,305 68
Wing building B, including lon- gitudinal and transverse wings,	99,412 00	66,634 00
Wing buildings C, including lon- gitudinal and transverse wings, (extreme wings,)	97,400 00	63,350 00
	\$380,850 00	\$255,672 00

The cost of the engine building
and bakery, as per plan, in-
cluding the radiating pipes in
the corridors, and the connect-
ing pipes to the boiler, the gas
works and connecting, includ-
ing water pipes, machinery,
and will probably cost,

30,000 00	30,000 00
\$410,850 46	\$285,672 02

All of which is respectfully submitted.

G. W. MYGATT,
EDWIN PALMER,
A. A. BIRD.

The cost of the Worcester Asylum, as per plan, we make as per contract price of Andrew Proudfit, Esq., and also our estimate price, as follows, and as per description in Senate report, 1854:

Contract price,

\$83,980 00

Estimate price,

\$64,340 00

G. W. MYGATT,

A. A. BIRD.

THOMAS W. B.

EDWIN BARNES

A. A. BIRD

"B."

MINUTES

*Of the Joint Special Committee of the Legislature, appointed to
Examine into matters relative to the Wisconsin State Lunatic
Asylum.*

The Special Committee of the Assembly of the State of Wisconsin, appointed to investigate and examine all matters relating to the Wisconsin State Lunatic Asylum, met at the call of Mr. P. H. Smith, chairman, on Monday, February 12th, 1855, at 2 o'clock P. M.

Present—Messrs. P. H. Smith, Field, Goss, Filer. Also, Albert C. Ingham, clerk of the committee.

The various resolutions of the Assembly relative to the committee were then read as follows, viz:

IN ASSEMBLY, Thursday, Feb. 1, 1855.

"Resolved, That a special committee of five be appointed by the speaker, to investigate and report upon the character of the contract entered into by the commissioners appointed under 'an act to provide for a State Lunatic Asylum,' approved March 30, 1854, with the advice and consent of the Governor. And the said committee is hereby further authorized and instructed to inquire into the manner in which said contract was made; what facilities were offered by the commissioners for bids for said contract by any person or persons; whether the contract contemplates such a building as was specified or intended by the act that provides for said asylum; whether the contract prices at which work was let under said contract are reasonable and just; what will be the probable cost of the erection and completion of said asylum upon the plan

proposed by said contract under the terms and conditions thereof; whether the commissioners, or any or either of them, were at the time of the execution of said contract, in anywise legally disqualified from acting as such commissioners; and to make such further examinations and investigations in regard to the obligations of said contract, and all things relating thereto; and in regard to the extent to which the state is liable and bound by the same, as in the judgment of the committee, the nature of the case may demand."

IN ASSEMBLY, Friday, Feb. 2, 1855.

"Resolved, That the special committee of five, appointed by the speaker, to examine into and report upon the character of the contract entered into between the commissioners of the State Lunatic Asylum and Andrew Proudfit, and the extent of the liability of this state thereon, be authorized to send for persons and papers, and that the speaker be authorized to issue such subpoenas and writs as may be required by said committee to enable said committee properly to conduct such examination."

IN ASSEMBLY, Monday, Feb. 5, 1855.

"Resolved, That the chairman of the special committee, appointed to examine into and report upon all matters connected with the Lunatic Asylum, be and he is hereby authorized to employ a clerk, and such other assistance necessary to carry on the investigation proposed: *Provided*, the expenses shall not exceed four dollars per day."

After some general conversation and consultation, the clerk was directed to procure the attendance of D. S. Vittum, one of the commissioners of the State Lunatic Asylum, at the next meeting of the committee.

The clerk and Mr. Goss were directed to procure a room for the occupation of the committee.

The committee then adjourned till to-morrow at 2 o'clock P. M.

TUESDAY, Feb. 13, 1855.

The committee met pursuant to adjournment.

Present—Mr. P. H. Smith, Ch'n, and Messrs. Randall, Field, Filer and Goss.

D. S. Vittum was then called, sworn and examined.

Dr. Geo. R. McLane was then called, sworn and examined.

The clerk reported that he had procured a room of W. W. Wyman, Esq., at \$10 per week, which agreement was confirmed by the committee.

The committee then adjourned till to-morrow at 2 o'clock P. M.

WEDNESDAY, Feb. 14, 1855.

The committee met pursuant to adjournment.

Present—Mr. P. H. Smith, Ch'n, and Messrs. Randall, Field, Filer and Goss. Also Mr. Gill, of the senate.

The chairman announced that by a joint resolution of the legislature, the committee of the senate, appointed to investigate matters relative to the State Lunatic Asylum, had been directed to act jointly with this committee, which said joint resolution was passed this morning.

The chairman then vacated the chair.

Mr. Gill, of the Senate, moved that Judge Smith be chairman of the now joint committee.

Which was unanimously agreed to.

Mr. Gill announced that by the joint resolution of this day the committee were authorized to send for an architect, to make estimates, under their direction.

On motion of Mr. Randall, Mr. Gill was authorized and requested to procure the attendance of Geo. W. Mygatt, Esq., of Milwaukee, as an architect.

Dr. Geo. R. McLane, was then called, and re-examined.

D. S. Vittum, was then re-called, and re-examined.

Dr. S. G. Bugh, was then called, sworn, and examined.

The committee then adjourned, till 2 o'clock P. M., to-morrow.

THURSDAY, February 15th, 1855.

The committee met pursuant to adjournment,

Present, Mr. P. H. Smith, ch'n. and Messrs. Gill, Adams, Field, Filer and Goss.

Mr. Gill was excused from attendance to-day.

A. A. Bird was called, sworn and examined.

The committee then adjourned till to-morrow, at 2 o'clock, P. M.

FRIDAY, February 16th. 1855.

The committee met pursuant to adjournment,

Present, Mr. P. H. Smith, ch'n, and Messrs. Adams, Filer and Goss.

C. H. Lamor was then called, sworn and examined.

John D. Welch was then called, sworn and examined.

James Livsey was then called, sworn and examined.

Alden S. Sanborn was then called, sworn and examined.

The committee then adjourned till Tuesday, February 20th, 1855, at 2 o'clock, P. M.

TUESDAY, February 20 th, 1855.

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, ch'n, and Messrs. Gill, Hunter, Randall, Field and Filer.

Benj. Judkins was called, sworn and examined.

Mr. Howell moved that Mr. Proudfit be allowed to appear before the committee, by attorney, and take copies of the testimony already recieved.

The committee then adjourned till to-morrow at 2 o'clock, P. M.

WEDNESDAY, February 21st, 1855

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, ch'n, and Messrs. Gill, Adams, Howell, Randall, Field and Filer.

The question being upon Mr. Howell's motion of yesterday,

Mr. Randall moved to amend the motion so as to allow Mr. Proudfit to appear before the committee, on Wednesday next, the 28th inst., with counsil and witnesses.

The amendment was accepted, and the motion as amended, was adopted.

The committee then adjourned to meet at the call of the chairman.

WEDNESDAY, February 28,th 1855.

The committee met at the call of the chairman.

Present, Mr. P. H. Smith, ch'n, and Messrs. Gill, Adams, Filer, Field, Goss and Randall.

Mr. Proudfit and H. S. Orton appeared.

After consultation with Mr. Proudfit, the committee adjourned till Friday, March 2d, 1855, at 2 o'clock P. M.

FRIDAY, March 2d, 1855.

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, ch'n, Gill, Adams, Howell, Filer, Field, Randall and Goss.

Mr. Proudfit and H. S. Orton, were also present.

H. S. Orton was herd in behalf of Mr. Proudfit as to the legality of the Lunatic Assylum contract.

The committee then adjourned, to meet at the call of the chairman.

THURSDAY, March 6, 1855.

The committee met at the call of the chairman.

Present, Mr. P. H. Smith, Ch'n, and Messrs. Adams, Gill, Howell, Randall, Field, Filer and Goss.

Geo. W. Mygatt, was then called, sworn and examined, and presented estimates.

Edward Illsly was then called, sworn and examined.

A. A. Bird was then called, sworn and examined.

The written legal opinions of J. E. Arnold, James H. Knowlton, and S. P. Randles, as to the legality of Mr. Proudfit's contract, and introduced by Mr. Proudfit, was then read.

Other legal authorities were also read from the law reports.

The committee then adjourned till to-morrow at 2 o'clock, P. M.

WEDNESDAY, March 7, 1855.

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, Ch'n., and Messrs. Gill, Howell, Adams, Filer, Field and Goss.

C. H. Lamar was then called, sworn and examined.

Edwin Palmer was then called, sworn and examined.

Arthur Resley was then called, sworn and examined.

The committee then adjourned till to-morrow at 2 o'clock, P. M.

THURSDAY, March 8, 1855.

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, Ch'n, and Messrs. Adams, Field, Filer and Goss.

Geo. W. Mygatt was re-called and re-examined.

Andrew Vial was then called by the commissioners, sworn and examined.

The committee then adjourned till 5 o'clock, P. M.

5 o'clock, P. M.

The committee met pursuant to adjournment.

Present, as before, and also Messrs. Howell, Gill and Adams.

W. T. Bailey was called, sworn and examined.

A. S. Sanborn was then sent for.

Mr. Bailey's testimony was handed to Mr. Sanborn.

W. T. Bailey cross-examined by A. S. Sanborn.

The committee then adjourned till to-morrow at 2 o'clock, P. M.

FRIDAY, March 9, 1855.

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, Ch'n, and Messrs. Adams, Howell, Gill, Field, Filer, Goss and Randall.

W. T. Bailey was then re-called and re-examined, by A. S. Sanborn.

C. G. Mayers was then called by the commissioners, sworn and examined.

L. J. Farwell was then called by the commissioners, sworn and examined and cross-examined.

Dr. S. G. Bugh was then called by the commissioners, sworn, examined and cross-examined.

Simeon Mills was then called by the commissioners, sworn and examined.

Dr. Geo. R. McLane was then called on the part of the commissioners, sworn, examined and cross-examined.

Arthur Resley was then re-called by A. S. Sanborn, sworn and cross-examined.

Mr. Resley's former testimony being furnished Mr. Sanborn.

Messrs. Adams and Field were appointed a special committee to examine the books of the commissioners, and report the amounts audited and expended, and for what services.

The committee then adjourned till to-morrow at 2 o'clock, P. M.

SATURDAY, March 10, 1855.

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, Ch'n, and Messrs. Adams, Gill, Field and Filer.

E. G. Ryan appeared in behalf of Mr. Proudfit, and spoke as to the legality of the contract.

A communication was received from the commissioners, as follows :

" MADISON, March 10, 1855.

Hon. P. H. Smith, Chairman,

Of the Joint Committee, in the matter of the Lunatic Asylum:

"The undersigned commissioners of the 'Wisconsin State Lunatic Asylum,' hereby request of the committee of which you are chairman, the privilege of reviewing the testimony taken by said committee, the estimate made by the person or persons, employed for that purpose, and that they be allowed a reasonable time to introduce before said committee, such testimony, as they shall think proper, to answer or explain the proofs which have already been taken at the instance of said committee.

"Yours respectfully,

ALDEN S. SANBORN,

D. S. VITTUM,

SAM G. BUGH."

After consideration and consultation, the following answer was agreed upon, and delivered to D. S. Vittum :

" MADISON, March 10, 1855.

"Gents: Yours of to-day is received. Three of the committee will meet you at 7 o'clock this evening, at the room of the committee, at the Badger Hotel, to have the testimony and estimates in regard to the Lunatic Asylum, read by the clerk of the commit-

tee. On Monday, the 12th inst., the committee will meet at 2 o'clock, P. M., and will then listen to any evidence you may offer.

"Yours, &c.,

P. H. SMITH,

Ch'n Joint Committee.

"To Messrs. D. S. Vittum, A. S. Sanborn, S. G. Bugh, Com'rs."

In accordance therewith, Messrs. Adams, Filer and Field, were appointed a committee to meet the commissioners this evening and have the testimony and estimates taken by the committee, read to them.

The committee adjourned to Monday, March 12th, at 2 o'clock, P. M.

MONDAY, March 12, 1855.

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, Ch'n, and Messrs. Adams, Field, Filer, Goss and Randall.

Mr. Adams, from the committee appointed on Saturday last, to meet the commissioners, reported that the committee attended at the place and time named to the commissioners, and waited until 9 1-2 o'clock, P. M., but that no person appeared to meet them.

The commissioners not appearing to offer any testimony, at 4 1-2 o'clock, P. M., the committee adjourned till 7 o'clock, P. M.

7 o'clock, P. M.

The committee met pursuant to adjournment.

Present, Mr. P. H. Smith, Ch'n, and Messrs. Adams, Field, Filer, Goss and Randall.

The subject of the report of the committee was taken up, and a mutual conversation ensued, when it appeared that the views of the members agreed, except as to the legality of the contract, in which Mr. Goss disagreed from the remaining members.

The committee then adjourned to meet at the call of the chairman.

THURSDAY, March 15, 1855.

The committee met pursuant to the call of the chairman.

Present, Mr. P. H. Smith, Ch'n, and Messrs. Adams, Field, Filer and Randall.

Simeon Mills was re-called and cross-examined.

The committee then adjourned to meet at the call of the chairman.

March 18, 1855.

The committee met at the call of the chairman.

Present, Mr. P. H. Smith, Ch'n. and Messrs. Gill, Randall, Field and Filer.

The report of the committee, as drawn up, was read and unanimously agreed to, and signed by those members of the committee present.

The committee then adjourned.

"C."

EVIDENCE.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

Samuel G. Bugh, being duly sworn on oath, saith: that he is one of the commissioners of the State Lunatic Asylum, and was appointed about the 3d or 4th of April last. The proposals for building the asylum signed by Lamar & Resley, was handed to witness on the day prior to the opening of the proposals. The other proposal signed by A. Proudfit, was handed to the Board by Dr. McLane on the morning of the day of opening, as witness thinks. The bid of Lamar & Resley was thought by some of the Board to be informal from want of precision, but was nevertheless considered, and was judged to be the highest of the two bids received. The commissioners did not regard the prices of Mr. Proudfit's bid as unreasonable. Cannot state positively when the plans and specifications were received. They were open at all times to public inspection after they were received. The estimate as given in the report is the only one made, and the commissioners have had no reason to change their minds in regard to its correctness—knows nothing of the Worcester plan. The bid of Mr. Proudfit's was accepted as being the lowest of the two received. No matron or other officer, has been appointed for the asylum.

SAM'L G. BUGH.

Sworn and subscribed before me this, 14th Feb. 1855.

P. H. SMITH, Ch'n. special com.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

Geo. R. McLane being duly sworn on oath, saith: that he is the Superintendent of the State Lunatic Asylum, and was appointed the 4th of April, 1854, or thereabouts, under and by virtue of an act of the legislature, approved March, 1854. The first publication was notice for proposals for site, published under the advice of the superintendent, April 14, 1854, for five weeks. The second publication was a notice for proposals for building said asylum, which was published in six newspapers for six weeks successively prior to Nov. 1st, 1854. The plans and specifications for the building was prepared and open to inspection about the first of Sept. 1854, and were open for inspection at all times thereafter until the letting of the contract. They were kept at the Governor's room first, and afterwards at the consultation room of the Supreme Court. The longitudinal wings are each about 130 feet in length, including the transverse towers. Two proposals were received, one from Mr. Proudfit, at least a day and a half before the opening of the proposals, which was the first of November, 1854. The opening of the proposals was postponed on account of the illness of Mr. Vittum, one of the commissioners. The other proposal, signed by Lamar & Resley, was received too late for reception, though it was laid before the commissioners, the superintendent remarking that he doubted its formality; thinks it was received after the first November, 1854. The proposal of Mr. Proudfit was opened in the afternoon of the 1st Nov., as was also the other. Mr. Proudfit's proposal was received after the 20th Oct., 1854. Witness examined both Worcester and Taunton asylums, but found them both insufficient to meet our purposes, and determined not to take either as a model for one, both in reference to cut and arrangement. Upon consideration, witness adopted the plan as recommended, and decided upon by the Board of Superintendents of Insane Asylums of the U. S. and now adopted, and in course of erection by the United States for the Hospital Insane of the Army and Navy of the District of Columbia, by the

General Government, as also by some ten or eleven other institutions in the U. S., the plan being varied to suit the means and necessities of this state. This plan was reported to the commissioners and by them adopted. The form of the Worcester Asylum is different from the plan adopted, but the treatment is similar. No matron or any other officer of the institution has been appointed, nor any consulting physician.

GEO. R. McLANE.

Sworn and subscribed this, 13th day of Feb., A. D., 1855.

P. H. SMITH, Notary Public.

Examination of Geo. R. McLane resumed, Thursday, 14th February, 1855. Witness corrects his statement made yesterday in relation to the proposal of Lamar & Resley, as follows: The proposal was handed to witness by Dr. S. G. Bugh, one of the commissioners, who informed witness that it had been handed to him, Dr. Bugh, some days before. It was handed to witness about midday on the 1st Nov., 1854. The specifications and plans were in Madison about the 15th of Sept. 1854, and the drawings were received about two weeks thereafter. The plans and specifications were in Madison and open for inspection as early as the 15th Sept. 1854. The front of the main building is not intended to be cut stone. The original proposals of Proudfit, and Resley & Lamar, are now in the office of the commissioners. The plans and specifications were made by Sloan & Stewart, of Philadelphia, Architects, and were ordered by witness. The cost was \$300.

Subscribed and sworn to before me, this 14th day of Feb. A. D., 1855.

P. H. SMITH, Notary Public.

STATE OF WISCONSIN, }
DANE COUNTY. } ss.

A. A. Bird being duly sworn on oath, says that he is acquainted with building stone buildings, and has erected various large buildings, among which are the Dane county Jail, Dane county Fire-

proof Office Building, University Building and Railroad Depot, all of cut stone : has seen the notice of the commissioners of the Lunatic Asylum for proposals for building Asylum, and applied to Dr Bugh, one of the commissioners, for an examination of the plans and specifications some three or four times, but was informed that they had not arrived. The last time was about the 28th of October, when Dr. Bugh informed him that the specifications had arrived, but not the plans. All of these calls were within two weeks preceding the letting of the contract. Witness called upon Dr. Bugh, inasmuch as he was better acquainted with him than with Dr. McLane, upon whom he did not call. The object of witness in calling for the plans and specifications, was for the purpose of enabling him to make a proposal for building the Asylum ; but not being able to see them he made no proposal. A fair price for excavation and levelling would be 16c. ; for rock excavation 70c. per cubic yard. The last time but one when witness called, was about the 6th of October, when Dr. Bugh informed witness that neither plans nor specifications were in Madison.

A. A. BIRD.

Subscribed and sworn before me, this 15th of February, 1855.

P. H. SMITH, Ch'n Special Committee.

STATE OF WISCONSIN. }
DANE COUNTY. } ss.

