

the offense of trespassing or cutting materials upon or removing materials from such lands, or prevent or bar any prosecutions for such offense, whether commenced before or after the sale of such lands.

SECTION 2. The heirs or assigns of such purchasers, shall have the same rights conferred upon such purchasers by the first section of this act. Rights of testing, &c.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1865.

CHAPTER 521.

[Published April 20, 1865.]

AN ACT to authorize the Oak Hill cemetery association to sell a portion of its grounds, and establish a new cemetery at the city of Watertown.

(See supplement to local laws.)

CHAPTER 522.

[Published June 2, 1865.]

AN ACT to enable the city of Appleton to settle with its bondholders.

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

SECTION 1. For the purpose of taking up, renewing and exchanging the bonds of the city of Appleton, issued to the Chicago and Northwestern railway company, by authority of an act entitled "an act to incorporate the city of Appleton," approved March 2d, 1857, and an act entitled "an act to authorize the city of Appleton to exchange bonds with the present bondholders," approved March 21, 1861, the mayor and common council of the city of Appleton shall have power and are hereby authorized to issue the bonds of May issue bonds in exchange for those issued to Ch. and N. W. R. R.

said city to the amount of ten thousand five hundred dollars principal, with interest coupons annexed, of a sufficient amount to equal all interest that may have accrued, or shall hereafter accrue, upon a similar amount of bonds heretofore issued to said company, during the year 1861.

Minimum and maximum amounts, and when payable.

SECTION 2. The bonds herein provided for shall be issued in amounts of not less than twenty-five dollars nor more than one thousand dollars of principal, at seven per cent. interest, payable in not more than twenty years from date, with interest warrants or coupons attached, with authority to make the first of said coupons include any back or unpaid interest that may be due upon the bonds for which these are intended as a substitute, and payable at such place, either within or without the state of Wisconsin, as the common council shall direct.

How payable.

SECTION 3. For the payment of the bonds herein authorized, the mayor and common 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 of said tax shall be ordered by a vote of the common council, taken by yeas and noes, and recorded upon the journal; and if said levying of such tax shall be neglected or defeated, except for cause over which the common 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.

Personal liability

Levy of tax may be ordered by judge of circuit court.

SECTION 4. In case of any such neglect or omission to levy such tax by the common council aforesaid, upon the application of 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 common council to the satisfaction of the said judge, he 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 common council; and for the purpose of facilitating the assessment of such tax in the manner prescribed, the person so directed by said circuit 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.

SECTION 5. Bonds and coupons falling due in any one year, shall be receivable for the city taxes of the year in which they may be assessed. Bonds receivable for taxes.

SECTION 6. The common council of the city of Appleton 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, or of the acts to which this is amendatory, and for the faithful performance of all the duties imposed by the same. Treasurer's bond

SECTION 7. If any member of the common 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 exclusively for the payment of the coupons and bonds hereinbefore mentioned. Penalty.

SECTION 8. All taxes hereinbefore provided for, when collected, shall be exclusively appropriated and applied to the payment of the coupons and bonds herein mentioned, and shall not be used for any other purpose whatever. How taxes to be applied.

SECTION 9. Section six of chapter ninety (90) of the general laws of 1861, and all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed. Repeal.

SECTION 10. This act shall take effect and be in force from and after its passage.

Approved April 10, 1865.