

CHAPTER 96.

[Published March 9, 1869.]

AN ACT to amend chapter 168 of the general laws of 1868, entitled "an act to authorize certain counties, towns and villages to aid in the construction of a railroad between Manitowoc and the Mississippi river."

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

SECTION 1. Section 8 of chapter 168 of the general laws of 1868, entitled "an act to authorize certain counties, towns and villages to aid in the construction of a railroad between Manitowoc and the Mississippi river," is hereby amended so as to read as follows: Section 8. Whenever any county, town, incorporated city or village shall issue any bonds, it shall be the duty of the proper officers of such county, town, incorporated city or village to levy annually upon the property thereof, as aforesaid, a tax sufficient to pay the interest upon such bonds and raise a sinking fund to pay the principal thereof when the same shall become due and payable, and whenever any such county, town, incorporated city or village shall have voted to raise an annual tax in aid of any such railroad company, and agreed that its corporate orders shall be issued to such railroad company to the amount of such annual tax, and the interest thereon payable in the years in which such tax and interest shall annually become due, it shall be the duty of the proper officers as aforesaid, to cause such orders to be issued in due and proper form and to be delivered to such railroad company, and annually thereafter to cause to be levied as aforesaid, a tax sufficient to pay such orders and interest thereon in the years in which the same shall severally become due and payable.

Amended.

Duty of officers to levy tax.

SECTION 2. If any officer of any such county, town, incorporated city or village shall refuse or neglect to perform any duty imposed upon him by this act, or to do any acts which his county, town, incorporated city or village has under the provisions of this act agreed with any railroad company he shall do, such railroad

If officers neglect or refuse to levy tax, railroad company may apply to court for order.

company or its assigns, may, at any time after any such refusal or neglect, apply to the judge of the circuit court in and for the proper county, either in term time or vacation, for an order directing and commanding such officer to perform such duty or do such act, and any officer refusing or neglecting to obey such order shall pay a fine of not less than one hundred nor more than five hundred dollars, to be recovered in any court of competent jurisdiction, at the suit of such railroad company or its assigns; but such recovery not to be a bar to the recovery of damages against any county, town, incorporated city or village, for the violation of any contract entered into between the same and any such railroad company.

Name of company not material to be specified.

SECTION 3. Whenever any county, town, incorporated city or village has heretofore voted or may hereafter vote aid to the Manitowoc and Minnesota railroad company, the same shall be as binding and effectual under the provisions of this act or the said act of which this is amendatory, as though the said Manitowoc and Minnesota railroad company had been particularly named in said acts.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved March 5, 1869.

CHAPTER 97.

[Published March 17, 1869.]

AN ACT to provide for levying and collecting a state tax for the year 1869.

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

Amount of tax to be levied in 1869.

SECTION 1. There shall be levied and collected for the year 1869, a state tax of two hundred and ninety-three thousand one hundred and thirty-two dollars and fifty-four cents, in addition to the amount authorized to be levied by existing laws; said tax to be apportioned among and assessed upon the several counties