

following words: "at such times as they may agree upon," in the first and second lines in said section.

CHAPTER 130.

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

Approved March 28, 1861.

## CHAPTER 130.

[Published, April 1, 1861.]

AN ACT to lay out and establish a state road from Ahnepee, in Kewaunee county, to the city of Green Bay, in Brown county, and provide for improving the same.

*The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Geo. W. Elliott, Fred. S. Ellis, Edward Decker, John Axtell and Michael Arnedt are hereby appointed commissioners to lay out and establish a state road from the village of Ahnepee, in Kewaunee county, to the city of Green Bay, in Brown county. It shall be the duty of said commissioners at the time of laying out said road, to award to the owners of lands through which the same is laid, such damages as they shall deem just, which damages shall be paid by the several towns in which such lands are situated.

Commissioners,  
and their duties.

SECTION 2. Before entering upon the duties required by this act, the said commissioners shall take and subscribe an oath to perform such duties faithfully and impartially, and shall execute to the people of the counties of Brown and Kewaunee, a bond in the penal sum of two thousand dollars, with such surety or sureties as the county judge and county treasurer of Kewaunee county shall approve, conditioned for the faithful and just expenditure of all moneys that may come into their hands by virtue of this act, and for the faithful performance of all their duties under this act, and shall file said bond and oath of office with the county treasurer of Kewaunee county. Said county judge and county treasurer are hereby authorized to prosecute the said bond whenever the condition thereof shall be broken, and shall have power to require said commis-

Shall take an  
oath and execute  
a bond.

Bond may be  
prosecuted.

CHAPTER 130.

Clerk and treasurer.

Lands within one and a half miles each side of road to be assessed.

Amount of tax.

Tax to be collected by clerk.

May be worked out.

How unpaid taxes shall be collected.

sioners to account to them as often as they shall deem necessary, and also to fill all vacancies which may from any cause occur in said board of commissioners.

SECTION 3. Said commissioners shall appoint a clerk, who shall act as treasurer under the provisions of this act.

SECTION 4. On or before the fifteenth day of August, A. D. 1861, the clerk appointed under this act shall make out an assessment roll containing a description of all the tracts or lots of land lying along the line of said road, of which one-half of each such tract or lot shall lay within one and one-half miles of said road, which in the opinion of said commissioners will be particularly benefited by the improvement of said road; and on completion of said roll, said commissioners shall meet on such day in the month of July or August, A. D. 1861, and at such place as they may agree upon, for the purpose of laying an assessment on such tracts or lots of land; and they shall assess them at their true cash value, setting down opposite each tract or lot of land described in said roll, the valuation as appraised.

SECTION 5. Said commissioners shall lay such tax on all the tracts or lots of land aforesaid, as in their opinion may be necessary to improve the said road and render the same passable as a good wagon road, not to exceed five cents on the dollar. The said clerk shall then calculate and carry out such tax opposite each tract or lot therein described.

SECTION 6. On or before the eighteenth day of September, A. D. 1861, the clerk appointed under this act shall proceed to collect the taxes in said roll, in the same manner and with like powers as town treasurers are authorized by law to collect county and town taxes.

SECTION 7. Any person charged with taxes in said roll, may work out the same at one dollar per day, under the direction of said commissioners, or either of them, or by furnishing materials at such prices as may be agreed upon.

SECTION 8. In the event of any part of the tax remaining unpaid on any of the property described in said roll, it shall be the duty of the clerk, or one of said commissioners, on or before the fifteenth day of November, A. D. 1861, to make out a list of such delinquent tracts or lots of land, and return the same to the town clerks respectively of the several towns through

which the road runs; and it shall be and is hereby made the duty of said town clerks to enter such unpaid taxes in their respective tax lists, for the year 1861, opposite the proper description of said tracts of lots of land; and such unpaid taxes shall then be collected by the town treasurers of said towns respectively, in money, at the time and in the manner of collecting county, state and other taxes. It shall be the duty of such treasurers to pay over all such moneys collected by them to the clerk appointed under this act, on demand, taking proper vouchers therefor. In case any part of such taxes shall not be collected by such treasurers, they shall return the same with other delinquent taxes for the year 1861, to the county treasurers, who shall collect the same as other taxes are by them collected, and proceed to the sale of said tracts or lots of land for the non-payment of such taxes, as in other cases, which sale shall be of like effect and subject to the same conditions as sales made for the non-payment of taxes under existing laws; and it shall be the duty of the county treasurers and clerks of the county board [boards] of supervisors, into whose hands any of such delinquent taxes shall come, to pay the same to the said clerk appointed under this act; and said officers are made liable on their official bonds for such moneys in the same manner as is now provided by law touching their liabilities for other moneys.

If not paid, lands may be sold.

Moneys arising from sales to be paid to clerk.

SECTION 9. It shall be the duty of said commissioners to expend the money so collected and apply the same on said road in such manner as will improve the same to the best advantage, and they shall proceed with the same without unnecessary delay.

How moneys to be expended.

SECTION 10. A majority of said commissioners shall constitute a quorum to transact any business provided for in this act; and each commissioner, and said clerk appointed by them, shall be entitled to and receive one dollar and fifty cents per day for every day actually and necessarily spent in the discharge of their duties under this act: *provided*, no such expense shall be chargeable to the state.

Quorum—salaries of commissioners and clerk

Proviso.

SECTION 11. This act shall take effect and be in force from and after its passage.

Approved March 28, 1861.