

priated, the sum of seven thousand and five hundred dollars, being the amount estimated as necessary for the purchase of stationery for the use of the legislature and state officers for the ensuing year; said sum to be disbursed in accordance with the provisions of section two hundred and eighty-nine, revised statutes, and for the purchase of maps ordered by joint resolution number twenty, A.

Claims to be sworn to.

SECTION 2. All claims and demands against the state for stationery furnished under the provisions of this act, shall be sworn to by the parties furnishing the same, accompanied by the certificate of the superintendent of public property, and filed with the secretary of state, who shall draw warrant for the amount.

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

Approved March 23, 1881.

[No. 83, S.]

[Published March 25, 1881.]

CHAPTER 179.

AN ACT to amend chapter one hundred and thirty-five of the laws of 1876, entitled an act to revise, consolidate and amend the charter of the city of La Crosse, approved Febuary 19, A. D. 1869, and the several acts amendatory thereof, and to provide for levying assessments for the cost of water pipe, heretofore laid and hereafter to be laid, in said city of La Crosse.

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

Estimate of expense for laying water pipe.

SECTION 1. Before laying any water pipe along any street, alley or other line in the city of La Crosse, or entering into any contract therefor, the common council of said city shall first cause to be made by the city surveyor, an estimate or estimates of the whole expense thereof and of the proportions of such expense to be assessed and charged to each lot and subdivision of a lot and parcel of land, fronting or abutting on the proposed line of water pipe, and on each side of the same, for the whole length thereof, but not exceeding the amount hereinafter prescribed; such estimate or estimates shall be in writing and accompanied by full specifications; and such estimates and specifications taken together, shall contain full details of everything necessary to an understanding of the character, extent and probable cost of the work, and if different sizes of pipe are to be used in the work, between what points in any line or lines the respective sizes are to be laid.

The common council may consider, amend and adopt such estimate or estimates and specifications, or reject the same and cause others to be prepared. After the approval and adoption of any such estimate or estimates and specifications, the same shall be filed in the office of the city clerk, and remain subject to public inspection. The common council, shall not permit or cause to be laid in said city in any one year, more than two miles of water pipe; and no water pipe of the size of six inches in diameter or less, shall be laid down or contracted for unless a petition therefor shall first be presented to the common council signed by the residents of the city owning a majority of the feet in front of all the lots fronting or abutting upon the line of pipe proposed to be laid and owned by residents of the city of La Crosse. In case the majority of feet in front of all the lots in any one block fronting on the proposed line of water pipe are owned by non-residents of said city, then such work may be ordered upon the petition of the resident owners of a majority of feet in front of any adjoining block, or of the block opposite, provided such owners of lots so petitioning for the same shall have water pipe already laid down in front of the lots owned by them respectively in such adjoining or opposite block or shall have petitioned for the same. Every person in the actual possession of real estate in said city under a contract for the purchase thereof from the owner, shall be held in virtue thereof to be the owner of such real estate, for the purpose of petitioning as owner thereof. Each person signing such petition as a resident, or as the owner of property, shall be required to write after his signature thereto, a brief description of the property so owned by him, and of the place of his residence in said city, and to annex thereto an affidavit that he is such resident or owner, or both, in the said city, and thereupon he shall be taken to be such resident or owner, or both, and such petition shall be as valid and have the same effect as if such person were the owner of such property, or a resident of the city as stated in his affidavit, although in fact it should thereafter appear that he was not such owner or resident.

SECTION 2. At any time after the approval and filing of any such estimate or estimates and specifications as aforesaid, the superintendent of water works, acting alone or in conjunction with any committee which the common council may designate for that purpose, may, by direction of the common council, adver-

Contract for
doing work to
be let to lowest
bidder.

tise in the official paper of said city, and in such other papers not published in said city as the common council may, in its discretion, permit, for bids for doing the work mentioned in such estimate, or estimates, and may receive such bids, and, subject to the approval of the common council or of any committee thereof appointed for that purpose, let the contract or contracts therefor to the lowest responsible and reliable bidder or bidders; and with the approval of said common council, the different parts of the work embraced in the estimate or estimates, may be let to different bidders.

