

estimated and determined the amount of moneys to be raised in each town and ward in their county for the support of common schools therein for such year, which tax has been levied and collected, and was not less than one-half the amount of school moneys apportioned to such town and ward by the state superintendent in his last apportionment of school moneys, the state superintendent shall apportion to each town and ward in such counties for the year 1869, the same amount of school moneys as if such county board of supervisors had complied with the provisions of chapter 40 of the general laws of 1866.

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

Approved March 8, 1869.

CHAPTER 188.

[Published March 23, 1869.]

AN ACT to authorize counties, towns and cities to aid in the construction of the West Wisconsin railway.

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

May aid rail-
road.

SECTION 1. It shall be lawful for the proper officers of any county, town or incorporated city or village, to levy a tax upon all the taxable property in such county, town, incorporated city or village, to aid in the construction of any portion of the West Wisconsin railway, and for such purpose to issue the bonds of any such county, town, incorporated city or village, in such sum or sums, and upon such terms and conditions as shall be agreed upon by and between such county, town, incorporated city or village, and the West Wisconsin railway company; but no such tax shall be levied, nor bonds be issued, by any such county, town, incorporated city or village, unless a majority of the legal voters of such county, town, incorporated city or village, voting on the question, shall first have voted in

favor of such tax or the issuing of such bonds, in the manner hereinafter provided.

SECTION 2. Whenever either of said railway companies shall require aid from any county, town, incorporated city or village, it shall make and deliver to the clerk of the board of supervisors of such county, the town clerk or clerk of such incorporated city or village, as the case may be, a definite proposition in writing, signed by the president or secretary of said railway company, and sealed with the common seal of said company, which proposition shall contain a distinct statement of the amount of money or bonds desired, and the terms and conditions and considerations upon which the same will be required to be paid and delivered to such railway company. Upon receiving such definite proposition, the clerk of the board of supervisors of such county, the town clerk or clerk of such incorporated city or village, as the case may be, shall, within ten days, publish or cause to be published, a notice of an election to be held by the legal voters of such county, town, incorporated city or village, at the usual place or places of holding elections in such county, town, incorporated city or village, and at such time as he may designate, which shall not be less than twenty nor more than thirty days from the date of such notice, which notice shall contain a full statement of the proposition made by such railroad company, and shall call upon the voters to deposit a ballot upon which shall be written or printed the words, "for the railway proposition," or the words, "against the railway proposition."

Companies shall make proposition.

Clerks shall give notice of election.

Form of ballot.

SECTION 3. Such election shall be held and conducted in the same manner that other general elections in such counties, towns, incorporated cities or villages are by law required to be held and conducted, and the votes cast at such election shall be counted, canvassed and returned in the same manner as the votes at any such general election; and the canvassers shall make, certify, sign and deposit with the clerk of such county, town, incorporated city or village, a statement of the whole number of votes cast upon the question, as well as a statement of the number for the railroad proposition, and of the number against the railroad proposition, and such certificate shall be conclusive evidence of the fact as to the number of votes cast for or against such

How election shall be held.

proposition, and also of the fact that such election was regularly held and conducted according to law.

SECTION 4. If a majority of the legal voters who shall vote on the question at any election to be held in any such county, town, incorporated city or village, in pursuance of the provisions of this act shall, as indicated by the official returns of any such election vote, "for the railway proposition," it shall be the duty of the proper officers in every such county, town, incorporated city and village, to cause said tax or bonds so voted to be raised or issued and to be levied and collected or issued, and to be paid over or delivered to such railway company, on the performance by said company of the terms and conditions contained in such railway proposition.

SECTION 5. For the purpose of giving effect to the provisions of this act, the proper officers of every county, town, incorporated city and village mentioned in this act, are hereby declared to be the chairman of the county board of supervisors and the clerk of the board of supervisors in each county, the chairman of the board of supervisors and the town clerk in each town, the mayor and city clerk of such incorporated city, and the president and clerk of each incorporated village.

SECTION 6. The tax authorized by this act shall be levied, assessed and collected in the same manner and form as other taxes are levied, assessed and collected in such county, town, incorporated city or village, and shall, when collected, be paid over to such railway company by the treasurer of such county, town, incorporated city or village, as the case may be, on the certificate of the chairman of the board of supervisors of such county or town, or the mayor or president of such incorporated city or village, that the said railway company has performed all the terms and conditions of the proposition under which such tax was voted, levied, assessed and collected, and such treasurer shall give additional bonds to be approved in the usual manner, in double the amount of the tax so to be collected by him, conditioned that he will faithfully pay over such tax as required by this act, and the bonds hereby authorized to be issued, shall be issued by such officers, in such amounts and with such rate of interest and upon such time and delivered to

If vote is for proposition, tax to be raised.

Who constitute proper officers.

How tax to be levied.

such railway company as shall have been agreed upon between such county, town, incorporated city or village and said railway company.

SECTION 7. All shares or the capital stock of the bonds, or other securities given by said railway companies to any county, town, incorporated city or village may be taken, held, sold and transferred by such county, town, incorporated city or village in the same manner and with like effect as can be done by individuals, and upon such terms and conditions as shall have been agreed upon between such county, town, incorporated city or village and the said railway company.

How shares may be disposed of by counties and towns.

SECTION 8. Whenever any county, town, incorporated city or village shall issue any bonds, it shall be the duty of the proper officers of such county, town, incorporated city or village, to levy annually upon the property thereof, as aforesaid, a tax sufficient to pay the interest upon such bonds, and raise a sinking fund to pay the principal thereof, when the same shall become due and payable.

Tax to pay interest to be levied annually.

SECTION 9. This act shall take effect and be in force from and after its passage.

Approved March 5, 1869.