

When bill of exceptions taken as agreed to.

after the words, "service thereof," in the fortieth line thereof, the following: "But in case no amendments to such bill of exceptions shall be served within the time aforesaid, the bill of exceptions shall be taken as agreed to as served, and may be signed by said judge without notice to the adverse party on proof of its service, and that no amendments have been served as aforesaid. In case the party serving such bill of exceptions shall accept the amendments served, the same as those amended may be signed by said judge without notice to the adverse party on proof of its service and the service of said amendments with a written acceptance thereof endorsed thereon."

SECTION 3. This act shall be published immediately, and shall take effect from its passage and publication.

Approved March 14, 1871.

CHAPTER 87.

[Published March 17, 1871.]

AN ACT to authorize the counties and towns through which the Dunleith, La Crosse and St. Croix River Shore Railroad passes to aid in its construction.

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

Lawful to issue bonds to aid railroad.

SECTION 1. It shall be lawful for any county through any portion of which any part of the Dunleith, La Crosse and St. Croix River Railroad shall run, or any town or incorporated city or village in such county, to issue and deliver to said corporation its bonds, payable to such person or persons, trustees or corporation, or to said company, at such time, for such sum or sums, at such rates of interest, not exceeding ten per cent. per annum, transferable by general or special endorsement or by delivery, and in such manner as may be agreed upon by and between the directors of said railroad company and the proper officers of such county, town, incorporated city or village, as hereinafter pro-

vided, and to receive in exchange for such bonds the stock or the second bonds of said railroad company, in such manner as shall be agreed upon by and between the directors of said railroad company and the proper officers of such county, town, incorporated city or village, as hereinafter provided; but no such bonds shall be issued or delivered to said company by any such county, town, incorporated city or village unless a majority of the legal voters of such county, town, incorporated city or village voting on the question shall first have voted in favor of such issue in the manner hereinafter prescribed.

SECTION 2. Whenever the said railroad company shall desire to exchange any amount of its stock or bonds for the bonds of any such county, town, incorporated city or village, it shall make and deliver to the clerk of the board of supervisors of such county, town clerk, or clerk of such incorporated city or village, as the case may be, a proposition in writing, signed by the president and secretary of said railroad company, and sealed with the common seal of said company, which proposition shall contain a statement of the amount of the stock or of the bonds of said company which the said company proposes to issue to such county, town, incorporated city or village, the time when said bonds shall be payable, the amount for which they shall respectively be issued, the rate of interest which they shall bear; and it shall also contain a distinct statement of the amount of the bonds of such county, town or incorporated city or village, which the said company proposes to receive in exchange for its stock or bonds as aforesaid, specifying the person or persons, trustee or corporation to whom they shall be payable, the mode of transfer, the amount of each bond, and the aggregate amount, the rate of interest and the time of payment. Upon receiving such proposition the clerk of the board of supervisors of such county, the town clerk or clerk of such incorporated city or village, as the case may be, or any five qualified electors shall immediately publish or cause to be published, a notice of an election to be held by the legal voters of such county, town, incorporated city or village as now provided by law for calling such election, at the usual place or places of holding elections in such county, town, incorporated city or village, and at such time as

Company shall
make proposition
in writing.

Clerk of board
shall give notice
of election.

they may designate, which shall not be less than six days nor more than twenty days from the date of such notice, which notice shall contain a full statement of the proposition made by said railroad company, with reference to the exchange of its stock or bonds, for the bonds of such county, town, incorporated city or village, and shall call upon the voters to deposit a ballot upon which shall be written or printed, "for the railroad proposition," or the words, "against the railroad proposition."

How election to be held and conducted.

SECTION 3. Such election shall be held and conducted in the same manner that other general elections in such counties, towns, incorporated cities or villages are by law required to be held and conducted, and the votes cast at such election shall be counted, canvassed and returned in the same manner as the votes at any such general election, and the canvassers shall make, certify, sign and deposit with the clerk of such county, town, incorporated city or village a statement of the whole number of the votes cast upon the question, as well as a statement of the number for the railroad proposition, and of the number against the railroad proposition, and such certificate shall be conclusive evidence of the fact as to the number of votes cast for or against such proposition, and also of the fact that such election was regularly held and conducted according to law.

