

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1881.

[No. 522, A.]

[Published April 5, 1881.]

CHAPTER 234.

AN ACT to authorize the county of Clark to aid the Black River railroad company in the construction of a railroad in said county.

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

Transfer of
county lands to
railway com-
pany.

SECTION 1. The board of supervisors of the county of Clark is hereby authorized and empowered to aid the Black River railroad company, its successors or assigns, in the construction of a railroad from the present terminus of said company's road near Neillsville, in said county, to such point within or without said county as may be agreed upon between said company and said board of supervisors, by a grant to said company, its successors or assigns, of the whole or any portion of the lands to which the said county of Clark has acquired an absolute title in any manner, and to execute and deliver to said company, its successors or assigns, conveyances good and sufficient in law for any and all lands so granted: provided, however, that no such conveyance shall be delivered until the said road shall have been completed between the points agreed upon as aforesaid; and provided further, that said board of supervisors shall not dispose of said lands until after the proposition to so dispose of them shall have been submitted to the qualified voters of said county, and by them approved.

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

Approved March 30, 1881.

[No. 284, A.]

[Published April 2, 1881.]

CHAPTER 235.

AN ACT to authorize the city of Milwaukee to extend the seventh ward park to the south line of Mason street, and to condemn and take property for that purpose, or to lease or to acquire the same by purchase, and to hold the same in trust for the use of the seventh ward of said city.

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

Completion of
seventh ward

SECTION 1. The provisions of chapter six of chapter one hundred and eighty-four, of the laws of 1874,

being the charter of the city of Milwaukee, and of the several acts amendatory of said chapter, are hereby so amended and enlarged, as to authorize said city to take and acquire the necessary lands and property for the purpose of extending and completing the seventh ward park to the south line of Mason street, as the same are named in chapter one hundred and forty-one of the private and local laws of 1838, and any acts amendatory thereof, and in addition thereto, such other portions of block one hundred and eight in said seventh ward, as the common council of said city may, by resolution, determine to acquire for said park.

park authorized.

SECTION 2. In case said city cannot agree with the owner or owners of any of the land required for said park, on the terms of purchase, it is hereby authorized to condemn and take the same in the manner required by law, to enable said city to take and condemn lands for the purpose of laying out streets, alleys, public squares and grounds: provided, that for the purposes contemplated by this act it shall not be necessary to have any petition of freeholders, or bond; but the common council shall, by resolution adopted by an affirmative vote of a majority of the aldermen of said ward, direct proceedings to be had for such purpose, and thereafter the proceedings shall be, in all respects, as provided by law, for the taking of property for public use as a street, without petition or bond.

In case of disagreement with owners of lots.

SECTION 3. The city of Milwaukee is hereby authorized to purchase, or lease with the privilege to purchase, by agreement with the owners, any or all of the lands and property contemplated to be taken for the purpose of such park, but no such purchase shall be made until the same shall have been ordered by the common council of said city, by resolution adopted by an affirmative vote of a majority of the aldermen of said ward, specifying the land to be purchased, the maximum price to be paid therefor and the terms of payment. Any such purchase may be made in whole or part on credit, and for that purpose the proper officers of said city may execute and deliver to the vendor of such land or property purchased, an instrument creating a lien thereon and any improvements thereon, for such purchase money without creating any corporate liability therefor, to secure the whole or any part of the price in installments extending not more than ten years from the date of such purchase, which installments may bear interest at such rate as shall be agreed on, not exceeding seven per cent. per annum.

City may lease or purchase.

City to hold
lands in trust.

SECTION 4. All such lands so taken, purchased or leased, shall be held by said city in trust for said seventh ward for the purpose of a park, to be an extension of the seventh ward park, and shall be improved, cared for and governed, as is in that respect provided in chapter one hundred and forty-one of the private and local laws of 1863, and the laws amendatory thereof, the same as if such provisions were herein incorporated and enacted.

Seventh ward
fund; and special assess-
ments.

SECTION 5. All moneys required to be paid for the taking of any lands or property under this act, (except such as shall be collected for assessments for benefits), or for the purchasing or leasing of any lands or property under this act, shall be chargeable to and paid out of the seventh ward fund, and not otherwise; and for the purpose of providing such moneys, it shall not be lawful to exceed the limit now fixed by law for such ward fund, and for the purpose of special assessments for benefits under this act, the property lying in said ward, shall be taxable therefor.

Proceedings
may be abandoned.

SECTION 6. If the board of public works or common council of said city shall at any time determine that the cost of the property proposed to be taken, whether ascertained by the said board or by the court on appeal in any case from the decision of said board, is unreasonably great, or so large as to be burdensome and injurious to the owners of the property assessed, to pay for the same, or if for any reason, the taking of any of the land authorized to be taken for such park shall be inexpedient, it shall be lawful for the board or the common council to abandon the proceedings for taking any or all of such land, which shall, therefore, remain the property of the owners thereof, as if such proceedings had not been commenced, and the expenses of the proceedings so abandoned shall be paid by the ward in which such land lies. Such abandonment shall not prevent the subsequent resumption of such proceedings under this act, it being the intention of this act to authorize the creation of such park, so far as the same can be done to the advantage of the tax payers of the said ward, and at a moderate reasonable cost, and not otherwise.

Amendment to
charter.

SECTION 7. This act is hereby declared to be an amendment of the charter of said city, and all acts and parts of acts contravening the provisions of this act, in so far as they conflict herewith, are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1881.