

portioning the school fund income for 1864, to apportion to the town of Harmony, in the county of Rock, the sum of twenty-four dollars and sixty-four cents, in addition to the sum properly belonging to said town of Harmony, for the year 1864, to supply a deficiency in the apportionment to said town for the year 1863, said deficiency arising from a clerical error of the town clerk of Harmony.

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

Approved March 23, 1864.

CHAPTER 199.

[Published April 2, 1864.]

AN ACT to authorize the city of Appleton to issue bonds for certain purposes therein named.

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

May issue bonds in aid of rail-roads to amount of \$50,000.

SECTION 1. The mayor and common council of the city of Appleton, in the county of Outagamie, are hereby authorized to issue corporate bonds of said city, to an amount not exceeding fifty thousand dollars, for the purpose of aiding in the construction of a railroads to, through or from said city, and the construction of any side-track or branch road from the main track of any railroad to and along the Fox river or the canal in said city, and the construction or making of any plank-road, earth road or other roads, and the construction or making of any other public improvements in, through or from said city; such bonds to be issued on not exceeding ten years' time, with coupons or interest warrants attached, drawing an annual interest not to exceed seven per centum per annum, to be paid annually at such time and place as the mayor and common council shall direct: *provided*, that no bonds shall be issued under the provisions of this act unless a majority of the electors of said city shall, at a meeting or election of said city held for that purpose, vote for the issuing of said bonds.

Question to be submitted to vote

SECTION 2. For the purpose of determining whether such bonds shall or may be issued, there shall be held an election of said city, on the 28th day of May, A. D. 1864, at the usual places of holding elections in said city, and under the supervision of the inspectors of elections for said city, at which election the qualified voters of said city may vote for or against the issue of such bonds; and the ballots to be voted shall have written or printed, or partly written and partly printed thereon, the words, "for the bonds," or the words, "against the bonds," and if a majority of all the ballots cast at such election shall be "for the bonds," then such bonds may be issued as provided in section one of this act, any law to the contrary notwithstanding.

Election to be held May 28.

Form of ballots, &c.

SECTION 3. If such bonds shall be issued, it shall be competent for the common council of said city to authorize the mayor, or one of their own number, or any other person, to negotiate the sale of such bonds, and to allow such compensation for such services as they may deem reasonable: *provided*, the common council may, if they deem proper, order that such bonds shall not be sold at less than their face, or at par.

Negotiation of bonds, &c.

Proviso.

SECTION 4. In case any such bonds shall be issued, it shall be the duty of the mayor and common council to cause to be levied and collected annually, on the taxable property of said city of Appleton, a sum sufficient to pay the interest on said bonds as it becomes due, and also when the principal of such bonds become due, to cause to be levied and collected on the taxable property of said city a sum sufficient to pay such principal; and if they shall fail to order such sums to be levied and collected at the times aforesaid, they may be compelled to so do by order of the proper court.

Tax for interest and principal.

SECTION 5. Ten days' notice of the election to be held under the provisions of this act, shall be given by the city clerk of said city, by posting in a public place in each ward of said city, a notice in writing, or a printed notice, stating the object of such election, or a copy of which notice shall be filed in the office of the said city clerk.

Notice of election

SECTION 6. The inspectors and clerks of the annual election of said city, shall be the inspectors and clerks of the election provided for by this act, and the polls of such election shall be opened at nine o'clock in the forenoon, or as soon thereafter as may be, and continue

Officers of election, canvass and return of votes, &c.

open until five o'clock in the afternoon ; and the ballots cast shall be canvassed, returned and a record thereof made, the same as at other elections of the said city.

SECTION 7. This act shall take effect and be in force from and after its passage.

Approved March 23, 1864.

CHAPTER 200.

[Published March 30, 1864.]

AN ACT authorizing garnishee actions in the circuit court.

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

Affidavit for garnishee and service of notice, and liability of garnishee.

SECTION 1. Whenever any plaintiff, his, her or their agent or attorney in any action in the circuit court, founded upon contract, shall at the time of issuing summons, or at any time before judgment, make affidavit that he has good reason to believe that any person or persons, corporation or corporations, (naming him or her, them or it,) is or are indebted to the defendant, or (in case of more than one defendant,) to either or any of them, upon contract, or has property, effects or credits belonging to said defendant or defendants, and also stating that the affiant has reason to believe, and does believe, that the party defendant has not property liable to execution, sufficient to satisfy the plaintiff's demand, and shall file said affidavit in the office of the clerk of the circuit court in the county in which said action is pending, and shall deliver to said person or persons, corporation or corporations, a copy of said affidavit, together with a notice to appear before a circuit or county judge, or court commissioner, at some place therein named, within the county in which said action is pending, at a time therein named, not less than six nor more than twenty days from the time of such service, to answer under oath all such questions as shall be put to him or her touching his or her liability, or the liability of the corporation of which he is an officer, as garnishee of said defendant or defendants,