

bear interest, not exceeding seven per cent. per annum, and said interest shall be paid annually, together with not less than one-twentieth of the principal, after the first year, until the whole is paid: *provided*, that the amount of said bonds, including existing indebtedness, shall not exceed in the aggregate five per centum of the value of taxable property of said county, to be ascertained by the last assessment for state and county taxes previous to the issue of said bonds.

Payment of principal and interest.

SECTION 2. Each and every year, until the whole loan be repaid, the secretary of state shall, when he apportions the state taxes among the several counties, add to the state tax, which would properly be chargeable to said county of Brown, the annual interest due the state on said loan, and not less than one-twentieth of the principal sum so loaned, and the same shall be levied and collected out of the taxable property of said county, and paid over to the state in the same way as other state taxes are collected and paid.

Duty of secretary of state.

SECTION 3. At the time and in the manner provided for levying taxes for state and county, the board of supervisors of said county of Brown shall levy the amount of money required for the payment of the annual interest, and not less than one-twentieth of the principal sum loaned by the commissioners of public lands to the county of Brown, as provided for in the preceding section of this act.

Duty of county board.

SECTION 4. This act shall take effect and be in force on and after its passage.

Approved March 8, 1880.

[No. 161, A.]

[Published March 12, 1880.]

CHAPTER 137.

AN ACT to preserve the fish in Elkhart lake, Sheboygan county.

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

SECTION 1. It shall be unlawful for any person or persons to take, catch, kill, or in any way or manner destroy any kind of fish in Elkhart lake, Sheboygan county, in any other way or manner except with hook and line, excepting the months of November and December in each year.

When and where fishing is unlawful.

SECTION 2. Any person or persons violating the provisions of this act, or any of them, shall be guilty of a misdemeanor, and upon conviction thereof be

Penalty for violation of law.

subject to a fine of not less than fifty dollars together with the costs of prosecution for each and every such violation, and shall be committed to the county jail until such fine and costs are paid, or the offender discharged by law.

Justices of the
peace given
jurisdiction.

SECTION 3. Justices of the peace shall have jurisdiction to hear, try and determine all cases and actions arising under the provisions of this act; and upon the collection of any fine imposed by virtue of this act, one-third of the amount of such fine shall be paid to the complainant in the case and the remainder shall be paid into the county treasury to be disposed of according to law.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1880.

[No. 225, S.]

[Published March 12, 1880.]

CHAPTER 138.

AN ACT in relation to fences, and to amend section one thousand three hundred and ninety-one of the revised statutes of 1878.

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

Amended.

SECTION 1. Section one thousand three hundred and ninety-one, chapter fifty-five of the revised statutes, is hereby amended by striking out the words, "inclosed with fences," where they occur after the word "lands," in the first line of said section, and inserting in lieu thereof the words, "used for farming purposes;" also striking out "inclosure," in third line, and inserting "premises," in lieu thereof; also by striking out the words, "to inclose," in the fourth line, and inserting in lieu thereof "so occupy," so said section shall read

Partition fence.

as follows: The respective occupants of adjoining lands, used and occupied for farming purposes, shall keep and maintain partition fences between their own and next adjoining premises in equal shares, so long as both parties continue to so occupy the same and such fences shall be kept in good repair throughout the year, unless the occupants of the lands on both sides otherwise mutually agree.

When same to
be built and
maintained.

SECTION 2. Section one thousand three hundred and ninety-two of the revised statutes is hereby amended by striking out the word "inclosed," in the last line of said section, and inserting the words "so