

owners shall be non-residents or absent from the state, or his residence unknown, the service of such notice may be made by publishing the same in a newspaper published in said county for two successive weeks; *provided*, that upon the making and filing of any report as aforesaid, and the payment or legal tender of the amount of any valuation or damages specified therein, to the owner or owners of such lands, his, her or their legal representatives, or the payment of the amount as aforesaid to the clerk of said court, when any appeal under this act may have been taken, to abide the issue of such appeal, the said company, their agents or contractors, for making and repairing such canal, may immediately take and use the lands without awaiting the issue of any appeal brought thereon; and when such tender is not accepted, the said amount specified in the judgment or report, when not appealed from within the time limited, may be deposited with the clerk of said court, to be paid over on the order of the attorney of said company to the party rightfully entitled thereto, and thereupon said lands shall vest in said company in fee simple, and said company shall not be liable to any concerning the same.

Costs payable  
by company.

SECTION 8. The costs of any proceeding and judgment specified in this act, shall be paid by said company, except when upon appeal the verdict of the jury shall be for the same amount, or less, than that reported by the commissioners.

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

Approved March 8, 1877.

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[Published March 16, 1877.]

## CHAPTER 252.

AN ACT to amend chapter 152, general laws of 1872, entitled "An act to authorize the county board of supervisors in the several counties of this state to levy a special tax for county road purposes," and to amend chapter 229, laws of 1874.

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

Amended.

SECTION 1. Section 1 of chapter 152 of the general laws of 1872, is hereby amended so as to read as fol-

laws: Section 1. The board of supervisors of the several counties of this state are hereby authorized to levy and raise annually, upon the taxable property of said counties, a special county road and bridge tax, to be expended in building and repairing roads and bridges in and through said counties as hereinafter provided; *provided*, that the said supervisors shall not levy a greater sum than eight thousand dollars in any one year.

Authority of county board to levy special road taxes.

SECTION 2. Section 1 of chapter 229 of the laws of 1874, is hereby amended by striking out the words "two per centum," where they occur in the fifth line of said section, and inserting in lieu thereof, five mills on a dollar, so that when said section is so amended it will read as follows: Section 2. Any county, town, city or village bordering upon any of the navigable rivers of this state, or meandered streams or rivers, is hereby authorized to vote and levy a tax not to exceed five mills on a dollar upon the assessed valuation of the property in such county, town, city or village as the same appears from the last assessment roll or rolls in said county, town, city or village, for the purpose of building, erecting, constructing or maintaining a bridge across such navigable or meandered stream or river, or for the purpose of aiding in the construction, building and maintaining such bridge.

Counties, towns, cities and villages may levy taxes for bridge purposes.

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

Approved March 8, 1877.

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[Published March 16, 1877.]

## CHAPTER 253.

AN ACT to amend chapter 127 of the laws of 1874, entitled "An act to incorporate the city of Menasha," and as amended by chapter 343, of the laws of 1875.

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

SECTION 1. Section 11 of chapter 6 of said chapter 127, of the laws of 1874, as amended by section 9 of chapter 343 of the laws of 1875, is hereby amended by adding to the end of said section 9 the following: *And provided further*, that whenever the common council of said city shall pass a resolution to purchase or take up

Amended.