

taxes levied in any town, for any one year, for all town purposes, exclusive of school taxes, and judgments against the town which have been heretofore or may hereafter be recovered on account of personal injuries sustained by reason of defective highway, shall not exceed in the whole, two and one-half per centum of the total assessed valuation of such town, for the preceding year, as equalized by the county board of equalization, unless the town board shall certify in writing that a larger sum is needed to repair unusual damages done to bridges or highways by fire or flood, in which case the electors may vote and the proper authorities may levy not to exceed one per cent, in addition to the aforesaid two and one-half per cent.

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

Approved April 15, 1897.

No. 121, S.]

[Published April 16, 1897.

CHAPTER 236.

AN ACT relating to notice in cases where damages are claimed on account of a defective road, and amendatory of section 1339, of chapter 52, of the revised statutes of Wisconsin.

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

SECTION 1. Section 1339, of the revised statutes of Wisconsin, is hereby amended by striking out the word "ninety," in the seventeenth line of said section, and inserting in lieu thereof

Relating to
damage for
defective high-
ways.

the words "thirty days in the case of any county or town and fifteen days in the case of any city or village," so that said section, when so amended, shall read as follows: Section 1339. If any damage shall happen to any person, his team, carriage or other property, by reason of the insufficiency or want of repairs of any bridge, sluiceway or road in any town, city or village, the person sustaining such damage shall have a right to sue for and recover the same against any such town, city or village; but if such damage shall happen by reason of the insufficiency or want of repairs of a bridge, sluiceway or road, which any county shall have adopted as a county road, and is by law bound to keep in repair, such county shall be liable therefor, and the claim for damages shall be against the county. If such damages shall happen by reason of the insufficiency or want of repairs of a bridge erected or maintained at the expense of two or more towns, the action shall be brought against all the towns liable for the repairs of the same; and upon recovery of judgment, the damages and costs shall be paid by such towns, in the proportion in which they are liable for such repairs; and the court may, in its discretion, direct the judgment to be collected from, or issue execution against each town for its proportion only. No such action shall be maintained against any county, town, city or village, unless within thirty days, in the case of any county or town, and fifteen days in the case of any city or village, after the happening of the event causing such damage, notice in writing, signed by the party, his agent, or attorney, shall be given to the county clerk of the county, a supervisor of the town, one of the trustees of the village, or mayor or city clerk of the city, against which damages are claimed, stating the place where such damage occurred, and describing generally the insufficiency or want of repair which occasioned it, and that satisfaction therefor is claimed of such county, town, city or village.

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

Approved April 14, 1897.

No. 235, S.]

[Published April 16, 1897.

CHAPTER 237.*

AN ACT to provide for the enlarging and equipment of the state historical library building, and extending the tax levy therefor.

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

SECTION 1. For the purpose of enlarging and equipping the building for the use of the state historical society of Wisconsin, and such other libraries and collections as may be placed in the custody thereof, provided for by chapter 298, of the laws of Wisconsin for 1895, the word "seven" is hereby substituted for the word "three," in the third printed line of section 5, of said act, so that said section shall read as follows: Section 5. For the purpose of constructing the building provided for in this act, there shall be levied and collected annually for seven years, beginning in the year 1897, a tax of one-tenth of a mill for each dollar of the assessed valuation of the taxable property of the state, the same to be paid out by the state treasurer on warrants drawn by the secretary of state in accordance with the provisions of section 2, of this act.

Tax for state historical library building extended.

SECTION 2. To enable the board of building commissioners, provided for by chapter 298, of the laws of 1895, to expedite the construction of

Authorized to borrow money.

*Amended by chapter 293, laws 1897.