Alden S. Sanborn being duly sworn on oath, says that he is one of the commissioners of the Lunatic Asylum : was appointed about the 1st of July 1854. Thinks Dr McLane returned from the East from the 15th to the 20th September, and brought with him the elevation plan. It might be still later, however. Dr. McLane brought with him at this time some other smaller drawings, and a book of printed specifications, being the Journal of Insanity, with Dr. Kirkbride's lecture, describing the construction of such institutions. Thinks the large plans, being the ones posted up in the office, came about the 20th of October, possibly two or

three days earlier, and perhaps a day later—but witness thinks not to exceed one day later. The proposal of Lamar & Resley was informal through indefiniteness; but was not rejected on that account. Mr. Proudfit's was accepted as being the lowest—both being considered. The proposals were opened November 1st, at about 11 o'clock at night. The printed specifications brought by Dr. McLane, were not for this building specially. Those adopted by the board of commissioners varies somewhat from those contained in the pamphlet Journal of Insanity. Thinks the plans and specifications procured from Sloan & Stewart, with the exception of those brought back by Dr. McLane, were not ordered until after Dr. McLane's return from the East. Witness has had no reason to change his mind in regard to the cost of the Asylum from the opinions expressed in the report. The understanding of that portion of the contract relating to the longitudinal and transverse wings, is that \$4995 is to cover both, and this understanding was shared with Mr. Proudfit at the time of making the contract. Witness cannot state the precise time when the plans and specifications were adopted by the commissioners. The bid of Mr. Proudfit was accepted, because the commissioners thought themselves bound to accept the lowest bid—some of the items were thought high and some low. Compared with other contracts with the state, witness thinks this contract is not high. Witness was much absent from the capital from the 23d September to the 23d October, and the plans and specifications might have arrived, and witness been ignorant of it. Thinks he left Appleton on the 20th September, and arrived here the 23d September, since which time he has been here constantly in attendance. Mr. Vittum wrote that portion of the report giving the estimates as to cost; and the architect to whom he alludes is not recollected by witness. Witness thinks the estimate was made by an architect; he further bases his own opinion on the testimony of medical men as to the cost of other institutions. Witness has since his appointment been almost constantly employed for the Asylum. No acting commissioner to discharge the duties

has been appointed. Witness was not in Madison at the time of the postponement of the letting. The construction of witness of the notice of postponement, was, that no proposals would be received until the 20th October, on the ground that the plans might not be here before that time. Witness thinks \$150,000 will cover entire Asylum's cost, except the heating building, which will cost from \$3,000 to \$15,000, but is not under contract. Another reason, I think, for the postponement of the letting, was Mr. Vittum's illness. The plans and specifications were always open to inspection after their arrival; the precise time of their arrival witness does not recollect.

ALDEN S. SANBORN.

Sworn and subscribed before me, this 16th February, 1855.

P. H. SMITH, Ch'n Special Committee.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

D. S. Vittum, being duly affirmed, saith: that he is one of the commissioners of the State Lunatic Asylum, and was a member of the legislature of 1854. The notice for proposals to build asylum was published in six or eight papers; in the "Wisconsin," the "Democrat & Argus," the "Oshkosh Courier," the "Menasha Advocate," the "Sauk Co. Standard," and others. The plans and specifications were prepared after the first notice for proposals, cannot state the time. The specifications, as published in the special report of the commissioners, he thinks are the same as the original specifications. He was in Madison in August and the first of September, but being sick, the opening of the proposals was postponed. The plans and specifications were open for public examination for several days at the office of the Asylum. There were but two proposals received. Cannot state the time they were received, as they were handed to the Secretary, Dr. G. R. McLane, The bids were opened, as he was informed, on the

1st of April, 1854, but he was not present. The annexed is a copy of the notice published in the aforesaid papers:

"Notice to Contractors.

"Sealed proposals, to be opened on the 20th day of October next, by the undersigned, will be received for furnishing materials and doing the work for the erection, in the vicinity of Madison, of the State Lunatic Asylum building, or such portion thereof as the Governor and Commissioners may deem it advisable to have erected. The stone work and materials, the plastering and materials, and the joiners work and materials, may be bid for separately or jointly, at the option of the bidder.

"The plans and specifications will be exhibited by Dr. G. R. McLane, Superintendent of said Asylum, on and after the 20th day of September next, in the village of Madison, and until the opening of said proposals.

S. G. BUGH,
D. S. VITUM,
A. S. SANBORN,

Commissioners of State Lunatic Asylum.

Dated August 9th, 1854."

"The opening of said proposals will be postponed until the first day of November, and the reception of the same until the twentieth day of October next.

Madison, September 20th, 1854."

D. S. VITUM.

Sworn and subscribed before me this 13th day of Feb. A. D. 1855.

P. H. SMITH, Ch'n. special com.

D. S. Vittum's examination resumed, February 14th, 1855.

The rustic groins mean cut stone at the corner of the building. No cut stone is intended to be used that is not named in the specifications. Witness was in Madison on the 2d day of November, 1854, but was not here on the first day of November, 1854. The contract was awarded a day or two before it was executed. Wit-

ness does not know when Lamar & Resley's proposal was received. The joiner work, upon both a longitudinal and a transverse wing, is included in the sum of \$4995, which pays for both taken together, and the same construction applies to the painting. The plans, specifications and drawings were open to inspection from the 20th of October to the 1st of November, at least. The understanding of the postponement was that the reception of proposals would be postponed until after the 20th October, and that they would be received from that time to November 1st.

D. S. VITTUM.

Affirmed and subscribed before me this 24th February, 1855.

P. H. SMITH, Notary Public, Wis.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

C. H. Lamar, being being duly sworn on oath, saith: that he resides at Gratoit's Grove, Lafayette county, and is a railroad contractor by profession; that he made a proposal for the contract for building the Lunatic Asylum, being in Madison at the time; that he handed his proposal to the commissioners on the 31st day of October last, and left Madison on the same or the next day. Mr. Resley's name was signed to the proposal by witness, by an understanding with Mr. Resley. Saw the plans and specifications on the 27th day of October, at the Supreme Court consultation room. Some of the papers were pasted up on the walls, and some lying on the table. Was here between the time of the notice for proposals and the 27th October. Was not here when the proposals were opened. None of the commissioners ever made any proposition to witness with regard to allowing the commissioners an interest in the proposal made, or to be made by witness. Did not see the plans nor specifications prior to the 27th October; was told on former visits that they had not been received. The proposals were in the usual form for public works; has heard it said that the proposal was informal, and consequently asked Dr. McLane with re-

gard to it, who told witness that it was not informal. From the reading of the notice of postponement witness thought no proposals could be received after the 20th Ociober.

C. H. LAMAR.

Sworn and subscribed before me this 16th day February, 1855.

P. H. SMITH, Ch'n. special com.

Called by the Commissioners.

March 9, 1855.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

D. S. Vittum, being recalled and sworn, deposes, and says:— I consulted Mr. Boyden, of Worcester, Mass., some, in relation to the building in general; also, Mr. Brown, of Baltimore, Md. I consulted also, Mr. Newson, of Baraboo, an English stone mason by trade. I have frequently had an estimate from Mr. Newson, so far as the stone work was concerned. Mr. Newson came and looked at the plans and specifications, and made an estimate of the stone work. He made no detailed estimate. He made one immediately after the contract was made. I dont recollect what his estimate was. All I relied upon by Mr. Newson, was his estimate of the stone work. I consulted him for my own satisfaction. The amount of iron would have to be a guess. Several estimates were made in regard to the lumber. I hardly think the commissioners employed any architect to make an estimate of the work, since the contract was let. Mr. Boyden and Mr. Brown have not been here that I am aware of. I do not think the the commissioners have employed any architect to make an estimate of the buildings to be completed in the year 1855. From about the 20th, to the last of October, 1854, I was at Madison most of the time. I dont think I ever told Mr. Proudfit, or any other person the manner in which bids were to be made, or proposals received for the

labor and materials for the erection of the Lunatic Asylum. I never heard any conversation between Mr. Proudfit and the commissioners, or between him and the Governor, in relation to the manner in which the bids or proposals were to be made. I never had any conversation, I think, with Mr. Proudfit about this contract, until the day the bid was opened. Mr. Proudfit never told me that if I would get him the contract, or assist him to get it, he would give me an interest in it, or anything to that effect. He never offered to give me an interest in the contract, and never made me any propositions about the contract, either before or after it was let. I never told any person that Mr. Proudfit had made me such an offer. I think all the drawings, except the heating apparatus were here by about the 20th of October 1854. What I mean in stating that Mr. Newson made any estimates, is, that I frequently talked with him on the subject, and he gave me his opinion of the expense. I have not seen Mr. Boyden or Mr. Brown since the letting of the contract.

D. S. VITNUM.

Subscribed and sworn before me this 9th day of March, 1855.

P. H. SMITH, Ch'n. special committee.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

W. T. Bailey, being duly sworn, deposes, and says: I reside in Milwaukee. I am acquainted with Sanborn one of the commissioners and have been about eight years. I am a mason by trade, and have been engaged in that business for about 24 years. Mr. Sanborn, some time in the month of August, spoke to me, and recommended that I should put in a bid for the State Lunatic Asylum. This was at Milwaukee. He, Sanborn, called on me at my house in Milwaukee. He, Sanborn, staid at my house two or three days, and told me to come up and put in a bid for the job of building the Lunatic Asylum, and that he would use his influ-

ence to get me the job. I got the impression from what was said, that I should have the job, and that he would like to make something out of it. He said that if I would put in a bid he would use his influence with the other commissioners to get me the job, and that he would go for me in any event. He, Sanborn, gave me the first intimation I had with reference to the building of the Lunatic Asylum. On the 30th of October, I came to Madison, and on the morning of the 31st, I found Mr. Sanborn, and with him went to the basement of the capitol, and there saw the front elevation of the asylum, and specifications, which were afterwards, and during the same day, removed to the north-west room in the basement. Did not see the ground, or any other plan at the time, except the elevation plan referred to.

Afterwards, during the same day, I saw Dr. Bugh and Sanborn together, and asked them whether the whole of the building, according to the elevation plan, was to be built or a part of it only, and they told me they had not decided; they wished to wait until another commissioner came. I then asked them how the job was to be bid for, whether by the gross sum, or so much per foot or yard, or how the proposals should be put in; and could get from them no satisfactory reply. I think Mr. Sanborn told me at the time that the plans for the building had not all arrived. I then said to Sanborn, "There is no use of my staying here, I shall not get the job," and he replied by saying, "You know how state jobs always go;" and Mr. Sanborn then said there was one bid in, and that it would be declared off the next day. I asked Mr. Sanborn to see the plans of the Asylum, and the only plan showed me was the front elevation plan, and I understood him to say that the working, drawing, and other plans had not yet arrived.

W. T. BAILEY.

Sworn and subscribed before me this 8th day of March, A. D. 1855.

P. H. SMITH, Ch'n joint special com.

W. T. Bailey, cross examined by A. S. Sanborn: Thinks Sanborn

first named the matter of bidding for the Asylum to witness; cannot tell at what time exactly Sanborn called on me in Milwaukee; cannot state what were the words used by Sanborn when I got the impression that he, Sanborn, wished an interest in the job; nothing was said about the price for doing the work; think there was an intimation that Sanborn wished to have one take the job, in order that he might make something out of it. Did not understand that if there was a bid lower than mine, Sanborn should use his influence in my favor. Think there was no talk about bids whatever. My intention was to put in a bid from the best of my judgment, and from that I inferred that I was to have Mr. Sanborn's aid in procuring the contract. I did not expect the job in case there was a responsible bid, lower than mine. If there was an irresponsible bid lower, I should have expected the job. I do not remember having any letter from Mr. Sanborn, saying that the job could be let to the lowest bidder. I was delayed in coming to Madison to make a bid, because I had a job then on hand. I think the front elevation was at the capitol, but have no recollection of any other plan being there. I think I did not at any time see anything besides the front elevation. I think I saw a notice to contractors, prescribing the 20th October, as the time limited for the reception of bids. Never saw any other notice. Think Mr. Sanborn wrote me that the plans had not come on, and hence the contract would not then be let, meaning the 20th October. I said, when I was at Madison, "that there was no use of my staying, because I should not get the job," because I got the impression that there was some one picked out to have the job. I think I asked Mr. Sanborn who it was that was picked out to have the job, and think his, Mr. Sanborn's, answer was that there was no one picked out. Think I recollected Mr. Sanborn's saying, "You know how state jobs go." Do not remember any other remark in connection with that reply of Mr. Sanborn. Did not infer from the remark that the work was to go to the lowest bidder, but I inferred that there was some favorite one; not positive that it was Mr. Sanborn that said there was a bid in—it might have been the other commissioner. On reflection I think it was Mr. Sanborn who

did make the remark, and am strengthened in this, because I had but little talk with the other commissioners. Had no talk with Dr. Bugh, that I remember, other than is stated in my testimony in direct examination. I am not positive where the conversation with Mr. Sanborn was had, but think it occurred between the U. S. Hotel and the Capital House. Mr. Sanborn went with me to see the plans, at my request. I think I received a letter from Mr. Sanborn on the Thursday before the 30th October, or on the Thursday before that, in relation to some business of Mr. Sanborn's, and also in relation to the examination of the plans. I think in Milwaukee I said to Mr. Sanborn like this: "Sanborn, if you will do something for me in that job," meaning the Lunatic Asylum contract, "you shall not lose anything by it;" to which Mr. Sanborn replied, "that he should like to make \$1000 out of it." Mr. Sanborn did not, I think, ask me to take the job in order that he might make something out of it, and I do not remember that he intimated any such thing. I do not think there was any talk about the lowest bid. I did not get the impression that any one but the lowest responsible bidder would get the contract.

W. T. BAILEY.

Sworn and subscribed before me, this 8th day of March, A. D. 1855.

P. H. SMITH, Ch'n special com.

W. T. Bailey's cross examination resumed, March 9th. 1855.

Think I arrived in Madison on the 30th Oct., and remained until the afternoon of the next day. Came in the morning train of cars on the 30th. It was the afternoon of the 30th, that I found Mr. Sanborn first, but think I saw the plans first, on the morning of the 31st Oct.

Q. Have you ever complained of any unfairness shown toward you as a bidder?

A. I think I have, cannot tell to whom first, cannot recollect making any complaint to any one in Madison. I complained to John Ryecraft, in Milwaukee. This was a week or two after I was in Madison. I think the day I started for Madison, after be-

ing subpoenaed, that Ryecraft told me that he had intimated to some one in Madison, that I was an important witness." Did not know that he was going to write or give the information, before the day I started for Madison. I have had some little connection with Ryecraft in business, but not as a partner. Cannot say how long Mr. Sanborn staid at my house in Milwaukee, am not positive as to his staying more than one night. I have a very little prejudice against Mr. Sanborn, mainly growing out of this Lunatic Asylum affair. I have had hard feelings against him before, but think they have not influenced me in this matter. It was three or four years ago that I had this feeling. My prejudice is not occasioned more by the old matter than by the present cause. I felt it more than at the time, but it has blown over now. The prejudice on the old ground is entirely gone. Do not remember saying at the time of this first hard feeling, that I would remember the matter against Mr. Sanborn, but might have said so. I thought at the time I should make evil return for the evil I thought done. Do not remember that it was Dr. Bugh who was present at the Capitol when I saw the ground plan, nor Dr. McLane, nor Mr. Vittum. They were all strangers to me. Do not remember stating that I should not make a bid, as it was too large a job, though I might have done so. Do not remember saying that the reason I made no bid was because I had not time. I have so stated since I have been in Madison this time. At the time I saw the plan, I have no recollection that Dr. Bugh, Dr. McLane or Mr. Vittum was present, not knowing them. I have no ill feeling against Mr. Sanborn now to do him any harm whatever, and did not seek to come to Madison as a witness, what I said about the matter of the asylum, I supposed I said to friends and had no idea of having it repeated. I went with Mr. Sanborn from the Capitol to the U. S. Hotel, when we met another commissioner, do not recollect which one. Do not remember seeing any of the commissioners together after that; at the U. S. Hotel some conversation took place between me and the two commissioners, but I cannot recollect what it was.

Q. Did you go back to the Capitol after this meeting?

A. I think we did.

Did not read the specifications all through, but read part of them, enough to get some knowledge of the building. Witness corrects his statement about Ryecraft; he, Ryecraft, may have intimated to me before that he should report my knowledge of the asylum to Madison. I think I asked Mr. Sanborn how much of the building was to be let, and his answer was that it was not yet decided. This was in Madison, and I think another commissioner was present, but which one I do not know, think it was Dr. Bugh.

W. S. BAILEY.

Sworn and subscribed before me, this 9th day of March, 1855.

P. H. SMITH, Ch'n. special committee.

C. G. Mayers called by the commissioners.

STATE OF WISCONSIN, } ss.
DANE COUNTY.

Charles G. Mayers, being duly sworn on oath says: that he is an agent of the American express company, and was such agent last fall; there was a tin case came directed to Dr. McLane, by express. I do not remember of more than one case coming. From the books kept in the office, it was delivered on the 26th Oct. I remember it being in the office for a few days prior to its delivery. From the books it appears to have left Cleveland, O., on the 20th of Oct. The entries on the books, are undoubtedly correct. The first date refers particularly to the payment of express charges. The bill was originally made out in the name of Dr. McLane, who called and had the bill altered to the lunatic asylum. Do not know what the contents of the case were. Cannot say but that Mr. Vittum got the case before the money was paid. It usually takes about three days for a package to come to Madison from Cleveland, Ohio.

CHAS. GEO. MAYERS.

Sworn and subscribed, before me, this 9th day of March, 1855.

P. H. SMITH, Ch'n special committee.

Called by the Commissioners.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

Leonard J. Farwell, being duly sworn on oath, saith: I executed a deed to the State of Wisconsin of the asylum grounds, on the 23d of September. I think the contract was first made in August, perhaps before. The contract was made with the advice and consent of the Governor. I have seen Gov. Barstow on the grounds, directing where the building was to be placed. I saw Dr. McLane, in Utica, N. Y., about the 10th of September, when he told me he had been to Philadelphia after the plan for the Asylum, and had them there with him. When I saw Gov. Barstow on the grounds, they were paced off with reference to this building under contract. About the latter part of September, or the first of October, Dr. McLane showed me some plans and drawings, and other papers in reference to the Lunatic Asylum, in the consultation room of the supreme court. I had consultation with Dr. McLane, with reference to letting the contract and he said there was no one in Madison who had offered to take the job, and he must give further time for proposals. I saw a notice for proposals in the papers, and it was generally understood that there was plans and specifications ready to be seen.

LEONARD J. FARWELL.

Sworn and subscribed before me, this 9th day of March, 1855.

P. H. SMITH, Ch'n, special com.

Cross examination by the Committee.

I think it was after the contract was let, that I saw Gov. Barstow on the grounds of the asylum. I cannot describe the plans I saw, nor state particularly what they were, except that they were large and colored. I saw them in the latter part of September, or early in October.

LEONARD J. FARWELL.

Sworn and subscribed before me, this 9th day of March, 1855.

