

after its passage, and shall take effect and be in force immediately thereafter.

Approved March 19, 1861.

CHAPTER 89.

[Published March 25, 1861.]

AN ACT to amend Chapter 304 of the General Laws of 1860, entitled "An act to constitute Shawanaw county a part of the Tenth Judicial Circuit, and to fix the Terms of Court therein."

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

First Monday of
January.

SECTION 1. Section 1 of chapter 304 of the general laws of 1860, entitled "An act to constitute Shawanaw county a part of the tenth judicial circuit, and to fix the terms of court therein," is hereby amended by striking out after the word "the" in the fourth line of said section the words "third Monday of February," and inserting in lieu thereof the words "first Monday of January."

Repeal.

SECTION 2. All acts or parts of acts, so far as they conflict with the operation of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved March 21, 1861.

CHAPTER 90.

[Published March 22, 1861.]

AN ACT to authorize the city of Appleton to exchange Bonds with its present Bondholders.

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

May issue bonds
in exchange for
those issued to

SECTION 1. For the purpose of taking up and exchanging the bonds of the city of Appleton, issued to

the Chicago and Northwestern Railway company, by authority of an act entitled "An act to incorporate the city of Appleton," approved March 2d, 1857, the city council of the city of Appleton shall have power and are hereby authorized to issue the bonds of said city to the amount of fifteen thousand dollars principal, with interest coupons annexed of a sufficient amount to equal all interest that may have accrued, or shall hereafter accrue, upon a similar amount of bonds heretofore issued to said company, during the year 1860.

Ch. and N. W. R.
R. Co.

SECTION 2. The bonds herein provided for shall be issued in amounts of not less than twenty-five dollars, nor more than one thousand dollars of principal, at seven per cent. interest, payable in not more than twelve years from date, with interest warrants or coupons attached, with authority to make the first of said coupons include any back or unpaid interest that may be due upon the bonds for which these are intended as a substitute, and payable at such place, either within or without the state of Wisconsin, as the common council shall direct.

Minimum and maximum amt's,
and when payable.

SECTION 3. For the payment of the bonds herein authorized, the city council of said city are authorized and required annually to levy and assess upon the taxable property of said city, a tax of sufficient amount to pay the coupons and sinking fund, and such portion of the bonds as may become due during the ensuing year. The levying of said tax shall be ordered by a vote of the city council, taken by ayes and noes, and recorded upon the journal; and if said levying of such tax shall be neglected or defeated, except for cause over which the city council may not have control, any member thereof so neglecting, or acting knowingly contrary to the requirements of this section, shall be personally liable to a fine of five hundred dollars.

How payable.

Personal liability.

SECTION 4. In case of any such neglect or omission to levy such tax by the city council aforesaid, upon the application of one or more persons holding such bonds or coupons so to become due or over due, to the judge of the circuit court, and showing such neglect or omission of the city council to the satisfaction of said judge, he is hereby authorized to issue his precept to the city clerk of said city, or to any other person, commanding such clerk or person so designated to levy the necessary tax (specifying the amount to be raised)

Levying of tax may be ordered by judge of circuit court.

to pay the coupons, sinking fund and bonds so due or to become due; and an assessment so made shall be as legal and binding, in all respects, as if ordered by the city council; and for the purpose of facilitating the assessment of such tax in the manner prescribed, the person so directed by said judge shall have free access to all the city records, assessment rolls or other papers necessary for such purpose; and the taxes so levied shall be collected by the city treasurer, and returns made, in every respect, like other city taxes, and when collected, shall be appropriated exclusively for the purpose specified in this act.

Bonds receivable
for taxes.

SECTION 5. Bonds and coupons falling due in any one year, shall be receivable for the city taxes of the year in which they may be assessed.

To pay bonded
debt.

SECTION 6. The city council of said city are hereby prohibited from issuing the bonds of said city hereafter, for any other purpose whatever, except in payment of the bonded debt of said city.

Treasurer's bond

SECTION 7. The city council of the city of Appleton, are hereby authorized to require of the city treasurer any additional bond and sureties which they may deem necessary for the safe keeping and disbursement of the moneys collected by the authority of this act, and for the faithful performance of all the duties imposed by the same.

Penalty.

SECTION 8. If any member of the city council or any city officer or agent shall neglect or refuse to comply with the provisions of this act, not made the subject of special penalty, he or they, as the case may be, shall be liable to such fine or imprisonment, or both, on conviction thereof, as the circuit court in its discretion may impose; and all fines imposed by the provisions of this act may be collected by action in the circuit court, upon complaint of any person or party interested, and shall be paid into the city treasury and appropriated exclusively for the payment of the coupons and bonds hereinbefore mentioned.

How taxes to be
applied.

SECTION 9. All taxes hereinbefore provided for, when collected, shall be exclusively appropriated and applied to the payment of the coupons and bonds herein mentioned, and shall not be used for any other purpose whatever.

SECTION 10. This act shall take effect and be in force from and after its passage.

Approved March 21, 1861.