Apportionment of expense.

SECTION 3. The proportion of the whole expense of such work to be assessed and charged to each lot or subdivision of a lot or parcel of land fronting or abutting on the line of such water pipe on either side thereof, and to be specified in the estimate required by section two of this act, shall be ascertained and fixed as follows: Every lot or parcel of land or subdivision thereof, where the same is subdivided in ownership, the same not being a corner lot, nor the actual corner of a corner lot subdivided in ownership, fronting or abutting on any line of water pipe, and on each side of the same for its whole length, shall be assessed and charged at the rate of forty cents per lineal foot of the whole frontage of the same, fronting or abutting on such line of water pipe. Corner lots and parcels of land not subdivided in ownership, and subdivisions of corner lots constituting the actual corner of corner lots subdivided in ownership, shall be assessed and charged forty cents per lineal foot of the aggregate frontage of the same on the streets, alleys, or other roadways or thoroughfares whose intersection constitutes the corner, subject to the following deductions: In the case of a lot, parcel of land or subdivision, constituting the actual corner, one-third of the aggregate frontage shall be deducted. Such deductions shall be made in the assessment for the longer front whenever the water pipe shall be laid opposite the same; no deduction shall be made in the assessment for the shorter front, and where the fronts are of equal length, the deduction shall only be made in the assessment for the pipe last laid.

When lots are subdivided by sale or contract.

SECTION 4. Whenever any lot or parcel of land shall be subdivided by sale or any other contract, after the approval and filing of the estimate, as hereinbefore provided for, any person interested may give notice to the superintendent of water works of such subdivision, and in such case, or when the superintendent of water works shall in any other way become cognizant of the

fact of such subdivision, he shall make an apportionment of the amount charged against any such lot between the different subdivisions thereof, and shall report the same in the return to be made to the city clerk as hereinafter provided; but if from any cause any mistake shall be made, either in the original estimate or in the said return to be made to the city clerk as hereinafter provided, in apportioning the assessment to lots or parcels of land, or subdivisions thereof, such mistake shall not be held in any manner to invalidate or impair the proceedings, or any part thereof, or to avoid the lien of the assessment based thereon, and any person may, by payment of the assessment for the number of front feet of any lot or subdivision belonging to him or in which he may be interested, discharge such lot or subdivision from such lien.

SECTION 5. It shall be the duty of the superintendent of water works, and the city surveyor, jointly, under their hands to make and certify to the city clerk, a list of all lots and parcels of land, and subdivisions thereof, so far as known, opposite which any water pipe shall have been laid down, and not before returned, showing the number of lineal feet of such pipe chargeable to each such lot, parcel or subdivision of land, and the amount of assessment thereon, and referring, by the date of filing, to the estimate under which, in each case, such pipes shall have been laid. Said return shall be made to the city clerk, if possible, in time to have the same included in the tax levy for the current year; and the amounts, appearing by said list and the estimate, to be chargeable to each lot, parcel of land and subdivision thereof, contained in said list, shall be entered by the city clerk in the tax roll in a separate column, under the head of "water pipe assessments," opposite the descriptions of lots, parcels and subdivisions, to which the same are severally chargeable, and when so entered, shall have the same effect, and shall be collected and the payment thereof shall be enforced by sale, deed and other proceedings, in like manner as is now provided by law in cases of taxes and of assessments for other street improvements. No certificates shall be issued to contractors for laying any such water pipe, but the assessments and charges therefor and the proceeds thereof, when collected, as hereinbefore provided, shall belong to the fund for the construction, operation and maintenance of water works in said city, and shall be credited to said fund on the city treasurer's books, and shall be called the "water fund."

Certified list of subdivisions.

Acts of council
ratified and
confirmed.

