

[No. 93, S.]

[Published March 5, 1881.]

CHAPTER 50.

AN ACT to authorize the boards of trustees of certain incorporated villages to levy corporation taxes.

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

Population re-
quired.

SECTION 1. The board of trustees of every village incorporated under any special law of this state, which at the time of taking the tenth census of the United States, had by said census a population of twenty-nine hundred inhabitants or over, and the president and trustees of which, by the charter of said village, are now prohibited from levying a tax exceeding the sum of one thousand dollars in any one year, for the purpose of defraying the current expenses of said village, shall, at the time fixed by law in the charter of said village, by resolution to be entered of record, determine the amount of corporation taxes to be levied and assessed on the taxable property in such village for the current year, which shall not exceed in any one year two-tenths of one per centum of the assessed valuation of such property, unless a majority of the electors voting upon the subject at an election held for that purpose in the manner provided in the charter of said village, shall vote in favor of levying a greater sum.

Limit of tax for
current ex-
penses.

SECTION 2. All acts and parts of acts which conflict with the provisions of this act, are hereby repealed.

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

Approved March 4, 1881.

[No. 196, A.]

[Published March 8, 1881.]

CHAPTER 51.

AN ACT to authorize the board of supervisors of the town of Beloit to issue bonds to pay its present bonded indebtedness.

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

Amount of
bonds

SECTION 1. The board of supervisors of the town of Beloit is hereby authorized and empowered, at any time after the passage of this act, to issue bonds of said town to an amount in all not exceeding thirty thousand dollars, bearing annual interest not exceeding six per cent. per annum, for the purpose of paying the outstanding bonds of said town, which were issued under

and pursuant to the provisions of chapter eleven of the private and local laws of this state, passed in the year 1870, entitled "an act to enable the town of Beloit and the city of Beloit to settle their bonded indebtedness."

SECTION 2. Each and every bond issued in pursuance of the provisions of this act shall become due and payable on the tenth day of February of the year to be designated upon such bond, and the interest, at the rate specified upon such bond, shall be payable on the tenth day of February in each year after the same is issued, until the principal sum becomes due and payable.

Payment of principal and interest.

SECTION 3. Each and every bond issued under and by virtue of the provisions of this act, shall be made payable at some place or bank to be therein named, and the same shall become due and payable in the year agreed upon at the time of issue, to be named in such bond: *provided*, that none of said bonds shall be made payable at a later date than February 10, 1900; and not more than three thousand dollars of the principal sum of said bonds shall mature and become payable in any one year.

Place of payment to be designated.

SECTION 4. Any bond issued under the provisions of this act may be exchanged for any of the outstanding bonds of said town, mentioned in the first section of this act, and any such bond may be sold for cash by the town at not less than its par value, and all money received upon the sale of any such bond or bonds, shall be applied toward the payment of the present outstanding bonded indebtedness or said town of Beloit.

New bonds may be changed for outstanding bonds.

SECTION 5. There shall annually be levied by the board of supervisors of the town of Beloit, an amount sufficient to pay the principal and interest coming due on the tenth day of February the next, upon all bonds issued pursuant to the provisions of this act; and in case the board of supervisors shall neglect to make such levy on or before the first Monday of November next prior to the time for making the annual tax levy, it shall be the duty of the town clerk of the town of Beloit, without any order or direction of the supervisors, to levy and place in the next tax rolls of said town, with other taxes, an amount sufficient to pay all interest and principal to mature and become due upon any such bond or bonds, on the tenth day of the next succeeding February; and it shall be the duty of the treasurer of said town to collect the amount of said tax as the same appears on the tax rolls in his hands, in the same manner as other taxes are collected by

Tax levy.

him, and if the clerk of said town shall neglect or refuse to levy the amount as provided in this section, he shall be personally liable to each and every person or party entitled to such money, or any part thereof; and each and every party or person who is the owner of any bond or of any interest coupon, which should have been paid out of such tax, may recover against such clerk the amount of money due and payable thereon.

Application of
tax.

SECTION 6. All moneys collected from taxes levied pursuant to the provisions of this act, shall be used for the purpose of paying the interest and principal upon the bonds hereby authorized to be issued; and all such money shall be held and regarded as a separate fund for that purpose, and the same shall not be liable for the payment of any other debt or demand against said town; and the same shall not, nor shall any part thereof be paid out, expended for any other purpose, except as is provided in the seventh and eighth sections of this act.

When funds
may be trans-
ferred.

