

CHAPTER 400.

[Published April 26, 1864.]

AN ACT to incorporate the Turners' association in the village of Menasha, Winnebago county.

(See supplement to local laws.)

CHAPTER 401.

[Published April 27, 1864.]

AN ACT to authorize certain counties therein named, to aid the St. Croix and Lake Superior railroad company in the construction of its road.

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

Towns of certain counties may vote on proposition to aid St. C. and L. S. R. R.

Form of ballots, &c.

SECTION 1. At the annual town meeting for the election of town officers, to be held in and for the different towns comprising the counties of St. Croix, Polk, Dallas, Burnett, Ashland, La Pointe and Douglas, in the year one thousand eight hundred and sixty-four, or at any subsequent annual town meeting or general election held in each and any of said towns, comprised in any one of said counties, the legal voters of said counties, or either of them, may deposit ballots, written or printed, in words as follows, to wit: "for railroad aid," or "against railroad aid." Such ballots shall be deposited in a separate box, provided for that purpose by the inspectors of election, and such ballots shall be considered as the votes of the legal voters upon such question, and shall be counted, canvassed and returned to the proper officers as in other elections, and as provided under the election laws of the state applicable thereto: *provided*, ten days' notice of such submission shall be given by the sheriff of said counties, respectively, by posting in each town in the county, in four public places, a written or printed notice stating that a submission of the question of railroad aid, will be had.

SECTION 2. If a majority of the ballots cast in any of said counties be "for railroad aid," the county board of supervisors of said county shall have power, by resolution, to cause to be issued bonds of a denomination of one hundred dollars to one thousand dollars each, to an amount not exceeding fifty thousand dollars for each of said counties, except the county of Douglas, which may issue bonds to an amount not exceeding one hundred thousand dollars, payable thirty years after date thereof, with interest at the rate of seven per centum, payable semi-annually in the city of New York, at such place as the treasurer of the state shall designate.

If vote favorable, board of supervisors of each county may issue bonds to amount of \$50,000.

SECTION 3. The county board of supervisors of each of said counties, shall annually cause to be levied and collected, as other state and county taxes are collected, a sum of money sufficient to pay the interest accruing and existing by reason of the bonds which either of said counties may issue, at the rate aforesaid, and such further amount, to defray any expense attending the payment of such interest. The county treasurer of each of said counties shall pay over the same to the state treasurer, who shall receive and apply the same to the payment of such accruing interest, at the time or times, place or places, when and where the same shall become due.

Annual tax to pay interest on bonds.

Money to be paid to state treasurer.

SECTION 4. From and after the fifteenth year after the issue of bonds by any of said counties, the board of supervisors of each of said counties, respectively, shall annually cause to be levied and collected, as a special tax for that purpose, in the manner as state taxes are collected, a sum not exceeding five per cent. of the amount of bonds which may have been issued, or which may remain outstanding at such time; the amount so annually collected in said counties, as aforesaid, to be paid over by the county treasurer of each county thereof to the state treasurer. The state treasurer with the proceeds shall annually apply the same in payment of the bonds so outstanding against said counties; and in the event of not being able to find parties who may hold the same, willing to receive payment thereon, in that event the state treasurer shall invest such amounts so received in state or United States stocks, and shall receive thereon the amount of interest arising therefrom, and shall reinvest such interest in such stocks,

Tax for payment of bonds.

Application of same.

If money refused, treasurer to invest it in stocks, and report annually to board.

and shall annually report to the county board of each of said counties, the manner in which he has invested such amounts so paid to him as aforesaid, and the condition of the fund so annually to be raised for the period aforesaid as a sinking fund. The state treasurer shall, during the year previously to the time any of the bonds issued by any of said counties shall become due, realize upon the investments made by him for the purpose of paying and redeeming said bonds, and notify the board of supervisors of each county at least one year before such bonds become due, of the probable amount which he has or will realize from such securities, and the amount of bonds outstanding against each of said counties, and the probable deficiency which will remain after applying such amount so realized in payment of said bonds, together with the proper costs and charges. That it shall be the duty of each of the boards of supervisors of said counties to cause to be collected and paid over to the treasurer of the state, during the year previously to the maturity of any of said bonds, a sum sufficient to make up the same amount due, and that the same be paid over by the county treasurers of said counties to the state treasurer, who shall apply the same in the payment and cancellation of said bonds when they become due.

Redemption of bonds.

Tax for deficiency.

Board may make temporary loan.

SECTION 5. For the purpose of promptly meeting the first installment of interest, or any future deficiency before the taxes herein authorized to be collected for any bonds which any of said counties may issue, the board of supervisors of each of said counties shall have power to make temporary loans for any term not exceeding six months, but such loans shall not exceed seventy-five per centum of the tax levied and assessed for the purpose for which such loans may be made, and such temporary loans shall be paid by the treasurer of the state out of the tax when collected.

Liability of present territory of county.

SECTION 6. Any future dismemberment of the present territory comprising any of the counties aforesaid, by the erection of a new county or otherwise, the portion detached shall continue to be taxed for the purposes herein and by this act provided, the same as if such detachment had not been made, and according to the value of the property therein.

Application of avails of bonds.

SECTION 7. The said bonds, when authorized to be issued as aforesaid, shall be held by the county board

of supervisors of each of said counties, and the same, or the avails thereof, shall be expended in the counties which issued the same, provided the railroad passes through the said county, in the grading of said railroad or in the purchase of ties therefor; and the said bonds shall be delivered to the said railroad company when the board of supervisors of each of the said counties are satisfied that the same will be applied for such purpose.

When bonds to be delivered to company.

SECTION 8. If from any cause the said question is not submitted to the electors of either of said counties at the annual town meeting on the first Tuesday of April, one thousand eight hundred and sixty-four, it shall be submitted at any election or town meeting thereafter, when any ten electors of said county shall file with the clerk of the county board of supervisors a petition therefor; and when such petition is thus filed, the said clerk shall give public notice of the proposed submission of such question in the same manner as notices of general elections are now required by law to be given by the sheriff.

Question may be submitted at subsequent election.

SECTION 9. This act shall take effect and be in force from and after its passage.

Approved April 4, 1864.

CHAPTER 402.

[Published April 26, 1864.]

AN ACT to amend section forty-one of chapter one hundred and thirty-three of the revised statutes, entitled "of costs and fees."

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

SECTION 1. Section forty-one of chapter one hundred and thirty-three of the revised statutes, entitled "of costs and fee," is hereby amended, by adding thereto as follows: "*Provided*, that in actions at law on contract, the fees shall not in any one case exceed twenty-five dollars, and when the sum recovered is less than two hundred dollars, the same shall not exceed fifteen dollars."

Maximum of attorney's fees.