SECTION 6. For the purpose of producing uniformity in the assessments for water pipe in said city of La Crosse, and to do equal justice as between property hereafter to be assessed therefor, as hereinbefore provided, and property which has already been benefited by laying water pipe in streets or alleys, on which the same fronts or abuts, entirely at the cost of the general fund of said city, and for the purpose of relieving said general fund from indebtedness incurred heretofore, in laying such pipe in front of lots so benefited as aforesaid, all acts of the common council of said city heretofore taken and had in reference to laying water pipes in said city, are hereby expressly ratified and confirmed, and all the work done and improvements made in pursuance and execution thereof, are hereby expressly confirmed and adopted by the legislature; and all lots and parcels of land and subdivisions thereof fronting and abutting on any line of such water pipe heretofore laid down in said city, opposite such line of pipe, and on both sides thereof, and which have not been assessed therefor, are hereby declared subject to be assessed, and shall be assessed for the same in the manner herein-after provided.

List of lot's sub-
ject to water
assessment.

SECTION 7. The mayor, superintendent of water works, city surveyor and city attorney of said city of La Crosse, who shall then be in office, shall be and are hereby constituted a board of assessment, whose duty it shall be, at any time subsequent to the third Tuesday of April, 1881, and prior to the fifteenth day of June, 1881, to make or cause to be made, and to certify under their hands, a true list of all lots and parcels of land and subdivisions thereof, subject to water pipe assessment, in accordance with section six of this act. Such list shall show, in separate columns, the description of each parcel of land to be charged and assessed for water pipe already laid, the number of front feet thereof fronting or abutting upon any street or alley, or other thoroughfare or public ground through, along or across which, any line of water pipe has heretofore been laid as aforesaid, and the amount to be assessed and charged to each such parcel of land described therein for each line of pipe on which it may front or abut. Such amount shall be computed and ascertained at the same rate per front for each lot, parcel of land, and subdivision which is prescribed in section three of this act, as the charge to be assessed for pipe hereafter to be laid. In the case of corner lots and parcels of land and subdivisions thereof constituting the actual

corner, where pipe has been laid opposite both fronts or opposite the longer front only, one-third should be deducted from the aggregate frontage; where pipe has been laid opposite the shorter front only or opposite but one front, where the fronts are of equal length, no deduction shall be made; but in the cases last mentioned, such reduction of one-third shall be made, as required by section three of this act, when the second line of pipe shall be laid opposite any such corner lot or subdivision. Said list shall be filed in the office of the city clerk, on or before the fifteenth day of June, 1881. Upon the receipt and filing of said list by the city clerk, said clerk shall, as soon as practicable, and not later than ten days thereafter, publish a notice in the official paper of said city, stating in substance, that said list has been completed and filed, designating the streets or other thoroughfares or public grounds, and between what points therein the water pipe for which such assessment shall have been made is laid, and further stating that said list will remain in his office for the inspection of all persons interested, for sixty days from the first publication of said notice. Such notice shall be published daily in the official paper of the city for three successive weeks. The members of the said board of assessment shall, before entering upon their respective duties, take and subscribe the oath prescribed by the twenty-eighth section of the fourth article of the constitution of this state, and shall further be sworn to faithful performance of their duties under this act. Said oath shall be annexed to said list.

SECTION 8. In case any person, interested in any land included in said list, shall complain in writing to said clerk, that water pipe has not been laid in front of said land, or that the same is therein assessed for more than the true number of front feet, or that deductions have not been made therefrom as required by this act, or that any other error has been made in such assessment or in computing the amount thereof, then the clerk shall report the same to the members of the board of assessment hereinbefore provided, who shall thereupon take all necessary steps to ascertain if any such error exists, and to correct the same. Any such error, which may be discovered in said list, after its delivery to the city treasurer, as provided in section nine of this act, shall be corrected in such manner as the common council may prescribe.

