

any moneys raised for such purpose be appropriated to any other purpose.

§ 6. No contracts for the employment of teachers shall extend beyond the second Monday of April next succeeding the date of such contract. CHAPTERS:
168, 170.

Contracts.

§ 7. This act shall take effect from and after its passage.

Approved March 22, 1860.

[Published April 7, 1860.]

CHAPTER 166.

AN ACT to amend chapter 345, of the Private and Local Laws of 1857, entitled "An act to incorporate the village of Black Earth."

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

SECTION 1. Subdivisions thirteen (13), fifteen (15), and seventeen (17), of section thirteen (13), of chapter three hundred and forty-five (345), of the Private and Local Laws of 1857, entitled "An act to incorporate the village of Black Earth," are hereby repealed. Repeal.

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

Approved March 22, 1860.

[Published April 9, 1860.]

CHAPTER 170.

AN ACT to amend chapter 193, of the Private and Local Laws of the year 1859, entitled "An act to incorporate the village of Oconto."

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

SECTION 1. That chapter 193, of the Private and Local Laws of 1859, entitled "An act to incorporate the village of Oconto," be and is hereby amended as follows: By striking out the word "east," in the third line of section two, and inserting in lieu thereof the word "west;" also by striking out the word "west," in the fourth line in the same section; and insert in lieu thereof, the word "east;" also by striking out the word Amendments
in relation to
boundaries.

CHAPTER 170. "east," in the fifth line [of] same section, and insert in lieu thereof the word "west;" also by amending section three, by inserting after the word "schools," in the 11th line, "and two supervisors," and insert after the word "peace," on the 17th line, "and one supervisor," and insert after the word "peace," in the 19th line, "and one supervisor;" also amend section 14, by striking out the word "president," and insert "supervisors;" also by striking out the word "he," in the third line, and insert in lieu thereof the word "they;" also by striking out the word "his," on the fourth line, and insert the word "their;" also by adding to said section 14, "and that the supervisors shall be the overseers of the poor in their respective wards."

Schools.

Supervisors.

§ 2. Section 42 of said chapter 193, is hereby amended by striking out the words "less than five mills on the dollar valuation, or," on the fifth and sixth lines in said section, and insert after the word "commissioner," in the fourth line from the bottom of said section 42, "and the highway tax shall be collected according to chapter 19, Revised Statutes, sections from 32 to 42 inclusive; and if default be made in the payment of the poll tax, the street commissioners may sue for and collect such poll tax, with fifty per cent. damages and cost of suit, in the name of the village of Oconto; also, the said trustees may levy such additional tax of such sums as they may deem necessary for the repairs and of building of roads and bridges, and for the support of the poor."

Highway tax.

Supervisors.

§ 3. Section 67, of said chapter 193, is hereby amended by striking out the word "president," and insert in lieu thereof the word "supervisors;" also by striking out the word "one," in the third line, and insert in lieu thereof the word "two;" also strike out the word "his," in the third line, and insert in lieu thereof the word "their."

Authority of Trustees in relation to streets, &c.

§ 4. That the following sections be added to said chapter 193: The trustees of said village shall have power and authority to lay out new streets, alleys, and public walks, and to vacate or alter any highway, street, alleys and public walks, (whether included in any recorded plat of said village or otherwise); also to regulate, grade and improve highways, streets, avenues, lanes, alleys, and to extend, open and widen the same; and notice of the passage, by said president and trustees, of any order for laying, vacating or changing said

streets, alleys, and walks, shall be given by publishing a notice of said order in some newspaper printed in said village, (if the [there] be any,) for three weeks successively; and if there be no newspaper published therein, then a notice of said order shall be posted up, in three of the most public places in said village, for twenty days, and the president and trustees may offer such damages as to them may seem just, to any person or persons entitled thereto, by reason of the laying out, extending, widening or vacating thereof; and if any person shall claim more damages than is offered by the president and trustees, or if none be offered, such person shall file his notice of such claim, in writing, with the clerk of said village, before the expiration of the publication of said notice, or the posting thereof, and thereupon the said president and trustees shall cause the damages, if any, over and above the benefits accruing thereby, to the claimant or claimants, to be assessed by a jury, as hereinafter provided.

CHAPTER 170.

Notice.

Damages.

§ 5. The said president and trustees, within ten days after the filing of such claim or claims as aforesaid, shall make a written application to a justice of the peace of said village, requiring him to cause to be summoned six good and lawful freeholders, inhabitants of said village, and not directly interested, to assess the damages to which such claimant or claimants may be entitled, by reason of laying out, extending, widening, or vacating such street, alley or public walk; and upon filing the said application, the said justice shall issue his precept to the marshal of said village, commanding him forthwith to summon six freeholders, qualified as aforesaid, to meet at a time and place therein mentioned, which shall not be less than three days, nor more than six days, from the date of said precept, and the jury so summoned shall first be duly sworn for that purpose, and shall take into consideration as well the benefit as the injury which may accrue, and estimate and assess the damages to such claimant or claimants, by reason of the laying out, opening, widening, extending or vacating said street, alley, or public walk, as aforesaid, and shall forthwith return the same to the justice, under their hands and seals, which shall by said justice be filed with the clerk of said village, and shall be final and conclusive as to damages sustained, and the same shall be paid out of the treasury of said village.

Jury to assess damages.

How summoned.

Duty of Jury.

Award of Jury final.

CHAPTER 170.Compensation.

In case Jury
can't agree.

Trustees to
make order to
open streets
when owner
neglects or re-
fuses.

When only
damage shall
be paid to own-
er of land.

Certified copy
of order vacat-
ing streets to
be made.

