

[No. 478, A.]

[Published April 3, 1889.]

CHAPTER 225.

AN ACT to amend chapter 127, of the laws of 1874, entitled, "an act to incorporate the city of Menasha."

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

Amendment to
ch. 13, ch. 127,
laws of 1874.

SECTION 1. Section 34, of chapter 13, of said chapter 127, of the laws of 1874, is hereby amended by striking out the word, "two," where it occurs in third line of said section, and inserting in the place thereof, the word, "five."

Amend ch. 12,
ch 127.

SECTION 2. Section 20, of chapter 12, of said chapter 127, is hereby amended by adding at the end thereof, the words, "which compensation shall not exceed the sum of two hundred and fifty dollars (\$250.00) per annum."

Repealed.

SECTION 3. Section 33, of sub-chapter 13, of said chapter 127, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.
Approved April 1, 1889.

[No. 714, A.]

[Published April 4, 1889.]

CHAPTER 231.

AN ACT to amend the charter of the city of Milwaukee.

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

Shall purchase
land.

SECTION 1. It is hereby made the duty of the common council of the city of Milwaukee and the officers of said city, immediately upon the passage and publication of this act, to acquire by dedication, purchase or condemnation, the

fee simple of a strip of land extending from the intersection of Eleventh avenue with Pierce street in said city, in a northerly direction to the intersection of Sixteenth and Fowler streets in said city, and to be seventy feet wide and of uniform width. And it is hereby made the duty of the city engineer of said city, immediately upon the passage and publication of this act, to cause a survey of the same to be made, and to file said survey in the office of the board of public works of said city, and he shall also file therewith a description of the several parcels of land contained therein, and also a map or plat thereof, showing the location of the same. It is hereby made the duty of the board of public works of said city of Milwaukee, immediately upon the filing of the said plat and description of said strip of land and said survey, to ascertain if the same or any part thereof can be acquired from the owners thereof, by dedication without compensation and to report thereon to the common council without delay, and it is made the further duty of said board of public works to thereupon enter into negotiations with the several owners of the lands to be acquired, for the purchase of the fee simple thereof, and the said board is hereby authorized and empowered to purchase without any delay, from the owners thereof, the fee simple of all the lands described in said survey, which cannot be acquired by gift, and to issue bills therefor against the city of Milwaukee, which shall be paid as are other claims against said city, out of the general city fund thereof. And it is hereby made the duty of the common council and the proper city officers to provide for the payment of the amounts necessary for such purpose and agreed upon by the said board of public works. It is hereby made the duty of the said board of public works, within sixty days after the filing of said survey and plat, to report to the common council a list of all the lands set off in said survey and plat, which they have been unable to purchase or acquire by gift. And the common council shall thereupon proceed to acquire the fee of the several parcels described in the return of the said board of public works, by condemnation, and shall proceed in that behalf as provided in the charter of said city for the

Provide for
payment.

taking of lands for the public use, without petition, excepting that such proceeding shall be to acquire the fee-simple of said parcels of land and not the use thereof. And further provided, that there shall be no assessment of benefits, and that the award of damages in all cases shall be paid out of the general city fund. And further provided, that whenever the common council shall have confirmed the assessment of damages in said condemnation proceeding and shall have advertised for six days in the official newspapers of said city, that the amount of damages awarded to the owners of said lands respectively has been provided in the hands of the city treasurer, and is ready to be paid over to such several owners, the said city of Milwaukee shall have full power and authority to enter upon and appropriate the property so taken and condemned, and the same shall thereafter be subject to the provisions of this act and to all the laws and ordinances of the city of Milwaukee applicable thereto. And further provided, that if any person shall appeal from said assessment of damages in the manner provided by said charter, that such appeal shall not prevent the city of Milwaukee from entering upon possession of said lands as hereinbefore provided, and the owners of said lands so appealing may receive and accept the amount so awarded to them without any prejudice whatever to said appeal, and if a greater sum than the amount awarded shall be recovered in any case, the same with costs shall be paid out of the general city fund of said city as other judgments against said city are paid. In all other respects said proceedings shall be governed by the provisions of said charter relating to the taking of lands for public use.

Empowered to improve such land.

SECTION 2. The said city of Milwaukee is authorized and empowered to use the lands so acquired for all public purposes of whatever kind, and may construct, erect and maintain thereon any public bridge or bridges, viaducts, abutments, piers or other thing, and to improve the same, or any portion thereof as a public street or walk, and to construct therein any sewer, water-main, and for all other public purposes or uses, as the common council of said city of Milwaukee may, from time to time, prescribe.

SECTION 3. All acts and parts of acts in conflict Repealed. with the provisions of this act are hereby modified, superceded or repealed to the extent that the true meaning of this act may be carried into effect.

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

Approved April 1, 1889.

[No. 76, A.]

[Published April 4, 1889.]

CHAPTER 243.

AN ACT to amend the charter of the city of Milwaukee, being chapter 184, of the laws of 1874, relative to the recording of plats.

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

SECTION 1. Section 25, of chapter 6, of the charter of the city of Milwaukee, is hereby amended so as to read as follows: Section 25. In all cases where lands in the city shall hereafter be subdivided into lots or blocks, or where streets, alleys or public grounds shall be donated or granted to the public, the owner or owners thereof shall, in platting the same, cause the streets and alleys in such plats to correspond in width and general direction with the streets and alleys through the lots and blocks in said city adjacent to the lot or tract so platted, and shall submit such maps or plats thereof to the board of public works and to the common council of said city for their approval; and if such map or plat shall be approved by said board and by the common council, the party or parties making such plat shall record the same within thirty days from the date of such approval, together with the evidence of such approval, in the manner prescribed in the revised statutes of the state concerning town plats; but except such plat be approved in writing endorsed thereon and subscribed by said board and by resolution adopted by said

Amend chapter 6, charter of Milwaukee.

Board to examine plat.