If proposition be rejected, another election may be called.

SECTION 4. If in any or either of said counties, towns, villages or cities the majority of votes cast at any such election shall be "against the railroad proposition," or if any election shall fail to be held on the day appointed therefor, the board of supervisors of such county or town, the board of trustees of such village, or the common council of such city, as the case may be, may at any other time thereafter, in their discretion, appoint and call another election or elections, either upon the same question or upon any different proposition, such other election or elections to be conducted in a like manner and upon like notice as is provided in this act for the first election.

If vote is favorable, proper authorities may issue bonds.

SECTION 5. If a majority of the legal voters who shall vote on the question at any election to be held in any such county, town, incorporated city or village, in pursuance of the provisions of this act, shall, as indicated by the official returns of any such election, vote "for the railroad proposition," it shall be the duty of

the proper officers in every such county, town, incorporated city or village, upon receiving from the directors of said railroad company stocks or bonds in conformity with the propositions of said railroad company, to issue and deliver to the directors of said railroad company, the bonds of such county, town, incorporated city or village, in conformity with said proposition.

SECTION 6. For the purpose of giving effect to the provisions of this act, the proper officers of every county, town, incorporated city and village mentioned in this act are hereby declared to be the chairman of the county board of supervisors and the clerk of the board of supervisors in each county, the chairman of the board of supervisors and the town clerk in each town, and the mayor and city clerk of each incorporated city, and the president and clerk of each incorporated village; and all bonds issued by any of the said counties, incorporated cities or villages shall be signed by the proper officers as aforesaid of the said counties, cities and villages under their corporate seals respectively, and all bonds issued by any such town shall be signed by the proper officers of such town, and have annexed to them the official certificate of the clerk of the board of supervisors, under his official seal, that they are such officers, and that their signatures are genuine.

Definition of proper officers and authorities

SECTION 7. Every county, town, incorporated city or village, which by the provisions of this act, is authorized to issue any bonds, shall be severally liable in law, faithfully, promptly and at maturity, to pay and discharge the principal and interest due upon every such bond, and the separate faith of every such county, town, incorporated city or village, shall by the issue of such bonds, be irrevocably, inviolably pledged for the prompt discharge of every such liability, and every such county, town, incorporated city or village shall annually levy a tax on all its taxable property, for the payment of the annual interest on all bonds which it may issue in accordance with the provisions of this act, in addition to all other taxes, equal in amount to the annual interest on all the bonds which it may issue as aforesaid.

Shall be severally liable.

SECTION 8. The board of supervisors of any county or town, the common council of any city and the trustees of any village, shall annually appoint one of their

Shall appoint agent to attend meetings of directors.

number, who shall attend the annual meeting of the stockholders of said railroad company for the election of directors thereof, and shall be entitled to cast one vote for every share of stock which said county, town or incorporated city or village shall hold in said railroad company, and in case of his absence or inability to attend, to appoint in writing under their hands, some other person who shall have the same power.

Shares, interest and dividends pledged for payment of bonds.

SECTION 9. The shares of stock in said railroad company, or the bonds of said company thus taken by said counties, towns, incorporated cities or villages, and all dividends and interest arising from the same, are hereby pledged for the payment of the principal and interest of said county, town, incorporated city or village bonds: *provided, however,* that the board of supervisors of any county or town, the common council of any incorporated city, or the trustees of any village, may sell such shares of stock, or such bonds and other securities of said company; but the proceeds thereof and interest shall still be pledged to pay the interest and principal of said county, town, incorporated city or village bonds.

Repealed.

SECTION 10. Section four of chapter ninety-one (91), acts of a general nature of chapter 79 of the revised statutes, entitled of railroads, so far as the same relates or applies to the act of which this is amendatory, is hereby repealed.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1871.

CHAPTER 88.

[*Published March 18, 1871.*]

AN ACT to provide for a set of weights and measures in the several towns in this state.

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

May procure weights and measures.

SECTION 1. The board of supervisors of each organized town in the state, who have not already