P. H. SMITH, Ch'n. special com.

Called by the Commissioners.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

Dr. S. G. Bugh, being duly sworn on oath, says; That he met Mr. Bailey at the capitol, and heard him say in conversation with Mr. Sanborn, that "the job was too heavy, and he did not feel disposed to engage it." I saw him afterwards at the U. S. Hotel, and asked him if he was intending to bid, and he replied that he was not, as it was too extensive an affair for him to engage in. I do not remember Mr. Bailey's asking him how much of the buildings was to be let, and have no recollection of saying that it will not be decided until another commissioner came, do not recollect any other conversation as taking place. I think the general plans and other plans were present when Mr. Baileye xamined them, but cannot swear positively, but am pretty certain that the large plans were in the capitol, on the 30th of October.

Cross examination by the Committee.

I do not know of any architect making an estimate of the cost of the Asylum, nor of the portion to be built during the year 1855, either before or since the letting of the contract. I was in Madison for several days before the 1st of November, 1854. The plans and specifications came from the east, in a tin case. I saw Mr. Proudfit, in Madison, several times before the opening of the bids, and had a conversation with him in relation to bidding. I never stated to him the manner in which the bids were to be made, and do not recollect hearing any of the commissioners state the manner of bidding to him, (Proudfit.) I heard a conversation in the Governro's presence in regard to the contract. I have heard the Governor speak approvingly of the grounds and plan of the Asylum. I think the Governor advised and consented to the commissioners receiving the bids, and letting the contract for the erection of the asylum on the grounds purchased for that purpose. I cannot say that the commissioners consulted with the Governor in regard to the plans. I think the contract was consummated with Mr.

Proudfit, with the approval of the Governor. Before the bids were opened I did not earn from Mr. Proudfit nor from any other person the manner in which his bid was made. I never had any conversation with Mr. Proudfit, nor never heard any, with him in regard to the manner of his making his bid.

The commissioners never had any consultation as to the manner of making the bids other than was embodied in the notice for proposals, and never devised any plan as to the manner in which bids should be made. I cannot tell how long it was before the contract was made, that it was determined how much should be let. The determination of the commissioners was to build the centre building and the two wings. They deemed it advisable to do this. I think this determination was several days before the contract was let. I know of no such determination before the time of advertising for proposals. I do not know how Mr. Proudfit got his information as to the manner in which he should make his bid; it was not from me. I never told any one how to bid; neither did any of the commissioners, to my knowledge. I know of no other method of getting this information, except from the specifications. The specifications were never published in any newspaper, to my knowledge. A notice was never published, to my knowledge, asking for proposals for building the centre building and the two wings alone. Counting each longitudinal and transverse wing as one, there would then be three wings on each side of the centre building, making six wings. Counting each longitudinal and each transverse wing separately, there would then be six wings on each side of the centre building, making twelve wings in all.

SAM. G. BUGIL.

Sworn and subscribed before me, this 9th day of March 1855.

P. H. SMITH, Cl'n. special com.

Called by the Commissioners.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

Simeon Mills, being duly sworn on oath, says: I saw the plan between the middle of September and the first of October. I went to the Executive Office to see them by invitation of Dr. McLane. I saw the front elevation, and, I think, the ground plan. This was probably about the 20th September. I have no recollection of seeing any notice for proposals. I think the front elevation I saw is the one that I have since seen in the commissioners' room.

SIMEON MILLS.

Sworn and subscribed before me, on this 9th March, 1855.

P. H. SMITH, Ch'n of the Special Com.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

Simeon Mills, being re-called and sworn, says: Q. Were the the plans you saw at the Executive Office, and to which you referred in your testimony as having seen on or about the 20th of September last, sufficient and such plans as would enable a mechanic to make a proper and correct estimate with reference to bids or proposals, for the furnishing of materials, and doing the work for the Asylum?

A. I should think not. I am in the habit of building at Madison.

SIMEON MILLS.

Sworn and subscribed to before me, this 15th day of March, A. D. 1855.

P. H. SMITH, Ch'n Special Com.

Called by the Commissioners.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

Dr. Geo. R. McLane, being duly sworn on oath, says: I saw Mr. Bailey in the consultation room of the Supreme Court. Mr. Sanborn told me that Mr. Bailey had come out from Milwaukee in reference to seeing the plans of the Asylum, which I showed and explained to Mr. Bailey. Mr. Bailey looked through them, and in conversation remarked that he could not take hold of the job, as it was too extensive. I thought at the time that his examination was insufficient. On the 30th of October, all of the plans were in the Capitol, with the exception of the heating building.

GEO. R. McLANE.

Sworn and subscribed before me, this 9th March, 1855.

P. H. SMITH, Ch'n Special Com.

Cross-examination by the Committee.

The outside heating building has not been let. The grounds for the Lunatic Asylum were purchased by the advice and consent of the Governor. The notice for proposals was also published with the advice and consent of the Governor, who consented to the manner of its publication. The contract with Mr. Proudfit was entered into with the advice and consent of the Governor, who was present when the bids were opened, as was also Geo. B. Smith. No architect was employed by me, nor to my knowledge, to make any estimate of the cost of the asylum. I know nothing of my own knowledge of any architect being employed to make an estimate of the cost of the asylum, either before or since the letting of the contract; and the same answer applies to the main building and to the two wings, and for the work to be done during the year 1855. I know nothing of how Mr. Proudfit got his information as to the manner of making his bid. Two of the large plans came in the tin case, sworn to by C. G. Mayers, the Express agent. In

my judgment, as the superintendent, it will be necessary to build the heating building before the main building is used.

GEO. R. McLANE.

Sworn and subscribed before me, this 9th March, 1855.

P. H. SMITH, Ch'n Special Com.

Re-called by A. S. Sanborn.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

Arthur Resley, being duly sworn on oath, says: I wish to be understood as saying that Mr. Sanborn said to me that he wished to make something out of it, and did not say that he wished an interest in the contract. Mr. Sanborn never intimated to me that he wanted an interest in the contract. Mr. Sanborn said nothing of the way in which he wished to make something out of it. What I stated in my direct examination embraced all that I remember of my conversation with Mr. Sanborn, and what I then stated I wished to have understood in the manner in which I here testify in reference to the interest in the contract. My former testimony was read to me by Mr. Smith. Mr. Sanborn stated to me that he would do all he could to get me the contract, without saying he wished an interest in the contract. Mr. Sanborn said to me that he wanted to make something out of it, at the same that he promised to do all he could to get me the contract. I stated at the time, that if I had a chance to bid I would be willing to have any one else get it, if they should bid lower than I did. I have complained as much of Mr. Sanborn's action in the premises as of the action of either of the other commissioners. I had no cause to find fault with the other commissioners other than what grew out of Mr. Sanborn's statements. The morning after the contract was let, Mr. Sanborn told me that Dr. Bugh and Proudfit kept aloof from him, and he (Sanborn) thought there was collusion between them, (meaning Dr. Bugh and Proudfit); and that Bugh told him (Sanborn) that Proudfit would give him a place, (meaning San-

born.) The first conversation in regard to my having the contract took place, I think, as Mr. Sanborn and myself were walking in the Capitol Square—part of it might have taken place while Mr. Sanborn and myself were going to look at the Lunatic Asylum grounds. I do not now think of anything else that would inculpate Mr. Sanborn. Have no recollections of Mr. Sanborn's saying that he wished nothing done that would embarrass either himself or me.

ARTHUR RESLEY.

Sworn and subscribed before me, this 9th March, 1855.

P. H. SMITH, Ch'n Special Com.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

Dr. Geo. R. McLane, being duly sworn on oath, saith, that the plans and specifications as presented by the superintendent, were adopted by the commissioners of the lunatic asylum, the Governor being present, at their meeting, Sept. 20, 1854. The Governor at the time gave his consent to the plans.

GEO. R. McLANE.

Subscribed and sworn before me, this 7th March, 1855.

P. H. SMITH, Ch'n. committee.

Called by the Commissioners.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

Andrew Viall, being duly sworn on oath, says, that he resides at Madison, and saw the plans about a week before the time advertised for the letting the first time of the State Lunatic Asylum, but cannot say that the plans now before the committee were the plans then saw by witness. Witness saw specifications, also a copy of which was written and a copy printed. Thinks the plans now

before the committee were the ones then shown witness. Mr. Proudfit was present at the time; also, Dr. McLane. Have never seen any other plans that I am aware of. The plans were the size of those before the committee. Was present with Mr. Proudfit three times, and the same plans were present each time. Went for the purpose of aiding Mr. Proudfit in making an estimate for a proposal. The estimates made were on the basis of the written specifications. Thinks that the front elevation plan was the one shown witness, and now before the committee. The plans were in both the consultation room of the Supreme Court, and in the Attorney General's office.

A. VIALI.

Sworn and subscribed before me, this 8th March, 1855.

P. H. SMITH, Ch'n. joint com.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

Edward Ilsley, being duly sworn on oath, says, that he has resided in Madison between four and five years, and is engaged in the lumber business. Was engaged last summer in sawing stone. Was in Madison last fall, and saw the notice for proposals for building the Lunatic Asylum. Witness called at the Governor's room and inquired for the plans and specifications before the time for receiving proposals had expired; thinks it was early in October. Mr. Hunter was in the Governor's room and told witness that the plans and specifications were not there, except the front elevation. No one else was present. Mr. Hunter did not direct witness to any other place. Witness called to examine the plans and specifications for the purpose of making a proposal. Did not call again, not being able to learn where the office was kept. Witness put in no bid in consequence. Neither of the commissioners were present when witness called.

EDWARD ILSLEY.

Sworn and subscribed before me this, 6th March, 1855.

P. H. SMITH, Ch'n. special com.

STATE OF WISCONSIN. } ss.
DANE COUNTY.

Arthur Resley being duly sworn, deposes and says: I reside in Madison. Previous to my coming to Madison, I have been engaged, altogether about ten years, as a contractor, and principally upon public works. I was in Madison a portion of the time during the last fall. Mr. Sanborn, one of the commissioners, spoke to me one day, and said that the job of building the Asylum, was one that the state would not have to go into again; and that as it was a large job he wanted to have some interest in the contract, or make something out of it. This was, I think, about the 20th of October last, and Sanborn and myself were then going out to examine the place where Asylum is located. He told me he would do all he could to let me have the contract if I would let him have an interest in it. The bid put in by Mr. Lamar was not signed by me, although Mr. Lamar and myself had talked of putting in a bid together. The bid did not meet my approval—I was intending to put in for cut stone at \$15 per cubic yard. I was informed by Mr. Sanborn that the time for letting was the 20th of November, and I went to Green Bay about the 25th of October, intending to be back before the letting. About this time I asked Mr. Sanborn about the plans and specifications, and he told me that Dr. McLane was to have had them before that time, and he did not know the reason why they had not come. I told Mr. Sanborn that if I got the work I would do something for him. There was no understanding what it would be. At the time I made out the bid, I supposed that the whole building was to be cut stone. I should think it would require from eight to ten days after seeing the plans and specifications, before I should be able to make out proper proposals for the erection of the building. It may be that I am slower than other people.

ARTHUR RESLEY.

Subscribed and sworn to before me, this 7th day of March, A.D. 1855.

P. H. SMITH, Chairman, &c.

STATE OF WISCONSIN, } ss.
DANE COUNTY.

C. H. Lamar being duly sworn on oath, says: The first time I saw the plans of the first, second and third stories of the Wisconsin State Lunatic Asylum, was about the 27th of Oct., which was the time I came here for the second time; and from that time up to the first of November, they were in the office of the commissioners, under the State Library. When I was at Madison, about the first of October, the plans I did not see, and was told, I think, by Dr. Bugh, one of the commissioners, that the plans had not arrived nor the specifications either. No one of the commissioners at any time before the first of November, or the letting of the contract, proposed to me to make any proposals for the building of the Asylum, by whom either or all of them were to have any interest in the contract, or the profits arising therefrom, either directly or indirectly. It is my impression that on or about the 27th of October, but I cannot say whether it was then, or on or about the first of October, I heard Dr. Bugh ask Mr. Bird if he did not intend to put in proposals, or something to that effect, for building the Asylum—and I think he remarked that he was too busy, or had all the business he could attend to, and should not put in any proposals. This conversation occurred in the streets; and the foregoing is the substance of the conversation as near as I can recollect.

C. H. LAMAR.

Subscribed and sworn to before me, this 7th of March, A. D. 1855.

P. H. SMITH, Ch'n Special Committee.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

Edwin Palmer, being duly sworn, deposes and says, that he resides in the city of Milwaukee, and has for about ten years, and during that time has been engaged in house building. I have been engaged in assisting Mr. Mygatt in making the estimates of the cost of the Wisconsin State Lunatic Asylum, under the contract, and at the estimated prices. I have examined carefully the estimate marked "A," and submitted to the committee, and believe them to be correct. The estimate referred to, is signed by myself. The portion of the Wisconsin Asylum, contracted to be built the first year, would cost much more than the construction of the Worcester Asylum, according to the plan reported by the senate committee, as appears in the senate journal of 1854, and is upon a plan differing very materially. The erection of the Wisconsin Asylum main building, would cost much more than the main building of the Worcester Asylum, for the reason that it is more than twice as large, and for the reason also, that the Worcester Asylum is heated by furnaces within the building, and the Wisconsin Asylum is heated by apparatus in a building removed from, and entirely distinct from the main building.

EDWIN PALMER.

Subscribed and sworn to before me, this 7th day of March, A. D. 1855.

P. H. SMITH, Ch'n Special Committee.

STATE OF WISCONSIN, }
DANE COUNTY, } ss.

Augustus A. Bird, being duly sworn on oath, says, that he has been present, and aided Mr. Mygatt, in making the estimates as to the cost of the Lunatic Asylum, except as to the excavation, which was reviewed by witness afterwards. Witness concurs in the estimates, as presented by Mr. Mygatt, in the estimated price and in the contract prices, except as to the construction of the pro-

posal and contract of Mr. Proudfit as to the painting, joiner work and extra items; these witness thinks, under the contract should be applied to each longitudinal and each transverse wing separately, and not together, as is done in the contract estimate.

In making these estimates, however, it was agreed by Mr. Mygatt, Mr. Palmer and witness, to take Mr. Mygatt's construction. If the contract is construed as witness thinks it should be, it would add to the cost \$41,289 96, making the total cost of \$452,140 42.

A. A. BIRD.

Sworn and subscribed before me, this 6th day of March, 1855.

P. H. SMITH, Ch'n Special Committee.

STATE OF WISCONSIN, }
DANE COUNTY. } ss.

Geo. W. Mygatt, being duly sworn, on oath says, that he resides in Milwaukee, and is an architect by profession, having been engaged in that business, and in building, for twenty-five years; has resided in Milwaukee about thirteen years; has made an estimate of the cost of building the State Lunatic Asylum, under Andrew Proudfit's contract, in connection with Edwin Palmer and A. A. Bird, Esqs.; has been engaged seventeen days in making such estimate; has also prepared written estimates, which are the ones here submitted. Under the contract with Mr. Proudfit, the cost of the main building will be \$77,869 60; the cost of wing building "A" is \$106,188 86; the cost of wing building "B" is \$99,412 00; the longitudinal and traverse buildings being both included in these two estimates. The wing building "C," including extreme wings, is \$97,400 00. The cost of engine building, as per plan, including pipes, heating apparatus, &c., will probably be \$30,000. The gross amount, under the contract price, is \$410,850 46. At a fair, just and reasonable price, the same would cost \$285,672 02, this being a liberal price. In making these estimates, under the contract price, the sum of \$4,995 put in in the proposal for joiner work on each longitudinal and transverse wing;

is estimated as including both ; they being considered as one, and as composing one work, and that sum is taken as including the joiner work on both throughout the building, and the same rule applying to the painting, as also to the proposals for extra items.

The estimates are made upon the printed specifications as contained in the special report of the commissioners, leaving out the word "each" once, where it occurs in connection with the painting twice. If the proposals are construed as meaning that the joiner work, painting and extra items are to be counted separately on the longitudinal and on the transverse wings, the additional cost under the contract price will be \$41,289 96, making the gross cost \$452,140 42. The estimate of the actual cost is made at prices higher than the Madison prices, as witness understands, and higher than the Milwaukee prices. Under the contract, the cost of the building will be made to cost much more than the estimate under the contract makes it. This can be done in the iron work generally ; because greater weight of iron may be put in than is necessary, on account of not all the sizes being named in the specifications. In making the estimate the size and weight has been taken which seemed sufficient for the purposes of the building.

The size of the joists and partitions may also be increased, and also other things which are not specifically described. The estimates given at length and herewith submitted, are correct to the best of the witness's knowledge and belief. In addition to the plans of the several floors, the front elevation, the section and the plan of the engine house and bakery are made by Sloan & Stewart, a rear elevation, a transverse section, an end elevation, working drawings generally, specifications for engine house and bakery would also be required in order to make proper proposals for the building. It is not customary to make proposals unless plans and specifications are complete. Without the large plans of the floors and front elevation the commissioners have no plans that witness has been able to see, upon which a bidder could make safe proposals to erect the building in the manner in which proposals are usually made. Witness has drafted a plan of the Worcester

Asylum upon the plan as proposed by the senate committee of 1854, upon the same scale as the plans of Sloan & Stewart. According to the plan of the commissioners, the Wisconsin Lunatic Asylum covers for main building 7,800 feet; first longitudinal and transverse wing 6,585 square feet, marked "A" upon the plan; wing "B" 6,025 square feet; wing "C" 5730 feet. The whole building covers 44,480 square feet. The Worcester Asylum main building covers 3,040 feet, upon the plan given by the committee of the senate, and the wings are 6,840 feet taken together, making in all 9,880 square feet. If the Worcester Asylum was to be built at the same contract price as Mr. Proudfit's, the cost would be \$83,980, and at the estimate price \$64,340. Witness knows of no plans and specifications for the engine house and bakery, not having been able to see any, and the sum of \$30,000 is added in both estimates, the difference in the two being irrespective of this engine and bakery house.

G. W. MYGATE.

Sworn and subscribed before me, this 6th March, 1855.

P. H. SMITH, Ch'n. special com.

G. W. Mygatt recalled, Thursday, March 8th, 1855.

Witness called at the office of the Lunatic Asylum Commissioners last evening, March 7th, in company with Dr. McLane, the Superintendent, and saw the abstract plans referred to by Dr. McLane, which he (Dr. McLane) gave witness, being the N. J. Trenton Asylum, in pamphlet form, and the State Hospital for the Insane, as then in the Journal of Insanity. There is a similarity in the ground plans of these with the Wisconsin Insane Asylum, but the elevations are different. The New Jersey Asylum is not so large as the Wisconsin Asylum, from the plans. Witness would not think himself safe in making an estimate for a proposal from these abstract plans. Has seen the front elevation plan in the Governor's Room, which varies from the plans before the committee, and upon which the estimate of witness was made. Witness would not consider himself safe in making an estimate giving the

total cost of the building, from the abstract plans as referred to by Dr. McLane, but might, under certain circumstances, bid for the piece work. Witness has given another day in addition to the time named in his examination on the 6th inst.

G. W. MYGATT.

Sworn and subscribed before me, this 8th March, 1855.

P. H. SMITH, Ch'n. joint com.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

John D. Welch, being sworn on oath, says: that for the last ten years he has resided in Madison. Is a contractor and builder by profession. Was in Madison in September and October last; saw the notice for proposals for building the State Lunatic Asylum; was one of a company designing to bid for said work.

