

## CHAPTER 98.

[Published March 4, 1864.]

**AN ACT** to authorize the towns therein named to aid in the construction of the Oshkosh and Wausau railroad.

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

**SECTION 1.** The boards of supervisors of the towns of Farmington and Caledonia, in the county of Waupaca, and the town of Wolf River, in the county of Winnebago, state of Wisconsin, for the purpose of aiding in the construction of the Oshkosh and Wausau railroad, are hereby authorized each to subscribe to the capital stock of said railroad company for said towns, to the following several amounts, viz.: The board of supervisors of the town of Wolf River, to the amount of three hundred dollars; the board of supervisors of the town of Farmington, to the amount of five hundred dollars, and the board of supervisors of the town of Caledonia, to the amount of three hundred dollars, upon the terms and conditions hereinafter mentioned.

Authority to boards.

Amounts that may be subscribed.

**SECTION 2.** It shall be the duty of the several boards of supervisors of said towns, to submit to a vote of the legal voters of said towns, when thereto requested by said railroad company or their proper agent, the said railroad company or their agent, at the time of making such request. presenting to the said board of supervisors a petition signed by at least ten legal voters in said town, petitioning said board so to do, an ordinance setting forth the amount of stock proposed to be taken and the amount of money to be raised by tax for the purpose of aiding in the construction of the road-bed for said railroad; and they shall fix the time and prescribe the manner in which a vote will be taken for or against said ordinance, by the legal voters of said towns.

Ordinance—vote thereon.

**SECTION 3.** The said ordinances shall be published at least one week previously to the time for holding the election, by publication in a newspaper printed in said county, and by posting up written or printed copies of said ordinances in three of the most public places in said towns, respectively; and the said elections shall be held and the votes canvassed and certified in the man-

Ordinance to be published.

**Form of ballots.** ner provided by law for holding the usual elections of said towns. The vote shall be by ballot, on which shall be written or printed the words, "for the ordinance," or "against the ordinance;" and if a majority of the votes cast at such election shall be in favor of such ordinances, then the chairmen of the boards of supervisors, in the name of said boards, respectively, shall subscribe for the amount of stock mentioned in said ordinances.

**Town orders to company.** SECTION 4. When the said chairmen shall subscribe for the said stock, as above mentioned, they shall deliver to the Oshkosh and Wausau railroad company, or their agent, town orders of said towns, respectively, to the same amount of the said stock so subscribed for each town, which town orders shall stand upon the same footing as all other town orders, and shall be paid and be receivable for taxes in the same way as now provided by law in cases of town orders.

**Bonds of towns.** SECTION 5. Before the said town orders shall be delivered to the said railroad company or their agent, the said railroad company or their said agent so receiving said orders of the said towns, respectively, shall give a good and sufficient bond in double the amount to the several towns, respectively, with one good and sufficient surety, which said bonds shall be approved by the several boards of supervisors to whom they are given, conditioned that the amount so paid to the company as aforesaid, by the town of Farmington, shall be expended in making the road-bed of the said railroad from the said village of Waupaca to a point four miles east of the same, and for securing the right of way; and that the amount so paid to the company, as aforesaid, by the said town of Caledonia, shall be expended by said company in the said town of Caledonia, in making the road-bed to said railroad upon the line now surveyed, located through said town of Caledonia, and partly graded; and the amounts so paid to the said company as aforesaid, by the said town of Wolf River, shall be expended by said company in making the road-bed of said railroad from the east bank of Wolf river, at the village of Fremont, (where said road is now located and partially graded,) to a point four miles east of the same.

**Privileges of towns as stock-holders.** SECTION 6. When such stock shall be subscribed as aforesaid, said towns shall have the same powers and

privileges as other stockholders in said company; and the board of supervisors of each of said towns having stock in said company, shall annually, or as often as there shall be a vacancy, appoint one railroad commissioner, whose duty it shall be to attend each annual and special meeting of the stockholders, and shall be entitled to cast one vote for every share of stock owned by said town, in the election of directors and on all questions where the stockholders are entitled to vote.

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

Approved February 29, 1864.

## CHAPTER 94.

[Published March 2, 1864.]

AN ACT to suspend the levy and collection of a special tax in the city of Ripon.

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

SECTION 1. The levy and collection of the tax voted by the electors of the city of Ripon, on the first Tuesday in April, 1863, to aid in the construction of a railroad from Fond du Lac to Ripon, in pursuance of chapter one hundred and ninety-five of the general laws of 1863, is hereby indefinitely postponed: *provided*, such postponement shall not extend beyond the time when the railroad shall have been graded and bridged from Ripon to Fond du Lac, and the ties delivered, as provided in section 19 of said chapter one hundred and ninety-five.

Levy and collection of railroad tax postponed.

Provide.

SECTION 2. The clerk of the city of Ripon is hereby authorized and required to correct the assessment roll of said city, by excluding therefrom said railroad aid tax, and the treasurer of said city shall not be required to collect said railroad aid tax, or make any returns of land or property for non-payment thereof, any warrant or any provision of law to the contrary notwithstanding.

Correction of assessment roll.