SECTION 9. Within ten days after the expiration of sixty days from the first publication of said notice,

To correct errors in assessment.

Duty of city clerk.

the city clerk shall deliver the said list to the city treasurer of said city; and the said treasurer, upon receipt of said list by him, shall within ten days thereafter publish in the official paper of said city, once in each week, for four weeks, a notice describing and referring to said list, substantially as required in the notice mentioned in section seven hereof, and stating that the same is in his hands for collection, and that the assessments therein can be paid, and the lien thereof discharged by payment thereof to him at his office in the city of La Crosse at any time before the thirtieth day of November next thereafter. And thereafter, and until the expiration of the time mentioned in said notice, any person interested in any parcel of land mentioned in said list, shall be entitled to discharge therefrom the lien of the waterpipe assessment thereon, by paying to said treasurer the amount of such assessment without paying any interest thereon, or fees therefor, and all such payments shall be minuted on the margin of said list, provided that any person who may elect so to do, may pay to said treasurer in the same manner, within the time aforesaid, an amount equal to one-fourth of the said assessment against any parcel of land in which he may be interested, leaving the remaining three-fourths thereof to be collected in the manner hereinafter prescribed; and the payment of such one-fourth shall in like manner be minuted in the margin of said list.

Unpaid assessments to be entered upon the tax roll.

SECTION 10. After the expiration of the time mentioned in said treasurer's notice as aforesaid, the said city treasurer shall return to the city clerk, a true copy, verified by his affidavit, of said list with all payments as aforesaid minuted thereon, and said clerk shall thereupon charge said treasurer with the aggregate amount of all such payments. The city clerk shall enter in the tax roll of the city of La Crosse for the year 1881, in the column under the head of "water pipe assessments," opposite each description of land contained in said list, upon which such assessment remains unpaid, an amount equal to one-fourth of the entire assessment thereon; and in each year thereafter, and until the whole of such assessments shall have been paid or entered in the tax lists, the city clerk shall in like manner enter and extend upon the tax list of each year, opposite each description of land contained in said list, except those upon which such assessment shall have been theretofore paid in full, an amount equal to one-fourth of the entire assessment thereon; and such sev-

eral proportionate amounts and installments of such entire assessments, when so entered in and extended upon the several tax lists as aforesaid, shall be taken and deemed to be and shall remain valid separate liens upon the several lots and parcels of land opposite which they shall be separately placed in said several tax rolls, and and the same shall be collected and the payment thereof shall be enforced for sale, deed and other proceedings, in like manner as is now provided by law in case of general taxes, and of other assessments for street improvements placed upon the tax roll for collection.

SECTION 11. In all cases where water pipes have heretofore been laid in the streets of the city of La Crosse by private parties, under agreement that the city should thereafter take said pipe and pay to said parties the cost of laying the same, when the city shall have executed such agreement and paid for such pipe, the lots and lands on both sides of any line of such pipe shall be assessed and charged therefor in the same manner and at the the same rate per front foot as is hereinbefore provided for other pipe heretofore laid. The board of assessment, whose duty it shall be to assess and make a list of the same, shall be composed in any year in which it shall be necessary to make such list, of the same officers mentioned in section seven of this act. The list shall be filed and reviewed within the same times in each year in which the same shall be made, and in the same manner, the same notices shall be given by the clerk and treasurer, and the unpaid assessments shall be inserted in the tax roll next thereafter to be made out and in the tax rolls of the three next succeeding years, in the same proportions or installments, in the same manner, and with the same effect, as hereinbefore provided.

SECTION 12. All assessments authorized and provided for in sections six, seven, eight, nine, ten and eleven of this act, and the proceeds thereof, when collected, shall be applied by the common council to the payment of any indebtedness existing against said city, whether bonded or otherwise, arising from expenditures heretofore made in laying water pipe and building and operating pumping works in said city, or for any money borrowed by said city and applied and expended for the same purposes, and the balance, if any, shall be retained in and credited to the water fund on the city treasurer's books.