J. D. WELCH.

Sworn and subscribed before me, this 16th February, 1855.

P. H. SMITH, Ch'n. com., Notary Public, &c.

STATE OF WISCONSIN, } ss.
DANE COUNTY,

James Livesey, being duly sworn on oath, says that he resides in Madison, and is a stone mason by trade. Was at home during Oct. and Sept. last. Saw the notice for proposals for building the lunatic asylum, and was desirous of bidding for same, for which purpose witness went to Mr. Titus' office to see the plans and specifications; no place being named in the notice for the exhibition of these plans and specifications, witness supposed they would naturally be at Mr. Titus' office, as he was the only architect in town—did not find the plans nor specifications at Mr. Titus' office, and was unable to find their whereabouts—did not call upon the commissioners.

JAS. LIVESEY.

Sworn and subscribed before me, this 16th January, 1855.

P. H. SMITH, Ch'n. com. of the legislature.

STATE OF WISCONSIN, } ss.
DANE COUNTY.

Benj. Judkins, being duly sworn on oath, says that he has resided at Madison over two years ; that he is a house carpenter by trade, and is now engaged in building the Lake Side Water Cure, and also J. E. Kendall's stone house, being the contractor ; that he called at the office of the Lunatic Asylum commissioners in the Capitol twice, the first time about twenty days before the time advertised for opening the proposals. It was about two o'clock, P. M.; Dr. McLane was present, as also another person. Witness object in going was to examine the plans and specifications, in order to bid for the work on the asylum. On calling for these plans and specifications, witness was informed that the ground plan was to be seen, but that the others, as well as the specifications, had not arrived, but would be received in about a week ; nothing else was said in regard to the plans or specifications. About a week or ten days thereafter, and about the 10th of Oct., witness called again at the office, and asked if the plans and specifications were then ready to be seen, stating that the object of witness was to bid, and thereupon he was informed that they were not then ready or had not been received. The ground plan referred to is called by architects the front elevation. Witness saw the notice for proposals in the papers, and called about ten days before the time to open the bids ; would want about four or five days to figure up a bid, and would want all the plans and specifications. Witness intended to bid only for the wood work, and alludes to that and not to the stone part.

BENJ. JUDKINS.

Sworn and subscribed before me, this 20th Feb. 1855.

P. H. SMITH, Ch'n. com.

"D."

LETTERS.

MADISON, Oct. 12, 1854.

WM. T. BAILEY, Esq.,

MY DEAR SIR: Yours of the 9th inst. is received, and I feel much gratitude for your kind wishes. We are all about half sick, bad colds, tired out, &c. &c., the consequence of living in an open house—expect to have a better tenement soon.

The plans and specifications for the asylum have not yet been submitted or agreed upon. I suppose they will be made public on the 20th of this month; and from that time until the 20th of November, proposals for building, &c. will be received by the commissioners. Nothing can be done in the way of taking contracts until the plans are agreed upon. When the plans are submitted, you will necessarily need to come and see them, in order to know what work, and how much is to be done. It will be a great contract, and require a vast amount of labor. When the plans are submitted, I will write you immediately, and you will probably need several days to investigate them, &c. &c.

Perhaps if you come out here in about ten days I can give you a small job. Please write me on reception of this, the terms on which you will lay up a cellar wall, (or a basement of stone) faced on the inside, and three feet faced outside. The stone will be about the same as those blasted out of the channel of the river at Appleton—perhaps not quite as good. The stone, lime, sand and water to be furnished you, and you to make mortar and tend your-

self. The outside face to be pointed with white mortar, and the inside with such as the stone are laid in—wall to be 16 or 18 inches thick—probably about 8 cords to be in the wall.

I believe I have made myself sufficiently explicit, so that you understand what I want, &c.

I do not know certain as I shall have that work done, but there can be no harm in learning the cost. Lest I should forget it the next time when I write, I will tell you where to find me when you come here. I am on block 265, in a house owned by H. R. Roundy; you can find it easy enough. Our respects to Mrs. Bailey, John, Pauline and all the rest.

Yours truly,

ALDEN S. SANBORN.

MADISON, Oct. 19, 1854.

W. T. BAILEY, ESQ.:

DEAR SIR:—I suppose those plans will be exhibited on and after to-morrow, and you had better come here next Monday, and examine them, if you wish, for a contract, &c. You just put up and bring along your trowels, &c., and you can get some work here if you wish. You will want to stay a few days at any rate, and you can work a part of the time, and get along about as fast with other matters at the same time. The house in which I live is to be plastered, and the owner says he will have you do it, if you will, if you are here the first of next week. Write me by next mail, whether or not you will come on Monday next.

Yours very truly,

ALDEN S. SANBORN.

"E."

JOURNAL OF THE SENATE.

THURSDAY, March 2, 1854.

Mr. Vittum, from the committee on state affairs, reported

No. 181 S, a bill to provide for a state lunatic asylum,

Which was read the first and second times,

And accompanying the same a report upon this subject, of which 1000 copies were ordered printed, to wit:

The committee on state affairs, to whom was referred, so much of the Governor's message as relates to an insane asylum, and the petitions and memorials, praying for the establishment of the same, submit the following

REPORT:

Many facts have come to the knowledge of this committee, evincing the great necessity of immediate legislative action upon this subject. The Governor by directing our attention to this important work, has but given voice to the general and profound interest at present existing in the state. From every quarter, from the press of every political party, from individuals in all pursuits and classes, without a single dissenting voice, we hear an expression of the warmest feeling, that no further delay should be made in taking measures for relieving the insane.

From the best information the committee can obtain, derived chiefly from medical gentlemen, some of whom have given great attention to the subject, it may safely be estimated that there are at the present time, more than one hundred insane persons in this state, who are fit subjects for the aid of a public institution.

These insane persons must of necessity be wandering about our streets and fields, or confined to jails, or in the custody of their friends. Those who are running at large, endanger the public and are in no way of recovery. As to those who are in charge of their friends, to use the language of Dr. Spurzheim, "on one point there is great uniformity of opinion among medical men in regard to the insane, and that is the importance of separating the patient from his family and customary associations."

The legislature requires no high wrought picture of the intense misery to which the poor lunatic is subjected, who is incarcerated under a mock prosecution, in the cold, cheerless, sunless and fireless cells of a jail.

We feel authorized to apply to our own state, the language used by the trustees of the state lunatic hospital of Massachusetts, in reference to that commonwealth: "that were a system to be devised, whose express object it should be to drive every victim of insanity beyond the limits of hope, it would scarcely be within the power of man to suggest one more infallible in its general tendency than that which has been, is now, and will be in practical operation among us, so long as we are destitute of an asylum."

In view of this immense mass of unmitigated misery, the question occurs, what can be done for its alleviation? Happily for us, this problem is not left for our solution. It is a principle universally admitted, that the only hope of restoring the insane to soundness of mind, exists in the agency of institutions in which they are separated from the community, and subjected to a course of medical and moral management, very peculiar, and wonderfully successful.

Dr. Bell, of the Worcester asylum says: "The fact of the hopelessness of the insane, under the ordinary mode of treating other bodily diseases is established." And the opinion of all best qualified to judge will sustain the assertion, that notwithstanding all the advances and improvements in medical science, the success of the physician under common circumstances in "administering to the mind deceased," is no greater than in the days of Hippocrates

or Galen. This principle was overlooked in Europe, until about the close of the last century, since which time however, the public authorities of nearly every civilized nation have turned their attention towards proper receptacles for the insane.

In this country, institutions of this character have been established in most of the states, and they have exhibited results wonderful and gratifying. With us, therefore, there need be no venturing in the dark, no engaging in doubtful and untried projects. We have the means of knowing every fact respecting the results of an insane asylum in this state, with nearly as much accuracy and certainty, as if it had been years in operation.

The managers of the various American asylums, have apparently, with a benevolence ever to be praised, labored to give other communities the means of knowing precisely and specifically what is necessary in the establishment of similar institutions.—They give us exactly what we need; not philosophical dissertations on insanity—not appeals to our feeling, nor loose suggestions, nor diffuse and general statements of facts, but minute and detailed accounts of their whole proceedings, their entire results, and their whole bill of expenses, down to items the most inconsiderable.

We can derive therefore from these institutions, every fact, detail and circumstance essential to enable us to judge and act wisely and conscientiously in the premises; facts which are of peculiar value, being based upon evidence almost identical with that existing among ourselves,

The committee are not aware of any method by which so just and definite a view of an insane asylum can be afforded as in the brief analysis of the results of the several institutions which have been for many years in operation in the Northern States. The committee have not been able to obtain the most recent reports, all which they have consulted however, have been published within a few years.

At Bloomingdale Asylum, New York, of 581 recent cases, 341 were discharged cured, being about seventy per cent., but among

cases of long standing, instances of cure were much less, being only ten of one hundred and sixty.

With regard to the management of the insane at this asylum, the report says: "The patients are arranged into classes, according to the form which their particular maniacal delusions have assumed, and treated in that manner which seems best adapted to their morbid association of ideas; in restoring the power and habits of self control, in substituting agreeable sensations and reflections, for those which are painful and irritating, in inducing a habit of employing their judgment, which like every other faculty is strengthened by exercise. The means of effecting these ends must be addressed to the case of each patient.

Harsh treatment and all needless restraint is avoided. Chains are not used, even confinement to the cells is seldom resorted to.

As much liberty as is consistent with the safety of the patient is allowed; many are permitted to leave the house and to employ themselves in the garden or on the farm.

They are taken out to ride; occupations of different kinds are afforded them, and they are permitted to partake of various innocent amusements; they are allowed to dine together in classes, and everything that can appropriately contribute to their comfort is particularly attended to.

At the Connecticut Retreat, of 253 recent cases, 230 were cured, a ratio of a little less than 91 per cent. Of 263 old cases, 62 were recovered.

The medical visitors in their annual report, remarks: "No public institution of Europe, whose reports we have seen, claims to have cured over 71 per cent. of recent cases, and they average less than 40 in all.

This institution reports cures of about 91 per cent. of recent cases, and an average of 51 of all.

"We are perfectly satisfied that under the present benevolent and enlightened policy, no institution in the country can exceed this, in the comfort and contentment of its inmates, or in the prospect afforded for the restoration of diseased intellects. * * *

We have witnessed in our monthly visits to this institution, the influence of kindness, sympathy and affection in soothing the ravings of the furious, in encouraging the hopes of the desponding, and arousing the melancholic from his gloomy musings—we have seen the mind emerging from the clouds which enveloped it, and by degrees assuming its empire, till at last reason has been confirmed and all the hidden attributes of intellect brought out and displayed in their native strength and lustre. * * *

The benevolent mind cannot contemplate without horror, the possibility of a recurrence of the old system of management, in which the whip was the incentive of action, and the damp and dreary dungeon was the abode alike of the maniac and the convict. The law of kindness is the most effectual control for mental or moral alienation.

The system of government adopted in this institution is truly parental. No violence is permitted, and no restraints allowed, but such as are necessary for the welfare of the patient.

At the Lunatic Hospital in Worcester, more than 80 per cent. of recent cases are entirely cured, and of the old cases, 27 per cent., being about 54 per cent in all; a result truly gratifying.

In their report made several years ago, the trustees say: "But however deeply all our better feelings may be moved by the reflection that many of our fellow beings under the auspicious influence of this institution have already been restored to reason and returned to bless their families and friends, who under the former coercive system of treatment, would have mourned their lives "without hope," yet under the ameliorated condition of such as have not yet recovered, the trustees regard as a subject of equal congratulation among men, and gratitude to Heaven.

No one who has not actually seen from time to time the inmates of the hospital, can comprehend the extent of the change which has taken place in every external indication that makes the physical and moral condition of a human being.

Many who in their paroxysms used formerly to wound and lacerate themselves to a degree that threatened life itself, now ha-

bitually increase an ordinary prudence in avoiding the common causes of annoyance or accident. Not less than one hundred of these brought to the hospital, seemed to regard human beings as their enemies, and their first impulse was to assail them with open or disguised force. Now only twelve offer any violence. Of the forty persons who formerly divested themselves of clothing, even in the most inclement season of the year, only eight now do it.—Through all the galleries, there is far less susceptibility to excitement, more gratitude, more civility and kindness exercised towards each other. The wailing of the desponding, and the raving of the frantic were dispelled.

The internal change is legible on the countenance. With the insane it is emphatically true, that the dark shadows of the mind are projected on the face, hence from the alteration that has in many instances occurred in the outer aspect, amounting to almost a change in identity, there may be inferred a corresponding alteration of the condition within. The deep lines of anguish have been obliterated or softened, whose sharp engravings were begun many years ago in despair.

The wide circle and heart sickening variety of horrors, exhibited by the inmates of our institutions when first brought together, as though every region of the "dark immense" of insanity had sent a representative of its terrors, have been gradually reduced in extent, and mitigated in quality.

If the erroneous action of the mind has not been rectified, the dreadful emotions that once accompanied and aggravated its movements have been dispelled and they are now succeeded by milder and more peaceful sentiments.

Happily the feelings and emotions may be divested of their pain and error even after the intellect has forever lost its power of distinguishing the true from the false in its ideas and perceptions.

The system of treatment from which the foregoing results have been realized, has been a continued endeavor to preserve or re-establish the bodily health of the patient, by careful attention to

cleanliness, exercise, air and suitable diet. It has been the care of all those engaged in administering the daily affairs of the institution, to exclude as far as possible all causes of mental disquietude, by substituting persuasion for force, by practicing forbearance, and all the nameless offices of humanity, and by imbuing in every practicable way, the mind of the patient with a new act of pleasing, cheerful, graceful and benevolent emotions. In fine, the whole scheme of moral treatment is embodied in a single idea humanity—the law of love—that sympathy which appropriates another's consciousness of pain, and makes it a personal relief from suffering whenever another's suffering's are relieved."

The only remaining point which the committee wish to consider is, whether a state institution of this character can be founded at an expenditure commensurate with its advantages, and which will afford a grateful instance, instead of a mortifying subject for future reflection.

The hospital at Worcester was established at the sole expense of the State of Massachusetts, and is at the present time a glorious monument of the liberality and philanthropy of that commonwealth. It was the first asylum for the insane pauper of the United States, and on account of its wonderful success, its widely extended benefits and comparatively moderate expense, deserves, in the opinion of this committee, to be held up as a model for our imitation.

The committee find the following published account of the Worcester Asylum. "It consists of a center building and two wings. The center building is 76 feet long, and 40 feet wide, and four stories high.

The wings are each 90 feet long in front and 100 feet in rear, 36 feet wide, and three stories high.

They are in the same line, extending from right and left from the opposite ends of the center building.

The front of the center building projects 22 feet forward of the

front of the wings. The wings being 36 feet wide, half their width joins upon the center building and half falls in the rear.

* * * The cellar extends under the whole edifice. The basement story of the center building is designed for store rooms, a kitchen, laundry, &c.

The front part of the second story contains four rooms of convenient size, which, with the chambers immediately over them, and the small sleeping apartments into which the fourth story is divided, are intended for the superintendent and his family, the domestics and laborers. As this portion of the hospital is to be used in the same way as an ordinary dwelling house, it is finished in the same manner. The rear of the first, second and third stories of the center building is designed for dining and day rooms of the insane.

The wings are, in each story, divided in the center by a long hall, or aisle, 12 feet in width, and extending from end to end. In consequence of the wings' falling half their width, as before mentioned in the rear of the centre building, these halls communicate at both ends, with the external air, and thus the means of a most thorough ventilation are secured. On each side of these halls are situated the apartments designed for the insane. They are 8 feet by 10, and are provided with a permanent seat secured in the wall. Each apartment has a large window with an upper sash of cast iron and lower sash of wood, both of which are glazed.

Immediately without the wooden sash is a false sash of cast iron corresponding with the wooden one in appearance and dimensions. This is set firmly into the sides of the window frame, a narrow space being left at the bottom for water to pass off and save the frame from decay. When the wooden sash is raised, the false iron one presents a barrier against escape or injury from leaping out through the window. It is said that a man, however furiously mad or impatient of confinement he may be, will rarely attempt to break through a window until he has first tried unsuccessfully to raise it.

If it be so, this simple contrivance will afford effectual security

both to property and person, without inflicting upon the patient any injurious restraint. Each of these apartments is provided with two air flues, one for heated the other for cold air. It is intended to warm the wings by furnaces placed in the cellar. The hot air is to be conducted from the furnaces through flues in the hall's walls, and to be discharged through apertures into the halls. By these means the air in the halls may be raised throughout to any desirable temperature. Over the door of each apartment, there is a small aperture through which the heated air in the halls will pass into the rooms and thence will be carried off into the attic by means of the hot air flue of the room. The aperture of this flue is at the bottom of the room, and is to be kept open only in the winter. The aperture of the other flue is at the top of the room, and is to be kept open in the summer, so that as the air is made light by heat, it will rise and pass off through the channel, and the cool air from without will rush in to supply its place.

All these flues open into the attic, which is ventilated by skylights in the roof and large fan windows at the ends. At the end of the wings where they join on and are connected with the rear part of the center buildings, the halls open into the dining and day rooms, before mentioned, in the center building. These rooms are fitted up with the same means of strength and security as are provided for the apartments in the wings, and being directly connected with the hall, are to be warmed from them. The dining rooms, occupying the rear of the first, second, and third stories of the center building, are of course situated immediately over a portion of the kitchen.

Adjoining these rooms a perpendicular space is left open from the kitchen to the third story, through which, by means of an apparatus similar to a windlass, and called a dumb waiter, the food can be raised from the kitchen and distributed to one hundred and twenty persons, in six different divisions, without inconvenience.

Each story in the wings is provided with a bathing room, washing room, &c. The large windows at each end of the hall

are protected by an open frame work of iron. Each hall has a separate stairway, leading into an outer yard, so that each story in each wing is entirely disconnected from all others, as if it were a separate building. This allows that separation and classification of the patients on which all treatises upon the means of restoring the insane so strenuously insist."

The commissioners to erect this hospital, state in their report that the preparation of the grounds, the excavation and stoning of the cellar, making roads, and the complete construction of the buildings including all labor and materials, was accomplished at an expense of a little less than 24,000 dollars.

Your committee, aided by a gentleman of this town well acquainted with building, have made an estimate of the expense of erecting an asylum in this State, upon the plan of that at Worcester, with the following result :

The calculation is made for walls of stone two feet thick in the lower story, diminishing 2 inches in each ascending story, and the cellar wall of two and one-half feet thick.

Excavation and stoning cellar, including whole foundation and door steps,

door steps,	-	-	-	-	-	-	\$2000
Stone work,	-	-	-	-	-	-	9270
Timber,	-	-	-	-	-	-	1000
Boards,	-	-	-	-	-	-	1600
Shingles,	-	-	-	-	-	-	300
Doors and windows,	-	-	-	-	-	-	1500
Nails, door-hinges, and trimmings,	-	-	-	-	-	-	300
Plastering,	-	-	-	-	-	-	600
Carpenter and joiner work,	-	-	-	-	-	-	2500
Furnaces.	-	-	-	-	-	-	1000
Cast iron casements,	-	-	-	-	-	-	1900
Painting,	-	-	-	-	-	-	350

Total, - - - - - \$22320

The above estimate may not be entirely correct in every particular ; but the committee are confident the expense will not exceed the above estimate.

