

No. 563, S.]

[Published May 5, 1917.

CHAPTER 154

AN ACT to amend the first paragraph of subdivision (9) of section 925—133 of the statutes, relating to the building of school-houses, libraries, bridges, etc., and the issuance of bonds therefor.

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

SECTION 1. The first paragraph of subdivision (9) of section 925—133 of the statutes is amended to read: (Section 925—133). (9). Such other purposes as are authorized by these statutes. No such bonds shall be issued unless authorized by an ordinance adopted by a vote in favor of the same of at least three-fourths of all the members of the common council elect, said vote to be at a regular meeting, not less than one week after the proposed ordinance shall have been published in the official paper of the city. In case of bonds issued for street improvements, school purposes, waterworks, lighting works for streets and public buildings, hospitals, dredging, docking, river and other harbor improvements, sewerage, parks and public grounds, a vote of the people of the city shall not be required unless within thirty days after the passage by the common council of the city of the ordinance authorizing the issuing of the bonds for such purposes there shall be filed in the office of the city clerk a petition in writing, signed by not less than ten per cent in number of the voters who voted in said city at the last general state election, asking for submission of the question of issuing such bonds to a vote of the people, in which case such question shall be submitted as provided in section 943; *provided that no election or vote by the people thereon shall have any validity, or any effect whatever on the action of the common council of any city when the purpose of such bonds is to repair, improve, make additions to, or replace with new buildings any school building or buildings which have been legally condemned or declared to be unfit for school purposes for any reason whatever by the proper authorities, pursuant to the provisions of section 517 of the statutes, and this provision shall apply to any such election where such order or decree made under and pursuant to said section 517 is made and filed at any date prior to the date of any proposed election on such bond issue; provided, that no such bonds shall be issued so that the amount thereof, together with all other indebtedness of the city, shall exceed five per cent of the assessed valuation of the property therein at the last assessment for the state and county taxes previous to the incurring of such indebtedness; that all such bonds issued shall be payable at the option*

of the city in annual installments, the last installment being payable not more than twenty years after their date, and shall bear interest not exceeding six per cent per annum, payable semi-annually, and that the council shall have provided for the collection of a direct annual tax sufficient to pay the interest thereon as it falls due and to pay and discharge the principal thereof within twenty years from the date of the issue of such bonds. The council may also issue negotiable bonds constituting a general city liability for the refunding of other bonds or for the funding of general city indebtedness or liability in the following cases:

SECTION 2. This act shall take effect upon passage and publication.

Approved May 4, 1917.

No. 178, A.]

[Published May 7, 1917.

CHAPTER 155

AN ACT to authorize the institution of suits to determine the title to swamp lands in the various Indian reservations in the state of Wisconsin.

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

SECTION 1. Any tribe of Indians claiming any right or title in or to any land in any Indian reservation within this state, in or to which the state of Wisconsin asserts any right or title under the act of congress of September 28, 1850, as swamp lands, may bring an action, in the name of the head chief of such tribe or the names of the several members of its business committee or council, but as the representative and for the use and benefit of such tribe, against the state in the circuit court of the county wherein said lands are located, to have such right or title determined and adjudged, as between the state and such Indian tribe.

SECTION 2. Such action shall be in equity and shall be commenced by the service of a summons and complaint upon the state of Wisconsin by delivering a copy thereof to the attorney-general, or by leaving a copy at his office in the capitol, with one of his assistants or the deputy attorney-general. The attorney-general shall appear and defend the action in behalf of the state.

SECTION 3. If it be determined in such action that the state has no title to the land involved therein, then judgment shall be entered forever barring it from any claim of any right or title therein; and if it shall be determined that the state has any title to such land, the judgment of the court shall so declare and shall determine and adjudge the nature and extent thereof. No costs shall be allowed to either party in any such suit.