

gether with the costs taxed upon the trial of such issue, shall be applied as a set-off to the plaintiff's demand, and judgment shall be rendered accordingly.

Approved April 7, 1885.

[No. 410, A.]

[Published April 13, 1885.]

CHAPTER 344.

AN ACT to legalize the proceedings of the town board of the town of Kaukauna.

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

SECTION 1. The proceedings of the town board of the town of Kaukauna, in regard to the building and construction of the bridges, and the manner in which the payments were made, are hereby declared to be as valid and legal as the same would have been, if done in pursuance to section 1273, chapter 52, of the revised statutes of 1878. Legalized.

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

Approved April 7, 1885.

[No. 320, A.]

[Published April 13, 1885.]

CHAPTER 345.

AN ACT to amend sections 1320, and 1321, of the revised statutes of 1878, relative to highways and bridges.

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

SECTION 1. Section 1320, of the revised statutes, is hereby amended by inserting after the word, "valuation," in the eighth line of said section, the following: "And any two adjoining towns, having a highway on the line between them cross- Relating to highways and bridges.

ing such navigable or meandered stream, are authorized to levy and collect a tax in the manner above provided, for the purpose of building or maintaining, or aiding in building and maintaining a bridge across such stream or to issue their corporate bonds as above provided;" also by inserting after the word, "town," in line 10, of said section the words, "or towns," so that said section when so amended shall read as follows: Section 1320. Any county, town, city or village bordering upon, or through which any navigable or meandered streams runs, is authorized to levy and collect a tax in the same manner that other taxes are levied and collected, not exceeding five mills on the dollar, of the last assessed valuation of the taxable property thereof, for the purpose of building or maintaining, or aiding in the building or maintaining a bridge across such stream, or to issue their corporate bonds for such purpose for an amount not exceeding two per centum on such valuation; and any two adjoining towns having a highway on the line between them, crossing such navigable or meandered stream are authorized to levy and collect a tax in the manner above provided, for the purpose of building or maintaining, or aiding in building and maintaining a bridge across such stream, or to issue their corporate bonds as above provided; but if a tax shall have been levied for such purpose in any such county, town or towns, city or village, their bonds for such purpose shall not be issued, for an amount exceeding the difference between such tax and two per centum of such assessed valuation.

Law amended
regarding
bonds.

SECTION 2. Section 1321, is hereby amended by inserting after the word, "town," in line 2, of said section, the words, "or towns," and by inserting after the word, "town," in line 6, of said section, the words, "or towns," so that said section when so amended shall read as follows: Section 1321. No such tax shall be levied or bonds issued for the purpose mentioned in the preceding section by any county, town or towns, city or village, unless the question of levying such tax or issuing such bonds shall have been submitted by a vote of a majority of the county, town or village board, or common council of such city, as the case may be, to a vote of the electors of such county, town or towns, city or village, and adopted at an annual

election, town meeting, or charter election, or at any election specially called for that purpose by such board or council; and in either case such board or council shall give notice of the submission of such question to the electors, as is required by law to be given of a special election or special town meeting; such vote in every case shall be by ballot, and the proper board or common council shall prescribe the form thereof. The votes shall be canvassed, returned and the result declared as in other elections.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.
Approved April 7, 1885.

[No. 77, A.]

[Published April 13, 1885.]

CHAPTER 346.

AN ACT to amend chapter 72, of the laws of 1881, entitled, "an act to amend section 4633, of the revised statutes," relating to costs in criminal cases.

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

SECTION 1. Chapter 72, of the laws of 1881, entitled, an act to amend section 4633, of the revised statutes, relating to costs in criminal cases, is hereby amended by adding at the end thereof, the following: In all criminal cases, when the costs can not be collected from the defendant on his or her conviction, or when the defendant shall be acquitted, such costs shall be paid from the county treasury.

Costs in criminal cases.

SECTION 2. This act shall take effect and be in force from and after its passage.
Approved April 7, 1885.