Your committee believe that the expenditure of this sum of money is warranted upon many considerations. There are, however, three principal points of view, in which the establishment of an insane asylum should be regarded.

1. As a curative institution, restoring those entrusted to its charge to the exercise of reason, and to their duties in society.

2. The influence of such an institution in diminishing the amount of public suffering, by alleviating the condition of the insane inmates, who are beyond the reach of successful medication, and removing the anxiety and distress of their friends.

3. As a place of custody for those endangering the lives and safety of the community and their own persons.

Not only so, but your committee believe that our insane can be supported at an asylum, at a cost below their present expense to the community.

Instead, therefore, of a hospital being a tax upon the public, it will be most desirable as an economical, money saving establishment, without looking to any benefits of cure, amelioration, or safety.

If it be regarded that each one of those insane who is so situated as to have others dependent upon him for support, is of necessity compelled to transfer the burden to the public, thereby incidentally increasing the cost of insanity to the people, and if it be also considered that the burden of years must be expected from the hopelessness of cure which would be to a great extent removed by the curative influence of an asylum, there can be little doubt of the correctness of this conclusion.

There is still another consideration which your committee would be very loth to see overlooked; namely, the purchase of sufficient land to relieve the asylum from that embarrassment which some of the institutions in the older states have experienced. They feel that this is one of the surest means of removing any apprehension that an asylum would be an additional expense to the public, above the cost of erection and commencement.

An asylum furnished with proper facilities for the employment

of the inmates, can, to a considerable extent, be made self-supporting. Experience shows that nearly one-half of the inmates of every asylum are not only capable of productive labor, but that such labor is of immense consequence as regards cure.

The committee beg leave to refer to the opinions of two gentlemen on this subject, who have had great experience in the management of the insane.

Dr. Lee, superintendent of the asylum at Charlestown, says:—
 “Almost every writer upon the treatment of the insane, has spoken upon the advantage of occupation and labor as contributing to their recovery, and yet the institutions of this country are very deficient in the means for affording it. No one ought to have less than fifty, and an institution established by the State ought not to have less than one hundred acres of land, and even that number would probably be too small, should there be one hundred and fifty patients.

Pasture, meadow and tillage land should be had in abundance. The farm should be well stocked; cattle, sheep and swine raised for the use of the institution, should be fed from the produce of the farm; corn, potatoes, and all kinds of grain, &c., should be raised by the labor of the patients. This is not all; there should be dairy rooms, workshops and store-houses, all arranged for the particular object of employing them * * * *

I confidently anticipate the time when all these things will be performed in our insane asylums, and when arrangements for such labor will be considered as indispensable as the strong rooms and straight waistcoats for the refractory have been in time past.

In the institution in which I have had the honor to preside, we have, within the last eight months, illustrated in our experience not only the practicability, but great utility of labor. * *

The occupation should be as constant and as varied as possible, and the time will come, when to allow a man to indulge his reveries in idleness until he has sunk in a state of confirmed insanity, will be considered, as it deserves to be, a gross neglect of duty.

The order of the day is onward. Our old institutions must and

will provide the means for facilitating the employment of their patients, and if with all the light and knowledge which can now be obtained, our legislatures neglect to provide these facilities, they will inflict a sore evil upon humanity.

Doctor WOODWARD, of the Worcester asylum, remarks :

"I do most anxiously wish that one institution may be established in this country, in which the benefits of labor, both as a restorative, and in a pecuniary point of view, may be fairly tried.
* * * Give us the means for the employment of the

insane, on lands and in shops, and I think we will exhibit results which will gratify the public. * * An institution of the character of this will always have a number of working men in it, and they are always disposed to labor when permitted. Shut up in the halls, they are often unhappy, discontented, and troublesome. Suffered to go into the fields and garden, and join in the labors of the season, they will be cheerful, pleasant and healthful.

Patients duly appreciate the confidence thus reposed in them, and bring into requisition all their powers of self control, to show that confidence has not been misplaced. Appetite and sleep are promoted by labor, the physical powers become renovated, and the prospect of cure is greatly increased. I am confident, with suitable moral management, labor is the best means of restoring chronic cases to health and mental soundness. Convalescents are also particularly benefitted by labor. When the excitement of disease wears away, and the mind becomes capable of rational reflection, the subject of employment is first adverted to, the animal powers feel the need of, and demand active exertion. 'Give me something to do,' is the universal request of this class of patients."

Believing that duty, no less than justice, mercy, and true economy, demand the establishment of an asylum, the committee report the accompanying bill.

D. S. VITTUM,
A. M. BLAIR,
CHAS. A. ELDRIDGE.

"F."

CHAPTER 59.

AN ACT to provide for a State Lunatic Asylum.

Published April 15, 1854.

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

SECTION 1. The governor is hereby authorized, and it shall be his duty, to appoint a board of commissioners, consisting of three persons, to select and purchase a suitable tract of land containing not less than one hundred nor more than two hundred acres, for the location of a State Lunatic Asylum: *Provided*, That if a site for such asylum suitable for that purpose in the opinion of the governor, and containing not less than one hundred acres, shall be donated for that purpose, or can be purchased for a sum not exceeding fifteen hundred dollars, then such asylum shall be located at, or in the vicinity of, the village of Madison, in Dane county.

SEC. 2. The conveyance of said land shall be to the state of Wisconsin, in fee simple, clear of all incumbrances, and on the execution and delivery of said conveyance, said commissioners being satisfied that no incumbrance exists on said land, shall draw their order on the State Treasurer for the amount of the purchase money; which order shall be approved by the governor and countersigned by the Secretary of State, and paid by the said treasurer out of any money appropriated by this act, not exceeding fifteen hundred dollars.

SEC. 3. The said commissioners are hereby further authorized, with the advice and consent of the governor, to cause to be erected

upon the grounds purchased for that purpose, suitable buildings for the use and accommodation of said institution, which shall hereafter be called and known by the name of the Wisconsin State Lunatic Asylum; and also to make such other improvements upon and about the grounds, as they may think expedient and proper.

SEC. 4. Such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the insane, as recommended by the committee in their report to the senate: *Provided*, That said commissioners shall have power to make any alterations therein which they may think necessary, and which will not materially change said plan, or increase the cost of said building.

SEC. 5. The governor is hereby authorized to fill any vacancy in said board of commissioners, which may occur by reason of death, resignation, or refusal to act, and also to appoint a superintendent of said asylum, who shall be a well educated physician, and who shall hold said appointment for the term of three years, and until his successor is appointed and qualified, unless sooner removed by the governor.

SEC. 6. Such superintendent shall by virtue of his office be secretary of the board of commissioners, and shall, before entering upon the duties of his office, execute a bond, payable to the State of Wisconsin, in such sum and with such sureties as the governor may require and approve; which bond shall be filed in the office of the secretary of state, and shall be conditioned for a faithful discharge of all the duties required of him by law. It shall be the duty of the said superintendent under the direction of the board of commissioners, to superintend the erection of all buildings and the making of all improvements authorized by the law. He shall also collect such information in relation to similar institutions as he may think proper, and lay the same before the board of commissioners.

SEC. 7. As soon as the site for such asylum shall be conveyed to the state, the board of commissioners shall immediately publish a notice in at least six newspapers in this state and for six weeks suc-

cessively, that sealed proposals will be received by them for furnishing materials and doing the work, for the erection of the asylum building, or such portion thereof as the commissioners may deem it advisable to have erected, specifying in such notice particularly the manner and time of the making and submitting of such proposals, and they shall award contracts for such materials and work to the lowest bidders therefor. With the advice and consent of the governor, they shall determine the time, the manner, and order in which the erection of all the buildings and work contemplated by this act shall be commenced, prosecuted, and completed, and adopt all necessary regulations therefor, not inconsistent with this act.

SEC. 8. Every account for work done, materials furnished, services performed, or expenses incurred in or about such asylum, shall be made out against the Wisconsin State Lunatic Asylum, and shall contain a particular specification of each item thereof, and when so made out shall be filed with the superintendent of said asylum, who shall record the same in a book to be kept for that purpose, after which the same shall be laid before the board of commissioners for their allowance. Upon being satisfied of the correctness of such account, said board shall allow and certify the same to the secretary of state, who shall audit and direct the state treasurer to pay the amount thereof out of the appropriation made by this act, and the state treasurer shall pay the same and take receipts therefor in the same manner other appropriations are paid.

SEC. 9. The said superintendent is hereby authorized to receive subscriptions and donations for the purposes contemplated by this act.

SEC. 10. The aforesaid commissioners shall serve as such for the term of one year, unless sooner removed by the governor, and before entering upon the duties of their offices, shall take an oath to faithfully perform all the duties required of them by this act. They shall hold stated meetings at least once a month, and as much oftener as business shall require, at the office of the superintendent, or such other place as they may appoint. They shall keep a record

of their proceedings, and shall report the same to the legislature at the next session thereof, and shall receive two and a-half dollars per day, while necessarily employed about the business of said asylum.

SEC. 11. The aforesaid superintendent shall receive twelve hundred dollars for the first year's service, and thereafter such sum as the legislature shall designate.

SEC. 12. There is hereby appropriated out of the state treasury the sum of fifteen thousand dollars, for the purpose of defraying the expenses incurred under the provisions of this act.

SEC. 13. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1854.

"G."

ANNUAL REPORT OF THE COMMISSIONERS
OF THE
WISCONSIN STATE LUNATIC ASYLUM,
FOR THE YEAR 1854.



REPORT OF COMMISSIONERS.

To His Excellency, the Governor, and the Honorable Legislature :

The Commissioners of the Wisconsin State Lunatic Asylum, pursuant to the requirements of law, make the following

REPORT :

Immediately upon the adjournment of the last legislature, they entered upon the discharge of their duties as such Commissioners. And first, the selection of a site upon which to erect the buildings of the Institution. Aware how important an influence the location of this hospital, and its construction and general arrangements, would have upon the mental and physical well being of those who were shortly to become its occupants; the Commissioners have in nearly every particular been guided by the experience of those who have been long familiar with the subject, and who are acquainted with the defects as well as the advantages of a majority of American Asylums. Dr. Kirkbride, in an ably written article upon "Hospitals for the Insane," says: "When it has been determined to erect an hospital, the first object to be attended to is the selection of a suitable site for the buildings. The utmost caution should be observed in taking this step, on which may depend, to no small extent, the future character and usefulness of the institution; for the best style of building, and the most liberal organization, can never fully compensate for the loss sustained by a location that deprives the patients of many valuable privileges, or subject them to varied annoyances."

Many sites were offered to the Commissioners by citizens of Madison, and other sections of the State, a full account of which is given in the Superintendent's Report. After a careful and scrutinizing examination of the various localities, the Commissioners selected the lands offered by Ex-Governor Farwell, upon the north shore of Lake Mendota, in the town of Westport, about six miles from the Capitol square. This site is one of the most beautiful that can be imagined, and, in the opinion of the Commissioners, possesses every necessary requisite for such an institution. It is in a healthy, pleasant and fertile region of country; the land is of a good quality and easily tilled, and the neighborhood is replete with objects of an interesting character. While the Asylum will be retired, and its privacy fully secured, views from it will exhibit life in its active form, and the stirring objects of a busy town. The tract embraces one hundred and four acres, in which there is a due proportion of wood and tillable land. A supply of water can be obtained from the lake, and the facilities for drainage are abundant. The general character of the land is such, as will admit of a high degree of tasteful and agreeable improvement.

The Commissioners feel that they would not be doing justice to Governor Farwell, if they should neglect to remind the legislature of his public spirit and liberality, made so apparent, by his deeding to the State, this tract of land for the nominal sum of fifteen hundred dollars, while the real value thereof, is not less than six thousand dollars. The Commissioners are also under many obligations to him for valuable suggestions, during the progress of their business.

The fourth section of the "act to provide for a State Lunatic Asylum," is as follows :

"Such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the Insane, as recommended by the Committee in their Report to the Senate. Provided, That said Commissioners shall have power to make any alterations therein which they may think necessary, and which will not materially change said plan, or increase the cost of said buildings."

One of the commissioners was delegated in the early part of the season to visit the Worcester Hospital; and he was there and elsewhere advised by scientific physicians that the Worcester Hospital had not only ceased to be a model institution, but had fallen into the rear rank of the march of improvement. Within the last few years there has been a rapid advance in science as applied to the treatment of the insane, and it is generally conceded that a more convenient style of architecture, and better arrangements than can be found in any of the old hospitals, are indispensable. The trustees of the Worcester Hospital seriously contemplate selling out the old buildings and erecting new ones upon another site. They say :

“The location is such as no one, at the present time, would select for such an object. The land connected with it is altogether too limited, is badly situated, not furnishing to the patients that freedom and exercise in the open air which is desirable in such an institution. The hospital buildings are almost surrounded by city residences, and are not suitable for the uses to which they are put. They are low studded, the stories being only eight and a-half, and nine feet high in the clear; they are warmed by furnaces in the basement, which are very dangerous, and now nearly worn out. They have already been on fire at least once from them. The ventilation is so imperfect as not to deserve the name. The ventiducts are each but four inches square, opening into attics, from which the foul air has no means of escape. It often ascends through one ventiduct but to descend through another. But for the natural ventilation through the windows and doors, the contaminated air would be often intolerable. Its evil effects are plainly seen in the appearance of the patients. The frequent occurrence of erysipelas in the hospital is but one of its indices. The tables of mortality show that erysipelas stands at the head of acute diseases in fatality here. There is an entire want of suitable yards connected with the buildings. There are five separate kitchens with all the utensils to render them severally complete.”

This being the case, the commissioners did not think themselves

authorized by the law under which they act, nor did they deem it desirable to propose a building entirely original in its design, but they determined to act within the scope of the law, and to adopt such improvements as were dictated by the experience of the past, and by the knowledge of those who are familiar with the wants and requirements of the insane. They determined to carefully study the existing institutions and if possible, to adopt all their good features and to avoid their defects.

With due regard to economy in their expenditures, they were desirous to erect an institution that would most completely fulfil the object of its design, and ultimately give most satisfaction to an enlightened community.

For the purpose of gaining the requisite information upon the subject, Hon. G. R. McLane, Superintendent, visited during the past year nearly every hospital of any note in the Eastern States. He gave the subject a careful and earnest examination, and laid before the board the result of his investigations, as set forth in his Report, to which attention is invited.

In regard to principles which should regulate the construction and varied arrangements of hospitals for the insane, there is at the present day a remarkable unanimity of opinion among those familiar with the subject. A series of twenty-six propositions in reference to their construction was adopted by the "Association of Medical Superintendents of American Institutes for the Insane," at their meeting in Philadelphia, in 1851, and these propositions have been recognized as, and are without doubt the highest authority upon that subject. The plan adopted by the commissioners is intended to be in perfect accordance with the views of that association. It is the plan matured by Dr. Kirkbride of the Pennsylvania hospital, and approved by every superintendent in the United States, and it may be safely asserted that if carried out in the true spirit of enlightened philanthropy, it cannot fail to give us an institution of a high order, every way superior to any previously erected, and at as small a cost as can effect the object desired. For a full and specific account of the plan of the buildings,

the commissioners would refer, to the report of the superintendent, and also the drawings and specification now in their office.

It is gratifying to know that this plan has received the approval of every well educated man, to whom it has been submitted.

The commissioners in November last, had the pleasure of meeting, in Madison, commissioners from the state of Maryland, of which commission was the Hon. Benj. C. Howard, and who were visiting different states, to be made acquainted with the most approved locations and plans for insane asylums, preparatory to the location and construction of an institution of that order in Maryland. They are men of high character, active benevolence, and scrutinizing investigation. They had already visited most of the hospitals in the Union, deeming it indispensable to their duty in view of the responsible trust confided to them. They visited the location selected by us, and noted our plans of building, &c., and were pleased to accord their unqualified approval of the same, and they fully determined to adopt the plans of "The Wisconsin state lunatic asylum," without alteration, as a pattern for Maryland.

The Wisconsin state lunatic asylum, when fully completed, will accommodate from two hundred and fifty to three hundred patients, and the cost of the entire structure will be the sum of one hundred and fifty thousand dollars. But the wants of the insane in this state may not demand the expenditure of that amount for many years. The commissioners deemed it to be their duty to provide accommodations for at least one hundred and ten patients, as soon as possible, that being the estimated number of insane in the state at the present time. Therefore, under the provisions of the act establishing the asylum, the board caused to be published in the required number of newspapers in the state, a notice, stating, that sealed proposals would be received by them for furnishing materials and doing the work for the erection of the building of said asylum, or such portion thereof as the commissioners should deem advisable to have erected, and that they would award the contract to the lowest bid therefor. The contract was awarded to Andrew Proudfit, wherein he has agreed to complete the

main building and two longitudinal and two transverse wings within the year 1855, two more longitudinal and two more transverse wings within the year 1856, and the remainder of said buildings at such reasonable time thereafter as the commissioners may direct; and for the performance of his agreements in the premises, he has entered into bonds to the state in the sum of fifty thousand dollars. The contract also provides, that as the work progresses, estimates of materials furnished and work done shall be made monthly by the commissioners, and eighty per cent. thereof allowed the contractor; the remaining twenty per cent. to be retained until the completion of the several sections of said work.

The cost of the portion of the building to be completed in the year 1855, will be \$67,743 00. The estimate has been made with reference to the bid of Mr. Proudfit, by an able and experienced architect, and the commissioners are confident that such sum is abundantly sufficient.

Mr. Proudfit has gone vigorously to work, and is placing materials upon the ground as fast as possible. We are informed by him, that he has already contracted for all the stone necessary for the main building and two wings; for all the brick, and lime for the same, a large amount of lumber, and has all the machinery necessary for hoisting stone and other materials on hand, and there is no reasonable doubt that the work will be completed according to the terms of the contract, and perhaps sooner.

The last legislature appropriated the sum of fifteen thousand dollars, which leaves \$52,743 00 more to be provided, in order to complete the contract with Mr. Proudfit for the main building and two longitudinal and two transverse wings.

There has already been expended by the Board to this date, a sum very little exceeding five thousand dollars.

We think we are warranted in the premises, to say that the first section of the asylum will be completed and ready for patients before the meeting of the next legislature; additional enactments may therefore be necessary at the present session, in order to perfect the organization of the institution.

There is in the United States, no complete and well constructed institution of this class, which has not exceeded in cost, the sum of one hundred and fifty thousand dollars, while many have been constructed at an expense of over two hundred thousand dollars. Worcester asylum cost two hundred and eighty seven thousand dollars; Taunton asylum, just completed, one hundred and fifty-one thousand dollars, and the state has already authorized, to be made to the latter, additional improvements at a great outlay; so true is she to respond to the calls of the unfortunate insane. The Utica asylum originally cost two hundred thousand dollars, and until recently has been regarded as a model institution; yet the legislature of New York, with a liberality that refuses to deny any expenditure that may be necessary to render it more perfect as an instrument for accomplishing the benevolent object of its erection, have authorized an additional expenditure of seventy-five thousand dollars the past season.