SECTION 13. None of the provisions contained in this act, shall be in force until after the assent of the

Where parties have laid pipe at their own expense.

Water tax, when collected, to be applied to the payment of city indebtedness for water-works.

This act not to take effect unless sanctioned

by majority of
tax payers who
are legal voters.

tax-payers, who are legal voters, residents of said city of La Crosse, shall have been given thereto in the mode hereinafter provided, at the charter election to be held in said city on the first Tuesday of April, 1881, at the same several polling places provided and used for the charter election, the question shall be submitted to the vote of the tax-payers who are qualified electors in said city. No person shall be entitled to vote at such election unless he is a qualified elector of the polling precinct or ward in which he shall offer his vote, and is also a freeholder or holds lands under written contract for the purchase of the same, in said city, or a person assessed for personal property tax on the assessment roll of said city for the year 1880. The vote on said question shall be by ballot and in a separate ballot box, and those in favor of accepting and assenting to the provisions of this act shall vote a ballot on which shall be written or printed, or partly written or printed the words "for water pipe assessments," and those voting against accepting and assenting to the provisions of said act shall vote a ballot on which shall be written or printed, or partly written or printed, the words "against water pipe assessments." The said election shall in all other respects be held and conducted, and the canvass of the votes thereat made, and certified returns thereof, together with the poll lists and tally sheets, shall be delivered to the clerk of said city, in the same manner as is now provided by law for holding and conducting charter elections in said city, and canvassing, counting and returning the results thereof. The common council shall meet within one week after said election and canvass the returns and declare the result thereof, as it appears from the same. And if it shall appear from such canvass that a majority of the ballots cast at such election are "for water-pipe assessments," then the provisions of this act shall be and remain in full force, otherwise this act shall be null and void, and shall have no force or effect whatever. Notice of said election shall be given by the city clerk by advertisement in the official paper, within two days after this act is approved by the governor, to be published daily until the day of election, which advertisement shall be substantially in the form used in notifying charter elections in said city, and shall have annexed thereto and included as part thereof a copy of this act.

Extra inspector
and clerk.

SECTION 14. The common council may appoint one extra inspector and one extra clerk for each election

precinct to act at the next charter election to assist in receiving and canvassing the votes.

SECTION 15. For the purpose of submitting the same to a vote, as herein provided, this act shall take effect when it is approved by the governor.

Approved March 24, 1881.

[No. 494, A.]

[Published March 28, 1881.]

CHAPTER 180.

AN ACT in relation to mortgages to the school fund in school section addition to the city of Racine.

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

SECTION 1. The commissioners of the public lands are hereby authorized and empowered to accept in full satisfaction of the amount due to the school fund on account of any of certain mortgages on lots in or subdivisions of section sixteen (16), in school section addition to the city of Racine, executed in pursuance of chapter one hundred and eighty-one, laws of 1849, and chapter thirty-three, laws of 1851, and acts amendatory thereof, on which interest for more than two years shall remain unpaid on the thirty-first day of May, 1881, such sum of money as they shall deem best for the interests of the state and equitable to the present owners or occupants of such lots ; and in case it shall be made to appear to the satisfaction of said commissioners that any of said lots have been washed away by the lake, as is believed, they are hereby invested with authority to cancel mortgages thereon for such reason, making explicit record thereof by their order duly executed, which order shall be noted on the face of such mortgages.

Satisfaction of mortgage to be accepted.

SECTION 2. The said commissioners may require such evidence of the non-existence of any of such lots or of the equitable rights of the present owners or occupants of any of such lots, and of the value thereof, as they shall deem best calculated to carry into effect the provisions of this act, for which they may incur an expense not to exceed twenty dollars in any one case, to be paid out of the fund to which the mortgages thereon belong ; and whenever a settlement shall have been determined upon, the facts and circumstances relating thereto, shall be fully recited in their order, confirming the same.

Evidence to be furnished the commissioners of public lands.