

No. 749, A.]

[Published June 12, 1905.

CHAPTER 327.

AN ACT to permit the purchasing or building of a free wagon bridge across the Wisconsin river between Iowa and Richland counties, in Wisconsin.

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

Purchase or construction of bridge authorized; draw must be provided. SECTION 1. The town of Clyde in Iowa county, and the village of Lone Rock in Richland county, in the state of Wisconsin, are hereby authorized and empowered to purchase, build, construct, and whenever purchased or constructed to thereafter forever maintain at their joint expense, a free wagon bridge over and across the Wisconsin river at some point in section twenty-four (24), township number eight (8) north, of range two (2) east, in Iowa county, in the state of Wisconsin, to a point in section thirteen (13) township number eight (8) north, of range two (2) east in Richland county, in the state of Wisconsin, at such point as the town and village boards thereof may select: and for such purpose they may erect piers, drive piles, build embankments and approaches in said river and on the banks thereof, suitable and necessary for the proper construction and maintenance of said bridge, and the enjoyment of the rights hereby granted or intended to be granted: provided that said bridge shall be provided with a proper and suitable draw or swing so as not to unreasonably obstruct said river for the purposes of navigation.

Question of levying tax or issuing bonds for to be submitted to vote. SECTION 2. No tax shall be levied or bonds issued for the purpose of purchasing or building and constructing such a bridge, as mentioned in the preceding section unless the question of levying such tax or issuing such bonds shall have been submitted by a vote of a majority of the town or village board of such town and village of each respective municipality, to a vote of the electors of such town and village and adopted at an annual election, town meeting or charter election, or at an election specially called for that purpose by such town board or village board, and in either case such board shall give notice of the

submission of such question to the electors as is required by law to be given of a special election or special town meeting; such vote shall be taken separately in said town and village, and a majority of the votes cast on such proposition in such town or village shall be necessary to its adoption; such vote shall in each case be by ballot and the proper town or village board shall for their own municipality prescribe the form thereof. The votes shall be canvassed, returned and the result declared as in other elections.

Execution and issue of bonds. SECTION 3. All bonds issued by said town or village under the provisions of this act shall be executed according to the provisions of section 956 of the statutes of 1898 and shall be issued only according to and subject to the provisions of sections 943 and 944 of the statutes of 1898.

Appropriations by county boards; limitation on; disbursement of. SECTION 4. Whenever the town board of said town of Clyde shall file with the county board of Iowa county, and the village board of said village of Lone Rock shall file with the county board of Richland county its petition setting forth the fact that said town and village have each voted to purchase, construct or repair the said bridge, stating the cost of such bridge or repairs as near as may be, and further stating that such town and village have each provided for the payment of one-fourth of the cost of such bridge or the proposed repairs thereon, the said county boards shall each appropriate one-fourth of said estimated amount and cause such sum to be levied upon the taxable property of the county, and such money, when collected, shall be paid by said county of Iowa to the treasurer of said town of Clyde, and by said county of Richland to the treasurer of said village of Lone Rock, whenever the said town or village shall notify the chairman and county clerk of their respective counties that the said bridge has been purchased or that the work thereon has been completed and accepted. All moneys received by said town or village treasurers shall be kept and accounted for by them in the same manner as other town funds, but the same shall be kept as a special fund and shall be paid out only for the purposes for which appropriated. Provided, that no more than one mill on the dollar of the equalized valuation of the property in either of said counties shall be levied for the aforesaid purpose for any similarly constructed bridge or bridges and for all county bridges constructed under the provisions of section 1319 of the statutes of 1898 in any one year, and that no order shall

be drawn on account of such levy except upon the certificate of the county treasurer that the money produced by such levy has come to his hands to pay such order.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved June 9, 1905.

No. 465, A.]

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CHAPTER 328.

AN ACT to provide a remedy for an accounting and discovery of all license fees due the state from railroad companies and the enforcement of the collection thereof.

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

Actions to be commenced in Dane county; no change of venue.

SECTION 1. The attorney general is hereby authorized and directed to commence civil actions in the circuit court for Dane county in the name of the state against every railroad company or person now or heretofore operating a railway or railroad in this state, which has failed or neglected to pay the state all license fees required of it to be paid by the provisions of any law of this state now in force or which has heretofore been in force. No change of venue shall be taken in any such action to any other county, but if an affidavit of prejudice be made and filed, or if the judge of said court be for any other reason disqualified to hear, try and determine such action, he shall call in a circuit judge from some other judicial circuit of this state, who shall hear, try and determine such action.

Complaint. SECTION 2. The complaint in each such action may demand a discovery under oath, and an accounting and such other or further relief as may be deemed necessary to enforce the collection of any and all sums found by the court to be unpaid. It may state in substance that the defendant has failed and neglected to pay the license fees, or some part thereof,