The Derbyshire lunatic asylum, designed for the accommodation of three hundred patients, and completed in the year 1851, cost, including seventy-nine acres of land, ninety-eight thousand three hundred and ninety six pounds sterling. The Birmingham Borough Asylum, erected for three hundred patients, commenced in 1846, and completed in 1850, cost seventy-four thousand two hundred and twenty-four pounds. Many more institutions of this order might be enumerated, and there can never one be found of any considerable merit, the cost of which has been ultimately measured by a few thousand dollars.

Various reasons may be assigned for the many imperfections which have been long endured in asylums, prominent among which, is the lack of confidence in, or the neglect "to appeal to the authority of medical men who have lived in asylums and among the insane, and who alone know what the insane require." This reason, construed in the fullest extent, will indeed embrace all others, for the learned medical men at the present day are intent upon progress, and untiring in their investigations, not only traversing their home continent to find out something good and

true upon this subject, but they visit their transatlantic co-workers, with them to exchange and compare views, to the end that ignorance shall be no sin of theirs. Such medical men as have been quoted in the superintendent's report, are men of no low notoriety; eminent in their profession they command our highest respect, and our position *imperatively demanded*, that we heed them in their labor of benevolence. We have done so—we could not conscientiously do otherwise—to have set adverse opinions of the uninformed against theirs would have been such a palpable error as an enlightened community could never forgive: and the just recompense of that error could be nothing less than an unqualified verdict from yourselves, that we have been unfaithful servants.

In settling upon a plan for this asylum, the Commissioners had to decide whether they would have constructed a building at small expense, possessing very limited good qualities and usefulness, or such a building, at greater cost, as would meet the approbation of those who best know what is needed, and which would not be immediately obnoxious, and subject to revision, change or total abandonment. We chose the latter, and as yet have found no just cause to regret our choice.

In the prosecution of this business, we have at all times been aided by the Superintendent, and to him we must accord much, for the energy and faithfulness which have characterized his labors. His position in years past have been such, that American and English Journals of Insanity, form no inconsiderable portion of the reading matter of his library. His thorough knowledge of the plans and specifications, and the practical workings of a systemized structure, has been to us of great value, and his energy and ability have been fully equalled by his uniform kindness.

In conclusion, the Commissioners would say, in the language of Dr. Kirkbride, "The plan will be found, it is believed, to give at as small a cost as can effect the object thoroughly, what was originally proposed as desirable in a hospital for the insane, ample

provisions for the accommodation of the officers and all employed—everything requisite for the custody, comfort, and enlightened treatment of the patients—and arrangements throughout that will allow the supervision to be thorough and effective, and the management liberal, and at the same time strictly economical.”

MADISON, January 1, 1855.

SAM. G. BUGH,

D. S. VITTUM,

ALDEN S. SANBORN,

Commissioners of Wisconsin State Lunatic Asylum.

FIRST ANNUAL REPORT OF THE SUPERINTENDENT.

To the Commissioners of the Wisconsin State Lunatic Asylum:

GENTLEMEN:—In conformity with section 5, of chapter 59, of the Laws of Wisconsin, approved March 30, 1854, an “Act to provide for a State Lunatic Asylum,” I lay before you the following

REPORT:

Under your instructions, in the month of April last, I made publication, that proposals would be received for the donation or purchase of a site suitable for the location of our asylum, setting forth, that if a site for such asylum, under the act approved by the Governor, should be donated or could be purchased for a sum not exceeding fifteen hundred dollars, the asylum should be located at or in the vicinity of Madison.

Shortly after such publication, very many liberal communications, were received by me from different portions of the state, which I had the honor to lay before you.

The late Henry K. Holley, Esq., as you are aware, made us an offer of one hundred acres of land, at fifteen dollars per acre, at five miles distance from Madison, and commanding a fine view of the village.

Messrs. Catlin & Williamson presented for consideration certain described lands, ranging from ten to fifteen dollars per acre.

The offer of Ex-Governor Farwell of two tracts of land containing each one hundred acres, one tract as a donation, the other at fifteen dollars per acre; the proposal of James Richardson &

Co., of a beautiful site on the south-east shore of Third Lake, containing a little more than one hundred acres, offered at a sacrifice, but at a price somewhat exceeding the limitation of the act; the proposition of Messrs. Mills & Williamson of a quarter section, or a portion thereof, four miles from Madison, and commanding an extensive prospect of the surrounding country; the very liberal offer of James B. Martin, Esq., of Milwaukee, on his purchase of the Fort Winnebago Reservation, with his proffers of money to aid in the erection of the asylum, and the use and occupation of buildings for temporary accommodation: the offer of Messrs. Kirk, Basset & Norris, of Sauk county; and the proposal of D. W. Jones & H. H. Gray, with liberal offers of donations. All these having been entered in full on the journal of our proceedings, need but a brief enumeration here.

Under the provisions of the "act to provide for a State Lunatic Asylum," should a site suitable for such purpose be donated in the vicinity of Madison, or purchased for a sum not exceeding fifteen hundred dollars, then it became incumbent upon you to locate said asylum at or in the vicinity of Madison.

After having visited with you the several locations offered, under your instruction, I notified Mr. Farwell, that the one hundred acre tract of land which he had offered to the state for the sum of fifteen hundred dollars, had been accepted by the Commissioners and approved by the Governor. Under the advice of the Attorney General, a deed of conveyance was made to the state, an order for the purchase money drawn and the deed recorded.

Under a resolution passed by your board, and by the advice of the Governor, you are aware that I visited most of the similar institutions in the United States, and upon my return laid before you a plan, which was adopted by you without reservation.

In the outlay required for the establishment of our institution and the plan adopted, it may appear to some who are not familiar with the number of insane in our state, that we are making arrangements beyond our necessities. From the statistics and returns

that have been made to me during the past year, I am satisfied that we have in this state at least one hundred patients, who, by neglect in their treatment, may become incurable. As to the mere item of expense in the plan recommended by me, I cannot more fully set forth my views than by a quotation from a report of a distinguished physician, and one whose education and great experience in the treatment of insanity must entitle his opinion to great consideration. I refer to Dr. Luther V. Bell, of Massachusetts. He says:

"It would, as formerly not be difficult to demonstrate the value of hospital treatment, and especially of early subjection to the use of means; but the day has passed when the community needs suggestions or instructions on these points, and for years this asylum has been so over-crowded, that the anxiety of its managers has been rather to keep down, than to augment the number of its applicants."

"The most essential draw-back to the fullest amount of public good attained by the Insane Hospitals of the country, regarded as a whole, obtains in the erroneous belief, or at least the actual assumption of a possibility, that this class of institutions can be carried on fairly and justly under any such outlay of means as would be measured by the ordinary support of individuals having health and reason. We cannot be too grateful that the views of those who have directed the affairs of this asylum have never stopped at the nominal accomplishment, but have aimed at attaining the highest realities of their professed ends, a consummation only to be sought in the decision that just so much money shall be freely expended as can be wisely applied to the object."

"As the communities called to provide for the insane, advance in familiarity with this duty and in means to meet it, the fatal error of cheap institutions will cease to exist—an error involving not merely the negative objection of leaving the presumptive ends of hospitable treatment unfulfilled, but the positive hazard of accidents compromising not only the institution immediately concerned, but the usefulness and reputation of the whole class."

"It would be a happy conviction upon the minds of legislators and communities, could they be persuaded that between no provision at all of a public kind for the Insane, and a parsimonious, stinted and inefficient imitation of a real provision—the former evil is infinitely the least. A County, or Town, or State may dignify a part or the whole of some custodial receptacle for its lunatics, with the high sounding title of "An Asylum;" the public and curators of the unfortunate, or even the friends and relatives may ignorantly, or as of self excusing salvo, accept such substitution as a full acquittance of their obligation; but every person who gives an hour's reflection to the matter, and compares the cost of persons in health, and of the insane under even the minimum outlay for mere custody, to say nothing of amelioration and care, cannot but see the impossibility of doing justice to the insane on a cheap plan. Communities preparing for provisions for this class have been led into woful miscalculations on this subject."

I present this quotation not in extenuation of the cost of the building, but simply to place upon record, that in my connection with an institution of this kind, I could not conscientiously recommend a plan that would not carry out fully the great ultimate end designed to be accomplished in the curative treatment of the Insane. In maturing this plan I was governed chiefly by the following resolutions, which after mature consideration, were unanimously adopted by "The Association of Medical Superintendents of American Institutions for the Insane," and directed to be published in the Medical Journals of the Continent, as the sentiments of the association on the subject referred to.

ON THE CONSTRUCTION OF HOSPITALS FOR THE INSANE.

I. Every hospital for the insane should be in the country, not within less than two miles of a large town, and easily accessible at all seasons.

II. No hospital for the insane, however limited its capacity, should have less than fifty acres of land, devoted to gardens and pleasure grounds for its patients. At least one hundred acres should be possessed by every State hospital, or other institution for two hundred patients, to which number these propositions apply, unless otherwise mentioned.

III. Means should be provided to raise ten thousand gallons of water, daily, to reservoirs that will supply the highest parts of the building.

IV. No hospital for the insane should be built, without the plan having been first submitted to some physician or physicians, who have had charge of a similar establishment, or are practically acquainted with the details of their arrangements, and received his or their full approbation.

V. The highest number that can with propriety be treated in one building, is two hundred and fifty, while two hundred is a preferable maximum.

VI. All such buildings should be constructed of stone or brick, have slate or metallic roofs, and as far as possible, be made secure from accidents by fire.

VII. Every hospital, having provision for two hundred or more patients, should have in it at least eight distinct wards for each sex, making sixteen classes in the entire establishment.

VIII. Each ward should have in it a parlor, a corridor, single lodging rooms for patients, an associated dormitory, communicating with a chamber for two attendants, a clothes-room, a bathroom, a water-closet, a dumb waiter, and a speaking tube leading to the kitchen, or other central part of the building.

IX. No apartments should ever be provided for the confinement of patients, or as their lodging rooms, that are not entirely above ground.

X. No class of rooms should ever be constructed without some kind of window in each, communicating directly with the external atmosphere.

XI. No chamber for the use of a single patient should ever be less than eight by ten feet, nor should the ceiling of any story occupied by patients be less than twelve feet in height.

XII. The floor of patients' apartments should always be of wood.

XIII. The stairways should always be of iron, stone, or other indestructible material, ample in size and number, and easy of ascent, to afford convenient egress in case of accident from fire.

XIV. A large hospital should consist of a main central building with wings.

XV. The main central building should contain the offices, receiving rooms for company, and apartments entirely private, for the superintending physician and his family, in case that officer resides in the hospital building.

XVI. The wings should be so arranged that, if rooms are placed on both sides of a corridor, the corridors should be furnished at both ends with moveable glazed sashes, for the free admission of both light and air.

XVII. The lighting should be by gas, on account of its convenience, cleanliness, safety, and economy.

XVIII. The apartments for washing clothing, &c., should be detached from the hospital building.

XIX. The drainage should be under ground, and all the inlets to the sewers should be properly secured to prevent offensive emanations.

XX. All hospitals should be warmed by passing an abundance of pure, fresh air from the external atmosphere, over pipes or plates, containing steam under low pressure, or hot water, the temperature of which at the boiler does not exceed 212° F., and placed in the basement or cellar of the building to be heated.

XXI. A complete system of forced ventilation, in connection with the heating, is indispensable to give purity to the air of a hospital for the insane; and no expense that is required to effect this object thoroughly can be deemed either misplaced or injudicious.

XXII. The boilers for generating steam for warming the building should be in a detached structure, connected with which may be the engine for pumping water, driving the washing apparatus, and other machinery.

XXIII. All water-closets should, as far as possible, be made of indestructible materials, be simple in their arrangements, and have a strong downward ventilation connected with them.

XXIV. The floors of bath-rooms, water closets, and basement stories, should, as far as possible, be made of materials that will not absorb moisture.

XXV. The wards for the most excited class should be constructed with rooms on but one side of a corridor, not less than ten feet wide, the external windows of which should be large, and have pleasant views from them.

XXVI. Wherever practicable, the pleasure grounds of a hospital for the insane should be surrounded by a substantial wall, so placed as not to be unpleasantly visible from the building.

Institutions for the insane are now being erected or completed in Pennsylvania, New Jersey, two in Ohio; in Alabama and other states, which, in the principle of their construction deviate but slightly from the building now being erected by us. Should the plan of this asylum be carried out in accordance with the specifications, we will have an institution of such a character as will reflect honor upon our state, and at no greater outlay than is necessary to obtain the important object we have in view.

In a report of this character it cannot be expected that I should give a detailed account of the plans, drawings and specifications of the building. They are, as you are aware, open for examination, at the asylum office, and accessible to all. To give a general idea of the arrangement, I would state very briefly, that the building will be of stone, consisting of a basement and two principal stories in every part, except the centre and projecting portions of the wings, which will rise higher. On the centre building will be a dome in which will be placed the water tanks. Ventilating

shafts will terminate on the projecting portions of the wings and in the central dome. The centre building separates the two sexes, and on either side of it are three ranges of wings. The first range is separated from the centre building by a space eight feet wide, and the other ranges fall back sufficiently far to leave the corridors open at both extremities, giving, when completed, eight distinct wards for each sex, besides accommodations for more violent patients. The cellar is excavated throughout its whole extent, in which are the air chambers, reservoirs, passages by railways for conveying food from the kitchen to the different dumb waiters between it and the extreme wings, purposes of ventilation, &c. All culinary arrangements, with those for heating, gas-making, and procuring water for the establishment, and indeed wherever fire is requisite, occupy a distinct building from the Asylum. All pipes, flues, etc., will be conducted by archways to the main building.

The architectural front of the building is plain and in good taste. The portico has been dispensed with, as being too costly and destroying the upper portion of the building. A double verandah, made of iron, six feet wide, has been substituted in its stead. The plan, as you are aware, was prepared by Sloan & Stewart, architects of Philadelphia, and their drawings and specifications are admirably executed, and as full and specific as could be desired. The great responsibility which, under your kind confidence, has rested upon me, in maturing a plan for our State Lunatic Asylum, would necessarily compel me to avail myself of all the improvements of the day, in the medical and moral treatment of this class of patients. Apart from this important and responsible view of the subject, I cannot but feel pride that this institution should keep pace with the growing increase and prosperity of our State.

To Dr. Thomas S. Kirkbride, of Philadelphia, Superintendent of the Pennsylvania Hospital for the Insane, I am under deep obligations for the assistance he has rendered me in furthering the object I had in view. To Dr. Luther V. Bell, of Massachusetts, Dr. Chandler, of Worcester, Dr. Nichols, of Washington, Dr.

Buttolph, of New Jersey, Gen. McDonald, of Flushing, Dr. Choate, of Taunton, and others, I am under obligations for kind attentions, in aiding me to carry out the object of my mission.

And here, I would take occasion to express my deep sense of the compliment paid me by the Governor, and yourselves, in your prompt approval of the plan of the Asylum, as laid before you.

As your report will show, the contract for the building was awarded to Andrew Proudfit, Esq., and I am most happy to testify to the commendable industry and diligence with which he has been forwarding the work. A large portion of materials is already upon the ground; and should early and necessary appropriations be made the present session, which cannot be too strongly urged, I feel confident that the building may be ready for the reception of patients, before the period contemplated under the contract; and certainly the large number of patients of this class, already in our State, should have some claim upon the sympathy of our legislators.

GEO. R. McLANE,

Sup. Wis. State Lunatic Asylum

To Messrs. BUGH, VITTUM and SANBORN,

Commissioners.

Madison, January 1, 1855.

"H."

SPECIAL REPORT OF THE COMMISSIONERS

OF THE

WISCONSIN STATE LUNATIC ASYLUM,

IN ANSWER TO A RESOLUTION, PASSED BY
THE ASSEMBLY, JANUARY 19, 1855.

To the Honorable, the Assembly, of the State of Wisconsin:

By direction of the Board of Commissioners, of the Wisconsin State Lunatic Asylum, I herewith lay before you their Report, asked for under a resolution passed by you, January 19, 1855, together with accompanying papers.

GEO. R. McLANE,

Sup. Wis. State Lunatic Asylum.

Madison, January 22, 1855.

SPECIAL REPORT.

To the Assembly of the State of Wisconsin :

In a resolution, passed by you, January the 19th, 1855, a copy of which directed to us, is in the words and figures following, to wit:

ASSEMBLY HALL,
MADISON, January 19, 1855.

To the Commissioners of the State Lunatic Asylum :

A resolution, of which the following is a true copy, passed the Assembly this morning:

Resolved, That the Board of Commissioners, appointed by the Governor, by virtue of an act, entitled "An act to provide for a State Lunatic Asylum," approved, March 30, 1854, be requested to inform this House, at as early a day as possible, what, if any, contract has been entered into by them on the part of the State, by virtue of section 7, of aforesaid act, and if any contract has been made, transmit to this House a copy of the same, with all specifications connected therewith or alluded to in such contract; also, the number of bids or proposals received before the letting of said contract; the prices contained in each bid, the names of persons making such bids; also, the estimated expense necessary to complete and furnish the Asylum under the present contract, and that the Chief Clerk of this House, be instructed to transmit to said Board of Commissioners a copy of this resolution.

Attest:

DAVID ATWOOD,

Chief Clerk Assembly.

You request to be informed at as early a day as possible:

First. What, if any, contract has been entered into by the

Commissioners on the part of the State, by virtue of section 7, of the aforesaid act.

Second. That if any contract has been made, we transmit to you a copy of the same, with all specifications connected therewith or alluded to in such contract.

Third. To be informed of the number of proposals received before the letting of said contract, the prices contained in each bid, and the names of persons making such bids.

Fourth. To be informed of the estimated expense necessary to complete and furnish the Asylum under the present contract.

In reply to the first request, we would most respectfully refer you to our Report, made to the Honorable Legislature at its present session, by reading which you will be fully informed on that subject.

In compliance with the second, we herewith transmit to you a copy of the contract, with the written specifications connected therewith.

Also, in compliance with the third, we herewith send you a copy of all the proposals received by us before the letting of said contract, in which proposals is specified the price for materials and work.

And in answer to so much of the fourth, as relates to the expense necessary to complete said Asylum, we would again refer you to our said Report. And as to the expense necessary to furnish the Asylum, the Commissioners have not had that matter under consideration, and, therefore, cannot at this time give you an estimate of the cost with any certainty of accuracy.

We have in our office plans and drawings of the Asylum, which are made a part of the aforesaid contract, but we do not herewith submit copies thereof, for the reason that it would involve the expenditure of about four hundred dollars, which we deem a useless outlay, inasmuch as we heretofore have stated to the Legislature, that the said plans and drawings are open to inspection at the of-

fice of the Asylum, and accessible to all ; but if the Assembly upon mature reflection, considers that the public interest demands a copy of these drawings and plans, the Commissioners will procure the same as soon as possible.

The Commissioners at the time of entering into the contract aforesaid, thought proper to request of the contractor a bond with sureties, to secure the performance of his agreements, with which request he promptly complied ; and a copy of said bond is also herewith submitted to you.

