

CHAPTER 33.

[Published February 18, 1873.]

AN ACT to amend chapter three hundred and forty-four of the general laws of 1860, entitled "an act to amend section fifteen of chapter one hundred and eighty-three of the revised statutes, entitled (*an act*) 'of offenses cognizable before justices of the peace.'"

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

Amended.

Not lawful to use nets on inland lakes.

SECTION 1. Section fifteen of chapter one hundred and eighty-three of the revised statutes as amended by chapter three hundred and forty-four, of the general laws of 1860, is hereby amended by inserting after the word, "lakes," in the second line of said section, the words, "bayous, backwaters and sloughs, so that said section, when so amended, shall read as follows: Section 15. It shall not be lawful for any person or persons to draw or use any seine or net in any of the inland lakes, bayous, backwaters or sloughs situated within the limits of this state, except Silver Lake, in Sheboygan county, for the purpose of taking or catching fish: *provided*, such lake, bayou, backwater or slough shall contain an area of less than twelve square miles.

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

Approved February 15, 1873.

CHAPTER 34.

[Published February 18, 1873.]

AN ACT relating to highways and amendatory of section sixty-six, chapter one hundred and fifty-two of the general laws of 1860, entitled "an act to codify the laws of this state relating to highways and bridges."

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

Amended.

SECTION 1. Section sixty-six of chapter one hundred and fifty-two of the general laws of 1860 is hereby amended so as to read as follows: Section 66. All

damages consequent upon laying out or altering any highway as finally settled upon, pursuant to the provisions of this chapter, and all lawful charges against a town for the services of any jury in the assessment of damages, or for fees of any justice or constable provided for in this chapter, or for the services of any commissioners appointed in the manner herein provided, shall be laid before the town board to be audited, and the amount allowed shall, on the order of the supervisors, be paid by the town treasurer out of any money in the town treasury, not otherwise appropriated; and if there be no unappropriated money in the town treasury from which said order or orders can be paid, it shall be the duty of the supervisors to certify the amount of the order or orders so made or issued and unpaid, to the town clerk of the town against which such indebtedness exists; and it shall be the duty of the town clerk with whom the certificate of the indebtedness, as aforesaid, shall have been filed, to assess the amount thereof, with interest thereon, from the date of such order or orders to the time when the warrant for the collection thereof will expire, upon the taxable property of said town, placing the same on the next assessment and tax roll; and the same proceedings shall be had thereon, and the same shall be collected and returned in the same manner as other town taxes, and shall be paid to the party or parties entitled thereto: *provided, however*, that the town clerk shall not perform the duties prescribed in this section when said indebtedness so accruing shall exceed one thousand dollars, until first authorized by the qualified electors of such town at some legal town meeting. Whenever the damages consequent upon the laying out or altering of the highways as finally settled upon pursuant to the provisions of this chapter, and all lawful charges against the town for the services of a jury in the assessment of damages, or for the fees of any justice or constable provided for in this chapter, or for the services of any commissioners appointed in the manner provided for in this chapter, shall be laid before the town board to be audited, and if the said town board shall neglect or refuse to audit the same, any person aggrieved by such neglect or refusal may commence and prosecute an action in the proper county, before any court having jurisdiction of the said town, and the sum claimed against said town, for all sums to which such person shall be entitled for or on account of such damages or fees: *provided*, said road has not been discon-

How damages to be assessed and collected.

If town board refuse or neglect to audit damages, how proceed.

tinued by an order made by the board of supervisors of said town.

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

Approved February 15, 1873.

CHAPTER 35.

[*Published February 21, 1873.*]

AN ACT to authorize the town clerk of the town of Auburn, in the county of Fond du Lac, or his successor in office, to perfect the record of said town relating to highways.

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

May record un-
recorded papers

SECTION 1. The town clerk of the town of Auburn, in the county of Fond du Lac, or his successor in office, is hereby authorized to record all unrecorded papers on file in said office relating to public highways lawfully established by the supervisors of said town.

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

Approved February 18, 1873.

CHAPTER 36.

[*Published February 21, 1873.*]

AN ACT to empower the president and trustees of the village of Black River Falls to levy a tax for purposes therein named.

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

May levy tax.

SECTION 1. The president and trustees of the village of Black River Falls, in Jackson county, are hereby authorized and empowered to levy a tax upon the taxable property of said village, not to exceed the sum of one thousand dollars in any one year, and not exceeding ten thousand dollars in the aggregate, to be expended by them in renting, purchasing or improving grounds for the use of the Jackson County Agricultural Society.