

## CHAPTER 29.

[Published February 17, 1876.]

AN ACT supplemental to an act, to encourage the building of narrow-gauge railroads, and to secure cheap transportation to the people, approved March 2, 1875.

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

SECTION 1. Municipal corporations named in the act of which this act is supplemental, may, by agreement with narrow-gauge railroad companies, in the State of Wisconsin, aid in construction of narrow-gauge railroads by guaranteeing and agreeing to pay the interest on a given amount of the first-mortgage bonds of such roads for the period of ten years, and whenever any municipality shall give aid to any narrow-gauge railroad under this act, they may, and it shall be their duty to levy a tax each year for the period of ten years on the taxable property of such municipality, to pay the interest so agreed to be paid, as the same becomes due and payable, and in consideration thereof, the railroad so aided shall immediately upon the payment of the interest by such municipality, pay back to such municipality the amount of interest so paid by it, by tax upon the property of such municipality, in the first-mortgage bonds of the company, at their par value, or in lawful money of the United States of America, as the company may elect.

Municipal corporation may aid narrow-gauge railroads.

Shall levy tax.

SECTION 2. In all cases when municipal corporations aid in the construction of narrow-gauge railroads by guaranteeing and agreeing to pay the interest on a given amount of the first-mortgage bonds of such company, such guarantee and agreement shall be indorsed on each bond so guaranteed by them, and signed by the proper officers of such municipality, with the corporate seal attached; and no municipal corporation shall be held liable for the payment of the interest on any bond issued by any railroad company unless its guarantee and agreement with its seal attached is placed upon the bond, and in no case shall such municipality be held responsible for the payment of the principal of such bond, or any portion thereof, in consequence of such guarantee or otherwise.

Guarantee to be endorsed on bonds.

SECTION 3. The guarantee and agreement may be written or printed, or partly written and partly printed, but shall be signed by the hand and bear the actual

Seal of corporation to be affixed to agreement.

signatures of the proper officers of such municipality; and such municipalities as are not required by law to have a seal, giving aid to narrow-gauge railroads under this act, shall obtain a seal, with the name of their corporation engraved thereon, and shall affix the same to their guarantee and agreement; and no guarantee or agreement shall be valid except the seal of the corporation making the same shall be affixed thereto.

How agree-  
ment between  
railroad com-  
pany and mu-  
nicipality to be  
arrived at.

SECTION 4. The agreement between such railroad companies and such municipalities shall be arrived at as provided in an act entitled, "An act to authorize municipal corporations to aid in the construction of railroads," approved March 25, 1872, or as provided by section three of an act amendatory thereof, approved March 19, 1873, and in all cases when a majority of the voters of any municipality in the State of Wisconsin shall vote in favor of aiding the construction of a narrow gauge railroad under this act, or a majority of the tax payers shall petition in favor of such aid in accordance with the provisions of either of the acts referred to in this section, it shall be the duty of the proper officers of such municipality to place upon first-mortgage bond of such narrow gauge railroad company, the guaranteed agreement of such municipal corporation in form and substance as hereinbefore provided, to the given amount voted or petitioned by the votes [voters] or tax payers of such municipality in a city or village having a legally elected treasurer. The officers of such municipality guaranteeing such bonds, shall place the same in the hands of its treasurer, together with the proposition of the railroad company asking aid; and it shall be the duty of such treasurer, in whose hands such bonds are placed, to hold them in his possession until the railroad company has fully complied with the conditions upon which such aid was voted or made; and when the railroad company has fully complied with the conditions according to the proposition made by the railroad company for aid, it shall be the duty of the treasurer or custodian holding such bonds, to deliver them to such railroad company on its order, and the treasurer so holding said bonds may, before the company has complied with all the conditions upon which such guaranty and agreement was made, accept an order for such bonds given by the company to parties from whom they may buy iron, rolling stock, or other material for their road; but the acceptance shall be conditional, and the bonds shall not be delivered to such

third parties until the company has complied with the conditions upon which such guarantee or agreement was made as shown by the proposition of the railroad company to the municipality for aid.

SECTION 5. When towns, townships, or counties give aid to narrow-gauge railroads under this act, and place upon the first-mortgage bonds of the company their guarantee and agreement to pay the interest on such first-mortgage bonds for the period of ten years, as hereinbefore provided, such bonds, when so guaranteed, shall be placed in the hands of the county treasurer, and he shall hold them upon the same terms and upon the same conditions as provided in the last section for city and village treasurer.

Bonds to be placed in hands of county treasurer.

SECTION 6. All municipalities giving aid to narrow-gauge railroads under this act, shall be entitled to all the benefits of the act to which this is supplementary, the same as if they had given aid under the former act. Narrow-gauge railroad companies before asking aid under this act shall fix their freight and passenger rates as provided in section three of the former act, and municipalities giving aid under this act shall receive their share of the license or tax money as provided in section 5 of the act to which this is supplementary, and upon the same basis, to-wit: in proportion to the amount of bonds each municipality shall guarantee the payment or the interest on as hereinbefore provided, and to this end it shall be the duty of the acting clerk of any municipality giving aid under this act to immediately forward to the state treasurer a schedule of the number and amount of bonds so guaranteed by such municipality.

Privileges of municipalities.

Roads shall fix freight and passenger rates

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved February 16, 1876.