ALDEN S. SANBORN,
SAM. G. BUGH,

Comm'rs of Wis. State Lunatic Asylum.

Madison, Jan. 22, 1855.

(COPY.)

PROPOSAL.

To the Governor, and Commissioners of the State Lunatic Asylum:

GENTS:—I hereby propose to do all the work and furnish the materials for the State Lunatic Asylum, to be contracted at Madison, according to the plan and specifications exhibited by you, and agree to build the main building and two longitudinal and two transverse wings in the year 1855, and the remainder of the building whenever the Board of Commissioners or Legislature consider it necessary; and I will give satisfactory security to any amount you may require, to secure the work according to contract; the State to pay 80 per cent. of the work as it progresses, at the end of each and every thirty days, and the balance of twenty per cent. when the work is completed; and I further agree to commence the work immediately, and to drive it until completed, provided I am paid according to contract, at the following rates, viz:

For all excavation necessary, and depositing the same as required by the Commissioners, or Superintendent.....	35 cts. per cubic yd.
For all rock excavation.....	\$ 1 50 do do
For all rubble or rough masonry, such as cellar walls, partition walls, and the outer walls of building.....	3 60 per perch.
For all cut-stone masonry.....	16 50 per perch.
For all brick in work.....	12 50 per thousand.
For all cast-iron in work.....	12 cts. per pound.
For all wrought-iron in work.....	16 do do
For all locks used in building.....	2 50 each.
For all bolts " ".....	1 25 each.
For all screws " ".....	2 00 per gross.
For all butts " ".....	3 00 per doz. pair.
For all nails " ".....	7 cts. per pound.
For all pine lum. " ".....	34 75 per thousand.
For all oak lum. " ".....	22 50 do
Lathing in work complete.....	28 cts. per yard.
Cross tin, leaded and painted on both sides, laid on roof.....	25 cts. per foot.
For all 4 inch tin-conductors put up.....	25 do do
For all 12 inch tin flues.....	50 do do
Plastering, two coats, brown, and one coat hard finish.....	28 cts. per yard.
Fancy and hydraulic cement plastering.....	37½ cts. per yard.
Rough casting and pencilling exterior with composition of washed sand and tallow, and finishing the same good.....	45 cts. per yard.
For speaking tubes of tin in work.....	25 cts. per foot.

Painting, according to specifications, main building.....	\$1,000 00
Painting, according to specifications, for each longitudinal and transverse wing.....	666 66
For all glass used in said building in work, per box,.....	9 50
Joiner work on main building, as specified.....	7,495 00
Joiner work on each longitudinal and transverse wing.....	4,995 00
Extra items not included in the above schedule that may be necessary on main building.....	1,800 00
Extra items on each longitudinal and transverse wing.....	1,200 00

The above materials to be of excellent quality and the work to be done in substantial and workmanlike manner.

Respectfully submitted,

ANDREW PROUDFIT.

WAUPUN, October 18, 1854.

ARTICLE OF AGREEMENT.

Article of agreement made and concluded this sixteenth day of November, in the year of our Lord one thousand eight hundred and fifty-four, between Andrew Proudfit, of the county of Waukesha, in the State of Wisconsin, of the first part, and David S. Vittum, Samuel G. Bugh and Alden S. Sanborn, commissioners of the Wisconsin State Lunatic Asylum, of the second part, whereof it is covenanted and agreed as follows: That the said Andrew Proudfit hereby contracts, covenants and agrees to furnish all the materials, which shall be of a sound and good quality, and perform all the labor necessary to construct and finish, in every respect, in a good and substantial and workmanlike manner, "The Wisconsin State Lunatic Asylum," on the terms and for the price set forth and stated in his proposal hereunto annexed; the said work to be executed and conform in all respects to the annexed specifications, and the plans now in the possession of the said commissioners, and to be completed as follows:

The main building and two longitudinal and two transverse wings, on or before the first day of January, one thousand eight hundred and fifty-six; two more longitudinal and two more trans-

verse wings on or before the first day of January, one thousand eight hundred and fifty-seven; and two more longitudinal and two more transverse wings whenever the commissioners shall direct, giving one year's time to do said last mentioned work after notice given to said Andrew Proudfit.

And it is further agreed that the building contracted to be built, shall, during its erection, be under the inspection of the superintendent of said asylum and the commissioners thereof.

And it is further agreed on the part of said commissioners, that monthly estimates shall be made, either by them or some one to be appointed by them, and that upon said monthly estimates of materials furnished, and work done, the State shall pay to the contractor, Andrew Proudfit, eighty per cent. on the amount of work done and materials furnished.

And it is further agreed that within thirty days after the said building shall be completed, according to the terms and conditions of this contract and the specifications hereunto attached, and accepted by the said commissioners, the State of Wisconsin shall pay to the said Andrew Proudfit the sum which, according to the terms of this contract, shall remain unpaid after deducting all previous payments.

And it is further understood and agreed by and between the parties to this contract that the work about said building shall be measured, including openings.

ANDREW PROUDFIT, [SEAL.]

D. S. VITUM, [SEAL.]

ALDEN S. SANBORN, [SEAL.]

SAM. G. BUGH, [SEAL.]

Sealed, signed and delivered in presence of Geo. R. McLane.
E. M. Hunter as to the signature of S. G. Bugh.

(COPY.]

SPECIFICATION

Of work and materials to be used in the erection of the Wisconsin State Lunatic Asylum.

DESCRIPTION.

The buildings are composed of a centre 65 feet by 120, and on each side are three longitudinal and three transverse wings. The centre building is four stories high. The first story, 12, second, 15, third 13, and the fourth 11 feet, each in the clear of the floor and ceilings. The longitudinal wings are three stories high, each 12 feet in the clear; the transverse wings have an additional story, which is 7 feet high at the eaves, but extends up into the roof to the height of 10 feet, and is finished to the collar beams; a cellar is throughout the whole extent, and is eight feet deep in the clear of floor and lower edge of joists. On the centre building is a dome intended to receive the water tanks, and on each transverse wing is a dome of smaller dimensions or cupola, intended as ventilators for the flues and ducts throughout the building. For the interior arrangements and other particulars, reference is to be had to the plans, when all are figured and fully explained.

EXCAVATIONS.

The cellar will be excavated throughout the whole extent of the building, and to measure 8 feet in the clear of floor and lower edge of joists when finished. Foundation trenches will be dug for the outer walls; centre building 18 inches, wings 12 inches, and for all the partition walls 6 inches, below the level of the floor of the cellar; all earth from the excavations will be leveled and graded around the building. The foundations will all be sunk deeper than the above specifications, if necessary to procure an approved foundation. All rubbish will be removed from the building and cellar, and the floor of the cellar prepared for grouting and paving.

CUT STONE.

A base of hammer dressed stone will extend around the whole building, 8 inches wide, which will form the sills of the cellar windows, and will project 2 1-2 inches from the face of the wall, with a wash on the same, at the opening of the cellar windows, they will be 9 inches thick on the top: the outside door sills and steps of front and back main entrances, and all the window sills will be of cut stone; likewise the rustic groins of the centre building, up to the level of the second floor, and the rustic blocks around the windows of the first story centre building; the stone must be of the best that can be procured in the vicinity, and all excepting the base smoothly dressed, and all firmly and solidly set, and where necessary, well strapped with iron into the masonry; 12 stone sills will likewise be required at the doors of the cross corridor entrances, 12 inches broad on the top, and 6 inches thick; all the bath rooms and water closets in the wings, and drying rooms, and kitchen floors, will be laid with clay tiling or stone flagging, well bedded in cement; the cross passage between the corridors will be done in like manner.

MASONRY.

All the exterior walls will be built of quarry building stones, laid on their broadest beds, and the foundation stones broad and flat, and solidly bedded in mortar. Those of the cellar centre building will be 3 feet thick, and wings 2 feet, with footings of 6 inches projecting from each face of the same; the walls of the centre building, up to the level of the second floor, will be 2 feet 6 inches, from that line up to the level of the third floor 2 feet 3 inches, thence up to the fourth floor 2 feet, and upwards 22 inches, in the tympanum the walls will be 18 inches; from the cellar walls up to the level of the third floor in the wings will be 20 inches, and the remainder 18 inches; all the partition walls will be built of brick. In the centre building up to the line of the first floor, all the corridor walls will be 22 inches thick, all the others and all on the wings, excepting those in the crossings between the corridors, will be 18 inches; the cross partitions of the centre

building, and the walls of the cross corridors will be 13 inches, and all others on the wings will be 9 inches, as also the corridor walls above the ceiling of the third floor; the cross passages between the corridors will be arched, and made thoroughly fire proof; the heads of all the openings throughout the cellar will be arched, likewise the heads of the cellar windows and cellar doors, and arching likewise will be required where the partition wall commences over an opening. All openings intended for cold and hot air, flues, gas, ventilators, &c., will be made according to the plans, and where directed by the superintendent during the progress of the work. All flues to be well and thoroughly parquettied. All the masonry, including the brick work, to be done in the best and most substantial manner; the brick to be good, and the stone to be well selected. The mortar to be composed of clean sharp sand, and fresh wood burned lime, in such proportions as will ensure an approved cement. Iron bars 1-4 by 2 1-2 inches, will be required in the cellar for the support of the flues at starting, and anchors from the joists into the walls, and iron rods with screw backs, for the support of some of the partition walls, and all other iron rods and bars required in the construction of the above, must be inserted in the same.

CAST IRON AND WROUGHT IRON WORK.

All the outside windows throughout the whole building, excepting those opening from the corridors, will have a neat wrought iron guard, to extend within 5 inches of the top and bottom of the lower sash, securely fastened on the outside of each, and all the upper sash of the dormitories, bath rooms and water closets, will be made of cast iron, securely fastened to a frame of wood. Wrought iron guards will be made for all the windows in the corridors, secured on the inside across the same, with doors of stout wire in each, to be hinged and secured with bolts and lock; likewise at the foot and head of stairs, will be doors of the same kind made, and securely hung, and fastened with locks and bolts. Wrought iron bearers, with cast iron risers, will be made for all the stairs in the wings, and likewise in the centre building, the

flight leading from the first story into the second ; this flight will have iron balusters and hand rail, and will be entirely of that material, excepting woolen treads, secured upon the iron bearers and risers ; open cast iron guards will be made and walled in the cellar windows, but in four of each longitudinal wing, they will be hung and secured with bolts ; 1 1-2 inch iron rods with screw backs riveted on the ends, will be required wherever a partition wall is started over an opening above 10 feet space, to support the brick work of the same ; an iron frame and door will be made and hung at each end of the cross corridors, and secured with strong locks and bolts, and a complete set of iron safe doors for the centre building ; wickets about 8 inches square will be made and inserted in all the dormitory doors, with suitable locks on the same. The balconies in the centre building will be of iron, excepting joists, rafters and roof, and all in accordance with the elevation. 1 1-4 inch iron rods will be required for the framing of the trussed girders, and bolts for the same, and for the domes ; anchors for the joists, eyes for the cellar doors opening into the air chamber, jamb screws for all the dormitory door frames, stubs, screws and everything else necessary to complete the building.

LUMBER, HARDWARE AND CARPENTER WORK.

All the flooring joists in the centre building and transverse wings will be 3×12 inches, and in the longitudinal wings 3×8 inches, ceiling joists of longitudinal wings 2×8 inches, ceiling joists of centre building 3×10 inches, and ceiling joists of collar beams over the rooms in the transverse wings will be 2×10 inches, and all placed 16 inches between centres ; all joists over 12 feet to be backed, and all leveled up straight across the ends, and blocked up with hard dry blocking.

In all framing for stair ways, the trimmers will be double and pinned together, all requisite framing to be attended to for flues, dumb-waiters, water closets, &c. ; the common rafters on the longitudinal wings will be 3 by 6 inches, and will be placed 20 inches between centres, secured on wallplates on the corridor walls, and tied together with collar beams of inch board nailed

across them; on the back part of the transverse wings the roof will be hipped, and the front part as shown in the elevation. Strong collar beams will be required, both front and back, of 2 by 10 inch plank to form the ceiling of the fourth stories; in the centre building over the chapel will be required three single trussed girders to support the roof over the same; they will be laid crosswise the room; the ceiling joists will be secured between by cleating the girders and notching the ends of the joist on them; the rafters will be placed across the girders, and raising pieces secured on the top of the ceiling joists in the usual manner; the tie-beam or lower piece of timber of the girders will be 5 by 12 inches; braces and level plates 5 by 5, with centre 1 1/4 inch iron rods, with stout plates well rivited on one end, and double nuts on the other. Over the other portion of the centre building, the ceiling joist will be laid across the walls in the usual manner, on wall plates, and the rafters will bear upon the raising pieces, and the corridor walls, which will be carried up to the roof; these rafters will all be 3 by 8 inch joists, and placed 20 inches between centres; directly under the dome will be laid 4 by 14 inch joists, 12 inches between centres, covering a space not less than 40 feet square; this floor of joists is to receive the water tanks and likewise the sills of the dome, which will be a circular rim 4 by 10 inches; posts 4 by 9 tapered up to 4 by 5; plates, ties and braces 4 by 5 inches, and the upper floor of joist will be 3 by 10, ceiling 3 by 8, and the ribs will be made with 3 by 6 scantling (chord), are of plank well secured and braced to the same. The smaller domes and ventilators will be made in the same manner, with posts 3 by 6 tapered up to 3 by 4; the base of the dome and roof will be boarded for tinning, and all other parts will be made in accordance with the elevation; all other external finish will be in accordance with the elevation, viz: eaves and cornice, front dressings of the windows of the second story of the transverse wings, the pediment heads of which will be of wood; front doorways and windows of centre balconies, &c. All partitions not of brick will be 4 by 4 inch studding, 16 inches between centres, all

the joists will have strips of 1 by 2 1-2 inch, well nailed on them to receive rough boarding for deafening of sound; and the boarding will be kept two inches below the top of the joists, where the floors are intended to be flagged, the joists will be levelled two inches lower than the others, and in such cases the rough boarding may be nailed on the top of the joists.

FLOORS.

Planed and grooved flooring 5-4 thick of oak or yellow pine will be laid and well nailed to the joists, and the joints shot throughout the building excepting where the floors are flagged, including balconies. The main entrance outside door frame, will be a large beaded jamb, secured against the stone jamb of the same, and the back door frames will be 3 by 6 inch scantling, (these last mentioned are those on the stairways of the wings.)

WINDOW FRAMES.

All the window frames will be made plank front, or casing with moulding on the front, and all double hung with the best axle pulleys, cord and weights, excepting on the dormitories, where they will be hung single, and in the corridor where they will be hung with hinges, and these will be secured with bolts, top, bottom and middle, those of the dormitories will be secret hung: the sash will all be 1 3-4 inches thick in the centre building and transverse wings; they will be made 12 lights in the usual manner, excepting those opening down to the floor, where they will be 15, and those in the dormitory will be made 5 lights wide, each 5½ inches and 4 high. First and 2nd stories 18 inches, and 3rd 16 inches, the others will be marked on the ground plans; 4 windows in every ward will have a wire frame made and hung on the inside of the windows, likewise in all of the dormitories for noisy patients will be the same, but of stouter and stronger materials, and all secured with locks and bolts, all windows opening out on the balconies will extend to the floor, and the lower sash will be made to fly up into the head, one light.

STAIRS.

All the wood work of the stairs will be required to be put up, viz: in the wings a newel will be made of 1 1-2 inch plank, planed and grooved together which forms a square trunk or box, and which will be arranged for a ventilator for the corridor and will connect with the corridor above and below the stairs, viz: at the floor and ceiling, around this shaft the steps will be secured, being let into it and likewise secured on the iron bearers, which will be put up distinct and separate from the shaft, the other end of the steps and landings will be skirted in the usual manner, all to be prepared for finishing without plastering on the under side. The main flight first story will require the steps to be secured to the risers and bearers, and trim and finish around the floor on the second story, and also to secure the newels on the first. The other stairs will be all of wood, and continued bend rail, and all the steps to be of oak 6-4 thick, there to be tongued and blocked together, and let into the wall string and built upon four carrriages of 3 inch posts, the hand rail to be 2 1-2x4 1-2, the balusters of 2 1-2 inch square at the base and the newels 8 inches, all of oak, and the two latter neatly turned, and the whole put up in a complete and substantial manner; stairs will be continued to the cellar where they are marked on the plans, and done in the usual manner, likewise stairs will be continued up to the fourth story wings in the same manner as the others in the wings, but all of wood; also stairs will be continued up to the dome and will be enclosed within a partition of boards planed and grooved; a grooved floor will be laid around the tank, and likewise up into the dome. The dormitory door frames will be made of 4x6 inch scantling, and on the corridor side a moulding 2 inches wide will cover the joint of plastering, they will be made with an opening of five inches wide over the door, and well secured into the walls by jamb screws and stubs at the bottom, all the other room doors will be jamb cased with two inch plank rebated, and all over 14 inches wide, framed, head and butt in imitation of the doors, closet doorways will be jamb cased with 1 1-2 inch plank, the windows in the front half of the centre

building, 1st, 2d and 3d stories will be jamb cased for inside shutters, with back and jambs continued to the floor and panelled soffits, this panelling will all be flat with edges of stiles and rails slightly bevelled.

The dressings around the doors of the parlors and dining rooms in the wings will be an architrave 6 inches wide, first and third, centre building 7 inches, and in the second nine inches, all two inches thick on the back edge; this includes the windows, likewise in the 1st, 2d and 3d stories, front half of the centre building, all the window jambs of the remainder being plastered; the windows intended for inside shutters will be finished with sills and facia in the usual manner, and all the others will have a still of 2 inch plank with a neat facia under the same. The wash boards in the corridors will be 6 inches wide, the top edge slightly bevelled; the skirtings of the stairs in the wings will be done in the same manner; this style of wash-board will be put up in the 4th stories of the wings and 4th story centre building; in the parlors and dining rooms of the wings the wash boards will be 8 inches and moulding on top, and the skirting of the main stairways finished to match. The main entrance doors will be made in pairs in two thicknesses or 1 1-2 inch plank secured together and moulded on the front side, hung with 5x5 inch butts, and secured with 8 inch upright mortice locks and iron flush bolts. All the dormitory, parlor and dining room and cross passage doors will be 1 3-4 inches thick, and excepting those in the noisy patients, made bead and butt on both sides, hung with 4x4 inch butts, and secured with 4 1-2 inch mortice locks; the noisy patients dormitories doors will be made in two thickness of inch grooved boards, made crosswise and put together with wrought nails and hung and secured in the same manner as the others. In all the dormitory doors will be an iron wicket inserted with a spring lock on each (described under the head of iron work); sash doors will be made and hung in the partition wall between the associated dormitories and the attendant's rooms with locks same as dormitory doors. All the closets, clothes hoppers, dumb waiters and bath-room

doors will be made the same as those of the dormitories and 11-2 inches thick, hung with 31-2 inch butts, and secured in the same manner; the doors also in the 4th story of the wings, also the doors in the first and third story of the center building, but in thickness they will be two inches; the doors in the second story center building will be panelled the same, but made in two thicknesses of 11-4 inches, secured together, hung with 5x5 inch butts and secured with 5 inch mortice locks; the 4th story center building room doors will be 11-2 inches, closets 11-4, hung and secured same as bath room doors; all the doors excepting the closet, bathroom and 3d and 4th stories center building will have three hinges on each door.