SECTION 7. If at any time hereafter any interest or principal upon said bonds is about to fall due, and there is not sufficient money in the treasury of said town belonging to the separate fund mentioned in the last preceding section, to pay such principal and interest, it shall be the duty of the supervisors to cause to be transferred from the general fund of the town in the hands of the treasurer, an amount sufficient to supply the deficiency; and thereafter any money so borrowed or transferred from the general fund of the town, may be repaid from any surplus money in the treasury belonging to such separate fund; but no such repayment shall be made between the thirty-first day of October and the tenth day of the next succeeding February.

General fund
may be bor-
rowed.

SECTION 8. In case there shall not be on the first day of February, in any year hereafter, money in the treasury of said town belonging to the fund mentioned in the sixth section of this act, sufficient to pay in full the interest and principal to mature and become due upon any such bonds and interest coupons, on the tenth day of said month of February, the treasurer shall transfer to such fund from the moneys in his hands, belonging to the general funds of said town, an amount sufficient to supply the deficiency, and the money thus transferred, with the other moneys in his hands belonging to said fund, shall be used and applied to the payment of the interest and principal of said bonds to become due on the tenth day of said month; and any money so transferred or borrowed from the general

fund, may be repaid, without interest, out of any money in the treasury belonging to the fund provided for in the sixth section of this act, at any time before the thirty-first day of October, next succeeding such transfer: *provided*, that there shall remain in the treasury at all times, money belonging to said fund sufficient to pay all interest coupons, which are past due, if any such there be, and which are properly payable out of said fund.

SECTION 9. No compensation shall be allowed the treasurer of said town for making a transfer of any moneys from the general fund as hereinbefore provided, nor for paying out the same after such transfer. No compensation for transfer.

SECTION 10. Interest coupons upon any bond or bonds issued pursuant to the provisions of this act, which become due on the tenth day of February, next succeeding the levy of the annual taxes in said town, shall be received by the town treasurer in payment of taxes at any time after the delivery of the tax warrant to the treasurer and before the first day of the next February. Interest coupons.

SECTION 11. Bonds issued pursuant to the provisions of this act, may be of such denomination as shall be agreed upon at the time of their issue; they shall be made payable to a party to be named therein, or bearer, and shall be negotiable and pass by delivery, and shall be signed by the chairman and countersigned by the town clerk and sealed with the seal of said town. Denomination of bonds.

SECTION 12. It shall be the duty of the clerk of said town to keep a record in a book to be provided for that purpose, of all bonds issued under the provisions of this act, in which he shall enter the date and number and the amount of the principal sum of every such bond executed by the chairman and clerk in behalf of such town, the place of payment, the name of the payee, the time of the delivery of each bond, the time when the principal sum becomes due and the name of the person to whom the bonds were delivered; and whenever any payment of interest, or of principal, shall thereafter be made by said town upon any such bonds, the amount and time of such payment shall be entered by the town clerk in the proper place upon such record. Clerk to keep record.

SECTION 13. If any interest coupon is received by the town treasurer for taxes, in the manner provided in section ten of this act, the same shall be deemed paid at the time it is so received by said treasurer, and he Interest coupons to be received for taxes.

shall enter upon every such coupon the date at which he received the same; and at the settlement of his account, he shall be credited with the amount payable upon all interest coupons so received by him.

Outstanding
bonds.

SECTION 14. In case any bonds of said town, issued under and by virtue of the provisions of said chapter eleven of private and local laws of the year 1870, shall remain outstanding, it shall be the duty of the supervisors of said town, to pay the interest thereon, as the same becomes due, and to pay the principal sum of said outstanding bonds, on or before the tenth day of February, 1889; and there shall be levied and collected in said town, before the said tenth day of February, 1889, taxes sufficient to pay and satisfy in full the principal and interest upon all such outstanding bonds; and said moneys shall be paid in the manner provided in said chapter eleven.

Indebtedness
not to be in-
creased.

SECTION 15. Nothing in this act contained shall be construed to authorize the supervisors of said town of Beloit, to increase the amount of the said indebtedness of said town, excepting as the same may increase by interest to accrue upon bonds issued pursuant to the provisions of this act.

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

Approved March 5, 1881.

[No. 213, 8.]

[Published March 12, 1881.]

CHAPTER 52.

AN ACT to amend section two thousand nine hundred and eighteen of the revised statutes, relating to costs and fees.

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

Costs allowed
to plaintiff.

SECTION 1. Subdivision six, of section two thousand nine hundred and eighteen of the revised statutes, is hereby amended by adding at the end of said subdivision the following: "And in an action on contract, when the plaintiff shall recover one hundred dollars or more;" so that said subdivision when so amended shall read as follows, to-wit: 6. In an action on contract wherein real estate shall have been attached at the commencement thereof, without regard to the amount recovered, and in an action on contract when the plaintiff shall recover one hundred dollars or more.

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

Approved March 8, 1881.