

CHAPTER 296.

[Published April 24, 1863.]

AN ACT to authorize certain towns to maintain certain plank roads and turnpike roads therein, and demand and receive toll for travel thereon.

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

Certain towns authorized to raise taxes for repair, &c. of plank and other roads.

SECTION 1. It shall be lawful for the qualified electors of the towns of Taycheedah and Calumet, in the county of Fond du Lac, at their annual town meeting, in any year, or at any special town meeting held pursuant to notice, to vote a tax upon the taxable property of each town, respectively, for the purpose of repairing and maintaining any plankroad or turnpike road situated in said town, the charter of which has expired by limitation of law, and the maintenance of which has been abandoned by its original owners or their assignees; and such tax, when so voted, shall be levied and collected in the same manner as other town taxes are collected: *provided*, that neither of said towns shall raise more than fifteen hundred dollars in any one year for the purpose aforesaid.

Limit to tax.

Application of moneys.

SECTION 2. All money raised in accordance with the provisions of section one of this act, shall be especially applied to the purpose for which it is raised, and shall be paid out upon the order of the supervisors, signed by their chairman, and attested by the town clerk of the proper town.

May collect toll, &c.

SECTION 3. Whenever said towns shall have made such plankroad or turnpike road secure and smooth, as provided in sections twenty-five and twenty-six of chapter sixty-nine of the revised statutes, the supervisors thereof may erect and maintain one or more toll gates upon such road, and thereat demand and receive toll, at the rate and in the manner provided by section twenty-seven of chapter sixty-nine of the revised statutes, and may continue to demand and receive toll as long as such road shall be maintained secure and smooth; and such toll, when so received, shall be paid into the town treasury of the proper town, and be subject to the payment of the contingent expenses of such town.

SECTION 4. In case the said towns, or either of them, shall avail themselves of the provisions of this act, such town shall have all the privileges and be subject to all the liabilities granted to and imposed upon a corporation formed under the provisions of chapter sixty-nine of the revised statutes, so far as the same can be made applicable; and the supervisors of such town or towns, respectively, shall be deemed, and are hereby constituted, a board of directors to manage the business of such plankroad or turnpike road, as the case may be, capable of suing and being sued, and maintaining actions at law in the same manner as any other plankroad or turnpike road corporation may do, by virtue of any law of this state.

Privileges and liabilities.

Boards of directors.

SECTION 5. The said towns of Taycheedah and Calumet are hereby authorized to take possession of any and all plankroads and turnpike roads in such towns, respectively, the charter whereof has expired by limitation of law, and the proper maintenance and repair of which shall be abandoned or neglected by the owner or owners thereof, and improve and maintain the same, as provided in this act.

May take possession of roads, the charters of which have expired.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved April 2, 1863.

CHAPTER 297.

[Published April 11, 1863.]

AN ACT to repeal chapter 60 of the general laws of 1861, entitled "an act to amend chapter 122 of the revised statutes, entitled 'of the forms of civil actions, and parties thereto.'"

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

SECTION 1. Chapter sixty of the general laws of 1861, entitled "an act to amend chapter one hundred and twenty-two of the revised statutes, entitled 'of the forms of civil actions, and parties thereto,'" is hereby repealed.

Repeal.