

said city of Mineral Point, except in so far as it is modified by the provisions of this act; and all officers whose duty it is to act under this law, shall be liable to the same penalties for neglect of said duty, as is prescribed in said chapter thirty-nine.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved February 18, 1864.

CHAPTER 70.

[Published February 20, 1864.]

AN ACT to enable to city of Fond du Lac to settle with its bondholders.

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

SECTION 1. For the purpose of compromising and taking up the bonds of the city of Fond du Lac, issued under an act entitled "an act to authorize the city of Fond du Lac to loan its credit to aid in the construction of railroads," approved March 16, 1854, and also under an act entitled "an act to authorize the city of Fond du Lac to aid in the construction of the Chicago, St. Paul and Fond du Lac railroad," approved March 7, 1856, the city council of the city of Fond du Lac shall have power to issue bonds of said city, at a rate that the mayor and a majority of the city council may agree upon.

Issue of bonds authorized to compromise indebtedness for railroads.

SECTION 2. The bonds herein provided for, shall be issued in amounts of not less than five hundred dollars and not exceeding one thousand dollars each, except in fractional amounts due to individual bondholders, on the terms hereinafter specified, for sums less than five hundred dollars, in which case they may be issued for the actual sum due. All of said bonds shall bear date March 1, 1864, and be issued on time not exceeding twenty years, and with coupons or interest warrants attached, drawing an annual interest not exceeding six per cent., to be paid annually at any solvent bank or banking house in the city of New York, notice of the time and

Denomination of bonds, date, interest, &c.

place being given for ten days in some New York city paper.

Sinking fund for redemption of bonds.

SECTION 3. For the better security and more prompt payment of said bonds, the city council aforesaid are hereby authorized and required annually to assess and levy upon the taxable property of said city, a sinking fund sufficient to redeem the whole of said bonds within twenty years, commencing five years after date. The sinking fund shall be expended in the purchase of the bonds herein authorized, at a price not exceeding their New York market value, and not above par, or otherwise to be invested in United States or state stocks at not exceeding their New York market value, to be disposed of exclusively for the redemption of such bonds whenever they can be purchased as aforesaid.

Terms of compromise.

SECTION 4. The city council of said city, the city officers and its agents, are hereby expressly prohibited from issuing and delivering any of the bonds herein provided for, except in exchange for the bonds and coupons first recited in this act, and then only upon a compromise, at a rate that the mayor and majority of the city council may agree upon; and any other delivery of said bonds by any city officer or agent of the city council, shall be deemed an embezzlement, and subject the offender upon conviction thereof, to fine and imprisonment at the discretion of the court.

Tax for payment of coupons and sinking fund.

SECTION 5. 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 whereof 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.

Individual liability of members of council.

Judge of circuit court may order levy of tax.

SECTION 6. In case of any such neglect or omission to levy such tax by the city council aforesaid, upon the application of any 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) 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 that 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.

SECTION 7. The city council, by vote of two-thirds of all its members, shall have power to purchase the bonds of the city before due, at such reduced rates below their value as they may deem for the best interest of the city, and they may levy taxes as aforesaid for the payment of the same, not exceeding ten thousand dollars in any one year, for such purpose. Purchase of bonds before maturity.

SECTION 8. Coupons falling due in any one year shall be receivable for the city taxes of the year in which they may be assessed. Coupons receivable for taxes.

SECTION 9. 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. Prohibition.

SECTION 10. The city council of the city of Fond du Lac 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. Additional bond from treasurer.

SECTION 11. 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 Penalty.

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.

Repeal.

SECTION 12. All acts and parts of acts conflicting with the provisions of this act, are hereby repealed.

SECTION 18. This act shall take effect and be in force from and after its passage.

Approved February 18, 1864.

CHAPTER 71.

[Published February 24, 1864.]

AN ACT to legalize the town meeting of the town of New Haven, in the county of Adams, held on the 25th day of December, 1863.

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

Special town meeting and tax for payment of bounties to volunteers, legalized.

SECTION 1. The special town meeting held in the town of New Haven, in the county of Adams, on the twenty-fifth day of December, 1863, for the purpose of raising a special tax to pay extra bounties to volunteers into the military service of the United States, is hereby declared legal and valid for all intents and purposes for which the same was held; and all acts done in pursuance of the vote or votes of said meeting, by the officers of said town or any of them, are hereby declared valid, the same as if the law had been fully complied with in notifying and conducting said meeting.

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

Approved February 18, 1864.