§ 6. Each juror so summoned shall receive twenty-five cents for his services, and the justice one dollar and fifty cents, and the marshal one dollar, which shall be paid by said village, and in case the jury so summoned cannot agree, the said justice shall discharge them and forthwith issue another precept to the marshal requiring him to summon six freeholders of said village, qualified as aforesaid, to meet, at a time and place mentioned therein, which shall not be more than three days from the date thereof, and the same proceedings shall be had as by the first jury summoned.

§ 7. In case the owner or occupant of any lot or land through or by [which] any street, alley or public walk shall be laid out, extended or widened as aforesaid, shall neglect, within ten days after the expiration of the publication of the notice, or the posting thereof of the order laying out, extending or widening of the same, or shall fail within ten days after the assessment of the damages, in manner aforesaid, to open the said street or public walk so laid out, extended or widened, and remove all fruit trees, buildings, fences or other obstructions out of and beyond the limits thereof, it shall be the duty of said board of trustees to make an order, requiring the street commissioners within fifteen days after the date thereof, to remove all fruit trees, buildings, fences or other obstructions from and beyond the limits of the said street, alley or public walk, so laid out, widened or extended, and the said order or a certified copy thereof, shall be a perfect justification to the said street commissioner in all courts and places, for all acts done by him under and by virtue of said order.

§ 8. No damage shall be paid to the owner or occupants of any lot or land, until the street, alley or public walk laid out, widened or extended through or by the same, shall be opened, and all obstructions therefrom removed, and in case any such owner or occupant shall neglect, voluntarily, to remove all obstructions, within the time aforesaid, such owner or occupant shall forfeit one half the amount of damages offered by said trustees, or assessed by a jury, as the case may be, as a penalty for his neglect.

§ 9. In case any street, or part of street, contained in any recorded plat of said village, shall be vacated by the trustees thereof, they shall cause a certified copy of the order, vacating said street, to be made by

the clerk, under the corporative seal of said village, and filed with the register of deeds of the county in which said plat is recorded, and the said register shall note, on the recorded plat, the street or part of street vacated. CHAPTER 170.

§ 10. Whenever a majority of the resident owners, or holders by contract, of real estate and lots, bordering [bounded] on any one side, by a street, or part of a street, not less than ten rods in length, or any block in said village, shall desire to have a sidewalk built or repaired, they shall make out and sign an application in writing, to the board of trustees of said village, and the length thereof, also a brief description of the materials of which the same is proposed to be built, or repaired, and request that a tax be levied sufficient to build or repair (as the case may be) said sidewalk. When sidewalk to be built or repaired.
Form of application.

§ 11. On the receipt of an application, as mentioned in the preceding section, the trustees shall direct the street commissioner of said village to run the line thereof, and report within eight days, the costs and expenses of building or repairing said sidewalk, along the line of each lot or tract of land bounded thereby; and upon the coming in of said report, the trustees, having power to alter or correct said report, shall direct the clerk to make out, and deliver to the street commissioner, such tax on each lot or tract of land as is required to build or repair said sidewalk along the line thereof, giving a list of the owners if known, and a description of the property taxed, and thereupon the said street commissioner shall notify the person named in such tax list, by delivering to each person (if residing within said village) or leaving at the house, or place of business, of each person, a written notice requiring such person to build or repair said sidewalk, along the line of the lot or land so taxed, within twenty days from the date of said notice, or pay the amount of said tax in money; and in case any person or persons so taxed, do not reside within the limits of said village, a similar notice to them shall be posted up in three of the most public places in said village. Duty of Trustees on receipt of application.
Duty of Street Commissioner.

§ 12. To every such tax list, issued as aforesaid, a warrant shall be annexed, signed by the president and countersigned by the clerk, commanding the street commissioner to collect the taxes mentioned in such list in money, if the person named therein, failed to build or repair the sidewalk, for the building or repairing of which said tax was levied, within twenty days. Warrant to be annexed to tax list, commanding certain taxes collected.

CHAPTER 172. after being notified by the street commissioner, so to do, and said street commissioner, under said warrant, shall possess all the powers in collecting said taxes that are by statute conferred upon town treasurers, and said tax list and warrant shall be returned, within thirty days, as required by section forty of said act of incorporation.

When any portion of tax remains unpaid.

§ 13. On the return of the tax list and warrant, by the street commissioner, if it shall appear that any portion of the tax remains unpaid, the trustees may order the street commissioner to complete the building or repairing of said sidewalk, and pay the expenses thereof out of the treasury of said village, in which case the taxes, when collected as provided in section 41 of the act incorporating said village, shall be paid to the treasurer for the uses thereof.

Repeal.

§ 14. Section 29, 38, 39 and 41 of the act incorporating the village of Oconto, so far as they conflict with the foregoing provisions, are hereby repealed.

Special taxes, how raised and for what purpose.

§ 15. Special taxes for the purchase of fire engines, hose, hooks and ladders; also for the purchase of cemetery grounds, public squares, or for the improvement of the same, may be voted for by the qualified voters of said village, at any regular or special meeting; but no such vote shall be taken unless such tax be first recommended by the president and trustees, and a notice of the same, specifying the purpose for which said tax is to be raised, and the time and place for voting, be published, at least ten days before such meeting, in some newspaper in such village.

§ 16. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1860.

[Published April 9, 1860.]

CHAPTER 172.

AN ACT to amend an act, entitled an act to amend an act entitled "an act to consolidate and amend the act to incorporate the city of Kenosha and the several acts amendatory thereof."

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

Amendment in relation to Supervisors.

SECTION 1. Section four of chapter 3, of the Private and Local Laws of 1858, entitled, an act, to amend an