

after the word "appeal," in the third line of said section, the following: "within twenty days from the time of making such order," and by striking out the word "county," in the fourth line of said section, and inserting in the place thereof, the words "town" or "city," as the case may be.

In case execution is returned unsatisfied.

SEC. 5. In case any execution in such proceedings, issued by the clerk of the circuit court, shall be returned by the sheriff unsatisfied, in whole or in part, the said treasurer is hereby authorized and directed to institute proceedings, supplementary to execution, agreeably to the provisions of chapter one hundred and thirty-four, of the Revised Statutes; and it shall not be necessary that the amount of the tax shall exceed ten dollars, but such proceedings may be had on any sum whatever.

Approved March 24, 1860.

CHAPTER 199.

[Published March 7, 1860.]

AN ACT to authorize the village of Menasha to aid in the construction of Railroads.

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

Village officers may subscribe for stock,

SECTION 1. It shall be lawful for the president and trustees of the village of Menasha, in the county of Winnebago, being authorized by a vote of the electors, who shall be freeholders of said village, to provide aid for the construction of any railroad or railroads proposed to be constructed through or into said village, by subscribing, on behalf of the said village, to the capital stock of any company, now, or which may hereafter be organized under the laws of this State, for the construction of any such road, in the manner specified in this act.

Freeholders to vote.

SEC. 2. It shall be the duty of the president and trustees of the said village of Menasha, whenever twenty or more freeholders of said village shall petition therefor, to submit to a vote of the freeholders of said village, an ordinance setting forth the amount of stock proposed to be taken, and the amount of money to be raised by tax for the purpose of aiding in the construction of any such railroad, and they shall fix the time and manner in which

a vote will be taken for or against said ordinance, by the qualified electors of said village.

SEC. 8. The said ordinance shall be published at least ^{Ordinance to} three weeks previous to the time fixed for holding the ^{be published.} election, by publication in a newspaper printed in said village, or by posting up written or printed copies of said ordinance, in five of the most public places in said village, and the election shall be held, and the votes canvassed, and certified, in the manner provided by law for holding elections for village officers in said village. At such elections none but freeholders shall be qualified to vote. The vote shall be by ballot, on which shall be ^{Vote.} written or printed the words "For the ordinance," or "Against the ordinance;" and if a majority of all the votes cast at any such election shall be in favor of such ordinance, then the president of said village, in the name of the president and trustees of the village of Menasha, shall subscribe for the amount of stock mentioned in said ordinance.

SEC. 4. That the said ordinance shall not require a ^{Nature of or-} greater amount of money to be raised, by tax, than forty ^{dinance.} thousand dollars, and no more, in any one year, than six thousand dollars; and for the purpose of raising the sum of money required by said ordinance to be raised, the president and trustees of said village shall, annually, ^{Duty of vil-} cause an assessment of the amount to be made upon the ^{lage officers.} real estate situate within the said village, charging its proper proportion to each lot or parcel of real estate subject to the payment thereof, and shall be collected in like manner as now provided by law for the collection of the general tax of said village.

SEC. 5. In making subscriptions to the capital stock ^{Duty of presi-} of any railroad company, in conformity with the pro- ^{dent in ma-} visions of this act, it shall be the duty of the presi- ^{king subscrip-} dent, subscribing on behalf of said village, to make such ^{tions.} subscriptions on the books of such railroad company to the whole amount proposed to be taken by the said before mentioned ordinance, specifying the amount to be paid annually.

SEC. 6. Whenever, in the opinion of the president and ^{May extend} trustees of said village, it shall be deemed expedient ^{further aid to} to extend further aid to such railroad company, in construc- ^{road.} tion of its said road, they may sell, or contract for the sale of the whole or any portion of the said capital stock, so subscribed for or received by said village, and transfer and deliver, or contract for the transfer and delivery,

of the same, to any person or persons, company or corporation, and for such sum or sums as they shall deem advisable, and any money arising on such sale or contracts shall be applied in aid of the construction of said road.

Village officers may sell stock.

SEC. 7. All the capital stock taken in any railroad company received by said village, which shall not be sold and transferred, as provided in the next preceding section, may be sold and transferred by the said president and trustees, in such manner and for such price as, in their opinion, the interest of said village may require, and the money arising from such sale shall be paid into the treasury of said village.

Money to be paid to railroad Co.

SEC. 8. All moneys which shall come into the hands of the treasurer, under the provisions of this act, shall, from time to time, be paid over to the said railroad company, or assigns, as the same shall become due and payable on any contract or contracts with such railroad company, and according to the conditions thereof, and the receipts taken by said treasurer therefor, from such company or its assignee [assigns], shall be filed in the office of said treasurer, as his vouchers for such payment.

Orders on village treasury to be issued.

SEC. 9. Whenever any portion of the work on such road shall have been done, according to the terms and conditions of any contract entered into by and between the said village and any such railroad company, the president and trustees of said village shall direct the proper officers, of the said village, to issue and deliver to such company or assigns, orders on the village treasurer, payable at such time or times fixed by the terms of the said ordinances, herein in this act mentioned, setting forth in said orders on what account the same are issued, and that they will be received by said treasurer in payment of any village taxes due and payable in the year in which said orders, by their terms, shall respectively become due.

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

Approved March 24, 1860.