INSIDE SHUTTERS.

All the windows in the centre building will have inside shutters, one inch thick, in four folds, bead and butt on one side, flat panel on the other, and styles and rails slightly bevelled, to be hung with back flaps and secured with hooks in the usual manner; all excepting those of the 4th story to be cut at the meeting rail, and in the 1st, 2nd and 3rd stories front they will fold into boxes, and where the walls are thicker than required to secure the shutters the jambs will be widened to meet them; all the others will open against the jambs without boxes; the inside shutters will be square headed in all the frames; clothes hoppers will be made where marked on the plans, enclosed by doors on every story; a horizontal shaft for ventilation will be made of planed and grooved boards over the corridors of the wings, which will connect with the ventilators on the roof; all the brick flues and likewise the shaft through stairs will be made to empty into the same; particular care will be taken to have it air tight; those for the centre building will be led by ducts up into the dome above the floor of the same, made smooth on the inside and perfectly air tight.

CLOSETS.

All the closets will be made where marked on the plans, and fitted up with shelves, and, where needed, pin rails and clothes

pins of the most approved kind; and in the dining rooms and those for kitchen purposes, the shelves will be made moveable for cleansing.

DUMB WAITERS,

Will be made of the most approved kind, to be hung with weights, and, in addition, windlass will be required to work from below; where required, the dumb waiters will be enclosed with doors, which come under the denomination of closet doors, and will be made the same. All the dumb waiters operate from the cellar upwards.

WATER CLOSETS,

Will all be made where marked, and will require a seat hinged, to operate in connection with the plumbing. Each noisy patient's dormitory will be fitted up with one where marked on the plan. The water closet intended for the physician's family, will be enclosed, with riser, in the usual manner of dwelling houses.

BATH ROOMS,

All the wood work required in the securing of the tubs and other matters, will be attended to by the carpenters. Frames for wire will be made and hung on the inside of the windows of all the dormitories of noisy patients, and to four in each of the other wards, and secured, with a spring lock and bolt.

CHAPEL,

The chapel will be fitted up with comfortable pews without doors, with scroll backs. A platform will be raised three risers, and a neat pulpit or desk built upon the same.

All the locks must be of a superior kind, and case-hardened, and must be made so that the keys of one wing cannot possibly open the locks of the other; and in addition to the locks on the dormitory, will be two small flush bolts on the corridor side of the door; and the doors will all be hinged to open outwards into the corridor. The carpenter will be required to put up all iron guards and inside iron frames, and doors or grates in the same, secure all the anchors on the joists, and attend to setting the iron window

guards of the cellar. All lintels must be placed upon their edges, and to suit the thickness of the walls, and none less than eight inches deep for the doors, and six inches for the windows. All requisite bond timbers and wooden brick to be cut for the brick layer, and attention paid to setting the same; also, to setting all window frames, door frames, &c.

WASH BOARDS.

The wash boards in the centre building, first and third stories, will be ten inches wide, including a sub-base of two and a half inches; in the second story it will be twelve inches, likewise including a sub-base, and mouldings on the top of each. All the joist will be of pine, and the first floor, free from sap, and all the lumber to be thoroughly seasoned, and of the best quality, for the different kinds of work, and the work be to done in the best and most substantial manner. All hardware must likewise be of the best quality; also smith work, including every thing in both branches requisite to complete the carpentry in a workmanlike manner.

TIN WORK.

The whole building, including domes, ventilators and balconies, will be covered with the best cross leaded roofing tin, put on standing grooves, and well cleated to the boards, painted on both sides, the upper side two coats, the first coat to be read lead; all the gutters will be properly formed in the roof, and a sufficient number of four inch conductors to be put up to convey the water to the ground, and spout stones to be provided for the same. The whole of the base of the domes will be covered, commencing with the roof, in a complete and satisfactory manner; tin flues, 12 inches in diameter, will be required for dust conductors, with flanges and doors of iron made and hung in the cross corridors of each story of wings, as shown in the plan.

PLASTERING.

All the interior walls, partitions and ceilings above the first floor will be plastered with two coats of brown mortar and one of hard white finish; the cellar ceiling of the warm air chamber will also be plastered in two coats of brown mortar; all the jambs of the windows in the dormitories and fourth story of the wings, will be

plastered and angles rounded: those of the Parlors and Dining rooms will be plastered and a moulding run on the angles, as will also the windows on the rear portion of the center building, including the chapel: in the fourth story front, the jambs will be rounded; the inside of the dormitory doors will also be rounded; in the kitchens, store rooms, dormitories, water closets, bath rooms and drying rooms a coating of hydraulic cement will be put on the walls directly above the floor instead of wash boards. On all the rough flooring, excepting the fourth story center building, will be put a coating of mortar one inch thick, and the same kept one inch below the top of the joists for deadening of sound. The mortar for the plastering of the interior to be composed of clean sharp sand, and fresh burnt lime, and slaughtered hair, in such proportions as will insure an approved cement.

ROUGH CASTING.

All the exterior walls will be coated with rough casting mortar, composed of washed sand, fresh burnt lime, and in the mixture a portion of tallow, each in such proportion as will insure an approved cement, the whole to be laid off in blocks in imitation of cut stone, and tinted as directed. The architrave of the windows will be formed in the same material.

SPEAKING TUBES

Will be inserted in the walls to communicate with the dining rooms and kitchen, and bells also in connection with them.

GAS PIPES

Will be inserted in the walls and ceiling all over the building, except the dormitories.

PAINTING AND GLAZING.

All of the wood work usual to paint will be painted in three coats of pure white lead and linseed oil, in such colors as directed. All the iron work likewise in three coats, the first to be read led, to be finished as directed. The roofing of the domes, all likewise included, and in such colors as directed. All the sash will be glazed with the best American glass, well bedded, bradded and back puttied. The sizes can be had from the plans on which they are marked.

[COPY.]

PROPOSAL.

We, the undersigned, propose to do the excavation of the cellars and all other necessary excavation of earth and rock, and furnish the materials, and do all of the masonry, stone and brick work, including iron bars, and bolts and fastenings for the same, for the Wisconsin State Lunatic Asylum, in accordance with the plans and specifications now in the office of the commissioners, to wit:

For excavation of common earth, and depositing the same at a convenient distance from the buildings, and leveling the same, per cubic yard,	\$00 35
For excavation of loose and detached rocks, and moving the same, per cubic yard,	00 75
For excavation of solid rock and moving the same, per cubic yard,	1 50
For furnishing rock, lime, sand, &c., and laying up the main walls and cellar, partition and corridor walls, per perch,	4 00
For all fine cut stone for sills, pilasters, flagging, &c., per foot,	1 00
For brick laid in walls, per thousand,	13 50
For iron bars, bolts and fastenings,	00 25
For Pine lumber in work,	40 00
For Oak do do	25 00
For lathing in work complete,	25
Tin roofing, per foot,	18
Plastering, per yard,	30
Painting main building and finishing materials, &c.,	1,300 00
Painting each wing and furnishing materials,	775 00
Carpenter work for main building,	9,250 00
do do each wing,	6,600 00

For all extra items not included in the above bid, we will charge the usual retail market price.

The above bid is on conditions that the whole is accepted, and the supposition that the rock can be had from the quarry near the tavern at the going rates; if, however, the quarry should prove insufficient, there would have to be added for hauling; but it is our opinion that the quarry will prove good and sufficient for all purposes, with some expense in opening.

C. H. LAMAR,
ARTHUR RESLEY.

Madison, October 31st, 1854.

[COPY.]

BOND.

Know all men by these presents, That we, Andrew Proudfit and James K. Proudfit, N. P. Hawks, Wm. M. Jacques, Albert Alden, David E. Clapperton, Wm. H. Thomas, Wm. M. Dennis, Beriah Brown, William S. Strong, Samuel Hale, Geo. P. Delaplaine, Elisha Burdick and E. W. Edgerton, are held and firmly bound unto the State of Wisconsin, in the sum of fifty thousand dollars, lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents, Sealed with our seals, and dated at Madison, the Capital of said State, this sixteenth day of November, in the year of our Lord one thousand eight hundred and fifty-four.

The condition of the above obligation is such, that, whereas, the said Andrew Proudfit, has this day entered into a contract with the Commissioners of the Wisconsin State Lunatic Asylum, to erect a certain building therein described. Now, therefore, if the said Andrew Proudfit, shall well and truly perform the said work, and erect the said building in all respects in strict compliance with the terms and conditions of said contract, and the specifications and proposals thereto annexed, and at the time therein named, then this obligation to be void; otherwise to remain in full force and virtue in law.

ANDREW PROUDFIT,	[L.S.]
JAMES K. PROUDFIT,	[L.S.]
N. P. HAWKS,	[L.S.]
WILLIAM M. JACQUES,	[L.S.]
ALBERT ALDEN,	[L.S.]
DAVID E. CLAPPERTON,	[L.S.]
WM. H. THOMAS,	[L.S.]
WILLIAM M. DENNIS,	[L.S.]
BERIAH BROWN,	[L.S.]
WILLIAM S. STRONG,	[L.S.]
SAMUEL HALE,	[L.S.]
GEORGE P. DELAPLAINE,	[L.S.]
ELISHA BURDICK,	[L.S.]
E. W. EDGERTON.	[L.S.]

MINORITY REPORT.

The undersigned a minority of the committee appointed to investigate matters relating to the Lunatic Asylum, beg leave to submit the following minority report:

They very much regret that they cannot agree with the majority of the committee in reporting upon a matter of such great importance, both as to the magnitude of the interests, and the character and conduct of the public officers involved.

The undersigned do not propose to review or pass upon the evidence elicited by this investigation, but will confine themselves to the legal question of the validity of the contract entered into between Mr. Proudfit and the state, as one of paramount importance and which must decide the action of the legislature upon the subject.

The act under which they let the contract is grossly imperfect, in not prescribing the time, place and manner in which the sealed proposals of the bidders should be opened, canvassed and decided. The law only requires, that they shall publish a notice in at least six newspapers in this state, and for six weeks successively, that sealed proposals will be received by them, for furnishing materials, and doing the work, and then, they are required to "award the contracts to the lowest bidders." In using their discretion in this respect, when the law is entirely silent upon the subject, the commissioners may have acted imprudently and improvidently, but at the same time have violated no law. They may also have contracted for the erection of more of the building, than for the present was either necessary or prudent, but in this respect, the law also vests in them the fullest discretion by the language in the 7th section relating to the amount of the work to let. "Or such

portion thereof, as the Commissioners may deem it advisable to have erected." These are questions of care, prudence and judgment, upon which men may differ and not be chargeable with bad faith or wilful wrong.

It is our opinion however, that nothing has been elicited by this investigation, that can impair the validity of the contract entered into with Mr. Proudfit, and as this opinion is based upon a construction of the act of the last Legislature "To provide for a State Lunatic Asylum," it will be necessary to examine that act with some care, to ascertain if possible its true meaning and intent. Sec. 3 of said act provides, that "the said commissioners are hereby further authorized, with the advice and consent of the Governor, to cause to be erected upon the grounds purchased for that purpose, suitable buildings for the use and accommodation of said institution. In the last part of section 7, it is further provided that, "with the advice and consent of the Governor, they shall determine the time, manner and order in which the erection of all the buildings and work contemplated by this act, shall be commenced, prosecuted and completed." In section 6, it is made the duty of the superintendent to "collect such information in relation to similar institutions as he may think proper, and lay the same before the board of Commissioners." These provisions taken from several portions of the act, no one we think will deny, give to the Commissioners the fullest and most ample power and discretion to build suitable buildings for the institution, which they may exercise according to their own judgment, and any plans, specifications and estimates they may adopt, and any contracts with third persons they may make, in the exercise of the discretion, which the provisions impose, will unquestionably bind the State. But it is claimed that section 4, limits and restrains this power and discretion of the Commissioners. It provides that, "such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the insane, commended by the committee in their report to the Senate."

This limiting clause is followed by the proviso, "provided that

said commissioners shall have power to make any alterations therein which they may think necessary, and which will not materially change such plan, or increase the cost of said building." Any one can see that this proviso enlarges and was intended to enlarge the limiting clause of this section, and to give the commissioners more power and discretion to deviate from the plan proposed in the first clause, than they would have had without it; and it therefore follows, that this proviso is not to be consulted to restrain but to enlarge the power, and the first clause can only serve to limit the ample powers and discretion granted by other portions of the act. It seems to be an established rule of construction, that when anything out of the statutes is referred to, to limit or restrain the general scope of the act, the extrinsic thing or fact referred to, must be definite and certain, else it is to be rejected as migratory, and it is submitted, that this rule is the only safe one in the construction of statutes. If it should be permitted to go out of the statute itself, and examine witnesses and take testimony to explain and construe it, and ascertain its meaning, statutes would be of little use for any purpose except for litigation. If we apply this rule to this limiting clause of the 4th section, which refers to "the plan" as recommended by "the committee" "in their report," questions at once arise, what plan? what committee? what report? questions which cannot be answered without going out of the statutes, and taking testimony to ascertain what the legislature intended by this extrinsic reference, and if witnesses could be found, who would swear that any certain plan, or committee, or report was really meant and intended by the legislature, would such evidence be proper and safe in attempting to arrive at the real intention of the law making power? In short, it is submitted that the clause is utterly void, for indefiniteness and uncertainty, and cannot operate to limit or restrain the power and discretion of the Commissioners to build suitable buildings, and is to be rejected as void and migratory.

But admit for the sake of the argument, that this clause does limit these officers to this, or any other general plan of a build-

ing, what is meant by it? Does it limit the size, dimensions, quality of material or character and quality of the work of art employed in the construction?

The commissioners may adopt a certain plan of building, as required by this clause, and still have and exercise the largest discretion, in all these respects, without any violence to the plan. Patents for inventions may be obtained by depositing with the Commissioner of Patents a plan or model of the invention, of the cheapest cost and of the smallest size, and afterwards the inventor may construct his works of costly material and of large dimensions, and be protected by his patent. The model or plan has nothing to do with the dimensions, quality or cost; and so here the commissioners may be true to the plan proposed and yet not be limited at all in dimensions, quality or cost, and they might have contracted with a third person to build this institution, in such a style of architecture, and of such material, as would cost millions of dollars, without any violence to this clause. Yet we do not believe that such a contract would bind the state; not because it would be in violation of section 4, but because it would be an abuse of the reasonable discretion vested in the commissioners, by other parts of the act, requiring them to build suitable buildings, &c. It cannot be said that the cost is limited in the proviso, for the proviso purports to enlarge the limits imposed in the first clause and not to contract them. If this construction is correct, then "the power to make any alterations in the plan which they may think necessary," contained in the proviso, by giving any force whatever to the language, leaves the commissioners to the exercise of the same power and discretion vested in them by other parts of the act, limited only by the reasonable rule of common law

This view will make those parts of the act, which requires them to build "suitable buildings," with the advice and consent of the Governor, to "determine the manner in which the erection of all the buildings and work contemplated by this act shall be commenced, prosecuted and completed," and which requires the su-

perintendent to "collect such information in relation to similar institutions, as he may think proper, and lay the same before the board of commissioners," has some consistent meaning and effect, and any other, it is submitted, would nullify them altogether, any other as more constrained meaning attached to the act than presented in this view, would utterly defeat the object of the law, if the commissioners should, upon full information, be satisfied that the plan, cost and quantity of the Worcester Asylum, would be totally impracticable in building the asylum in this state. For, in that case, if they adopted it, they would be justly censurable, and if they changed it, it would be without the authority of law, and their proceedings would be void. The commissioners are themselves made the judges of what alterations are material, and what are not, and full discretion is vested in them in this respect, by the use of the language, "which they may think necessary," contained in the limiting clause. Why authorize and require the superintendent "to collect information in relation to similar institutions, and lay the same before the commissioners," if they have no discretion to use such information in the construction of the buildings?

In applying the foregoing views to the question of the validity of the contract with Proudfit, it is imported further to consider that the act authorizes the letting to the lowest bidder "the furnishing of materials, and the doing of the work for the erection of the Asylum buildings." This language itself clearly shows that the contractor has nothing whatever to do with the plans, that may be adopted for the work by the commissioners, and is not at all responsible for one plan or another, but by the act, he is made a mere employee of those officers, and when it is conceded that they have the right to employ any one to furnish "the material and do the work," his rights in the contract are complete, and the liability of the State fixed and unquestionable.

By this act the contractor is not presumed to know anything at all about the action of these Commissioners before the time they announce to him the fact that his bid to furnish materials,

and do the work, has been declared by them to be the lowest, and that he is therefore employed ; and if the Commissioners have abused the discretion vested in them by the State, the rule of law applicable to ordinary cases of principal and agent, that if any one is to suffer by the abuse of the authority and discretion of the agent, it is to be the principal and not those persons who have dealt with such agent in good faith, will be most eminently and conclusively applicable, to the contractor under this law.

The state committed the first error in the matter, in the passage of a law, and the creation of a board of officers, with such undefined and unlimited powers, and it is now too late to visit the consequences of such ill-advised legislation upon private citizens who trust and labor for the state under its protection. The commissioners may have been in fault in devising and letting the construction of the asylum buildings, and the estimates and rates of labor may be too high, but it is submitted that this has nothing to do with the legal question of the validity of the contract.

They may be liable to the state for any damages the state may suffer by their abuse of the power vested in them by the act, or for bad faith, or official corruption, in the discharge of the trusts imposed, but it would utterly destroy all confidence in public agents, if persons employed by them to do work, or furnish material, for any given State enterprise, and who in good faith should enter upon their employment and invest their means and labor, in the honest and faithful discharge of their contracts, should be visited by the state with repudiation. It is believed that this contract is not alone in being justly chargeable, with high and unreasonable rates and charges for work and labor for the state, which has been made by public officers with private individuals.

Hardly a contract with this state, during its past history, can be found that is not liable to the same complaint, and that too when made under laws vesting far less discretion in the officers than the commissioners have under this act, and repudiation has never yet been attempted, and it is an honor to the state that it has

not been, and the undersigned see no reason why this case should be an exception. The question as to whether the commissioners who made this contract with Proudfit, were properly and legally appointed, or were eligible to this office, is immaterial to be considered in canvassing the validity of the contract.

It is enough that they were such officers de facto, and acted as such in dealing with Proudfit, and their authority cannot be made a question when dealing with third persons. This is all it is deemed necessary for us to say upon the legal questions affecting the action of the commissioners, and rights of the contractor.

In conclusion, the undersigned, believing that this contract is obligatory upon the state, and that good faith will require the present legislature to provide means that may be necessary to meet the estimates under it during the ensuing year, can see only two ways that can be pursued consistent with the dignity and honor of the state. Either a full discharge of the conditions of this contract, on the part of the state, or an amicable compromise with the contractor.

All of which is respectfully submitted,

B. F. GOSS,
DANIEL HOWELL.