

- the Secretary of State shall take the above mentioned sum as the aggregate valuation of real property in said county; *Provided*, that if an equalization of all the real property of the State shall be required by law for the year 1860, this section shall have no force or effect.
- Proviso.**
- Tax remitted.** SEC. 2. There is hereby remitted to the county of Brown, of the State tax of 1859, the sum of eight hundred and six dollars, which shall be passed to the credit of said county, in its settlement with the State Treasurer for the State tax of 1860.
- Approved March 30, 1860.

## CHAPTER 262.

[Published April 18, 1860.]

AN ACT to enable the city of Fond du Lac to settle with its bond holders.

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

City bonds may be issued in certain cases.

SECTION 1. For the purpose of compromising and taking up the bonds of the city of Fond du Lac, issued to the Chicago, St. Paul and Fond du Lac railroad company, by authority of an act entitled "An act to authorize the city of Fond du Lac to aid in the construction of the Chicago, St. Paul and Fond du Lac railroad," approved March 7th, 1856, the city council of the city of Fond du Lac shall have power to issue the bonds of said city, at a rate that the mayor and two-thirds of the city council may agree upon.

Regulating issue of bonds.

SEC. 2. The bonds, herein provided for, shall be issued in amounts of not less than five hundred dollars, and not exceeding one thousand dollars each, except in fractional amounts due to individual bondholders, on the terms hereinafter specified for sums less than five hundred dollars, in which case they may be issued for the

Date of bonds.

actual sum due. All of said bonds shall bear date January 1st, 1861, and be issued on time, not exceeding

Interest.

twenty-five years, and with coupons or interest warrants attached, drawing an annual interest of six per cent., to be paid semi-annually, at any solvent bank or banking house in the city of New York, notice of the time and

place being given for ten days in some New York city paper.

SEC. 3. For the better security and more prompt payment of said bonds, the city council aforesaid, are hereby authorized and required, annually, to assess and levy upon the taxable property of said city a sinking fund sufficient to redeem the whole of said bonds within twenty years, commencing five years after date. The sinking fund shall be expended in the purchase of the bonds herein authorized at a price not exceeding their New York market value, and not above par, or otherwise to be invested in United States or State stocks, at not exceeding their New York market value, to be disposed of exclusively for the redemption of such bonds whenever they can be purchased as aforesaid.

City council required to levy a tax.

How sinking fund to be expended.

SEC. 4. The city council of said city, the city officers and its agents, are hereby expressly prohibited from issuing and delivering any of the bonds herein provided for, except in exchange for the bonds and coupons first recited in this act, and then only upon a compromise, at a rate that the mayor and two-thirds of the city council may agree upon, and any other delivery of said bonds, by any city officer, or agent of the city council, shall be deemed an embezzlement, and subject the offender, upon conviction thereof, to fine and imprisonment, at the discretion of the court.

How only bonds may be issued and delivered.

SEC. 5. For the payment of the bonds herein authorized, the city council of said city are authorized and required, annually, to levy and assess upon the taxable property of said city, a tax of sufficient amount to pay the coupons and sinking fund, and such portion of the bonds as may become due during the ensuing year, the levying whereof shall be ordered by a vote of the city council, taken by ayes and nays, [noes] and recorded upon the journal, and if said levying of such tax shall be neglected or defeated, except for cause over which the city council may not have control, any member thereof so neglecting, or acting knowingly contrary to the requirements of this section, shall be personally liable to a fine of five hundred dollars.

City council to levy tax to pay such bonds, &c.

Penalty for neglect.

SEC. 6. In case of any such neglect or omission to levy such tax, by the city council aforesaid, upon the application of any one or more persons holding such bonds or coupons, so to become due or over due, to the judge of the circuit court, and showing such neglect or omission of the city council to the satisfaction of said judge, he

Judge of circuit court may command tax to be levied.

- is hereby authorized to issue his precept to the city clerk of said city, or to any other person, commanding such clerk or person so designated to levy the necessary tax, (specifying the amount to be raised) to pay the coupons, sinking fund, and bonds so due, or to become due, and an assessment so made shall be as legal and binding, in all respects, as if ordered by the city council, and for the purpose of facilitating the assessment of such tax, in the manner prescribed, the person so directed by said judge shall have free access to all the city records, assessment rolls, or other papers necessary for such purpose, and the taxes so levied shall be collected by the city treasurer, and returns made, in every respect like other city taxes, and when collected shall be appropriated exclusively for the purpose specified in this act.
- Authority of the person commanded to levy tax.** SEC. 7. The city council, by vote of two-thirds of all its members, shall have power to purchase the bonds of the city before due, at such reduced rates below their value as they may deem for the best interest of the city, and they may levy taxes, as aforesaid, for the payment of the same, not exceeding ten thousand dollars in any one year for such purpose.
- How appropriated.** SEC. 8. Coupons falling due in any one year shall be receivable for the city taxes of the year in which they may be assessed.
- Bonds may be purchased before due.** SEC. 9. The city council of said city are hereby prohibited from issuing the bonds of said city, hereafter, for any other purpose whatever, except in payment of the bonded debt of said city.
- Coupons received for taxes.** SEC. 10. The city council of the city of Fond du Lac, are hereby authorized to require of the city treasurer any additional bond and sureties, which they may deem necessary for the safe keeping and disbursement of the moneys collected by the authority of this act, and for the faithful performance of all the duties imposed by the same.
- City bonds prohibited.** SEC. 11. If any member of the city council, or any city officer or agent, shall neglect or refuse to comply with the provisions of this act, not made the subject of special penalty, he or they, as the case may be, shall be liable to such fine or imprisonment, or both, on conviction thereof, as the circuit court, in its discretion, may impose, and all fines imposed by the provisions of this act, may be collected by action in the circuit court, upon complaint of any person or party interested, and shall be paid into the city treasury, and appropriated exclu-
- Additional security from city treasurer.**
- Penalties.**

sively for the payment of the coupons and bonds hereinbefore mentioned.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved March 30, 1860.

CHAPTER 263.

[Published April 14, 1860.]

AN ACT to provide for the government of the Wisconsin State Hospital for the Insane, and for other purposes.

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

SECTION 1. The Governor shall nominate fifteen persons, who shall be trustees of the Wisconsin State Hospital for the Insane, all of whom shall be tax payers and residents of this State, and no more than five of such persons shall be residents of the county of Dane. They shall be styled "The Board of Trustees of the Wisconsin State Hospital for the Insane," and a majority of them shall constitute a quorum for the transaction of business. Of those members first appointed, five shall serve for three years, five for two years, and five for one year, as may be designated by the Governor, at the time of nominating; and upon the expiration of these successive terms, the vacancies shall be filled, in like manner, for the term of three years, and each member shall serve until his successor is appointed. There shall be, annually appointed in the manner above prescribed, five persons to fill the then regularly accruing vacancy. And should any vacancy accidentally occur, by death, resignation, or otherwise, the same shall be filled by appointment of the Governor, for the unexpired portion of the term for which such trustee would have been required to serve: *Provided*, that if any member of the said board shall have neglected or failed to attend the meetings of said board for one entire year, the place of such member shall be deemed vacant, and shall be filled by the Governor as above designated for other cases of accidental vacancy.

Trustees—  
how appointed.

Classification.

Annual appointments.  
Special appointment.

Proviso.

SEC. 2. The board of trustees shall manage and direct the affairs and concerns of the Hospital in all its general interests; and they shall make, subject to the approval

Powers and duties of trustees.