

CHAPTER 193.

[Published March 15, 1876.]

AN ACT to authorize the taking of depositions in certain cases.

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

Depositions
may be taken
without notice
being given.

SECTION 1. Whenever the defendant in any action commenced in any justice court by the personal service of process does not appear, either in person or by agent, or by attorney, the deposition of any person, either within or without the state, may be taken before any person having authority to administer oaths, without notice being given.

Fees of officers.

SECTION 2. The officer before whom the deposition shall be taken, shall receive the same fees as are now allowed to a justice of the peace.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1876.

CHAPTER 194.

[Published March 18, 1876.]

AN ACT to authorize counties, towns, cities, and villages to establish sinking funds for the payment of their bonded indebtedness.

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

Authority to
establish sink-
ing fund.

SECTION 1. Whenever any town, county, city or incorporated village in this state shall have a bonded indebtedness, it shall be lawful for the board of supervisors of such town or county, the common council of such city, or the board of trustees of such incorporated village, to establish a sinking fund, to be appropriated only to the payment of its bonded indebtedness, whenever the same shall become due.

Special tax
may be levied
—limit of same.

SECTION 2. The board of supervisors of any such county or town, or common council or the board of trustees of any such city or village, for the purpose of establishing a sinking fund for the payment of such indebtedness, may levy a tax upon the tax-

able property of such county, town, city or village, not exceeding six mills of the assessed valuation thereof, for the year in which it is levied, exclusive of the tax it shall levy annually to pay interest on such bonded indebtedness, until the bonded indebtedness of such county, town, city or village is paid and extinguished, which shall be carried upon the annual tax roll, and be collected as other taxes are.

SECTION 3. In addition to the tax provided for in section two (2) of this act, there may be set apart for such sinking fund all moneys received for licenses or from other sources, in case the expenditures of such moneys is not otherwise provided for by law.

What moneys may be set apart for sinking funds.

SECTION 4. The money so collected and set apart shall constitute a sinking fund, and shall be used and applied only to the extinguishment of such bonded indebtedness, and shall be invested by or under the direction of such county or town board of supervisors, or common council of city, or village trustees, either in the outstanding bonds of such county, town, city or village, for the benefit of which such sinking fund is established, or in interest bearing bonds of the United States, or loaned on mortgage upon unincumbered real estate, which shall be worth, aside from perishable improvements, at least three times the amount of the loan, and every such loan shall be made payable at least one year previous to the time when the outstanding bonds of such county, town, city or village for whose benefit such sinking fund was established, shall become due.

How money collected and set aside to be invested.

SECTION 5. In case any such sinking fund shall be invested, in whole or in part, in the outstanding bonds of the same county, town, city or village, such bonds shall be regarded and considered to all intents and purposes as paid and extinguished, except that it shall be the duty of the proper board of supervisors of such county or town, or common council of the city, or village trustees, to annually levy and collect, so long as it shall be necessary to maintain such sinking fund, a sum equal to the interest on such bonds, in which such sinking fund may have been in whole or in part invested, in the same manner as a sum equal to the interest upon the other bonds of such county, town, city or village outstanding is levied and collected, which sum, when collected, shall be added to and constitute a part of such sinking fund, and shall be used or invested as hereinbefore provided. Each bond of the county, town, city or village in

When sinking fund invested in bonds of same corporation, such bonds to be considered extinguished.

How bonds to be canceled.

which its sinking fund shall in whole or in part be invested, shall have written or printed in a clear and legible manner across the face thereof, a statement to the effect that it has been taken up and forms a part of the sinking fund of such county, town, city or village, and that it cannot be again lawfully negotiated or put in circulation, which statement shall be signed by the chairman of such county or town board, or mayor of the city, or president of the trustees of the village, and countersigned by the county, town, city or village clerk, and such bond or bonds shall not be again negotiated or put in circulation, but shall be kept by the treasurer of such county, town, city or village, who, with his sureties on his official bond, as such shall be responsible for the safe keeping and delivery of the same to his successor in office.

Liability of corporations not to be discharged by this act.

SECTION 6. Nothing herein contained shall in any way limit or discharge the liability of any such county, town, city or village to pay and discharge its said bonds, and the interest accruing thereon, at maturity, as provided by the legislative act or acts under which said bonds may have been or may hereafter be issued.

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

Approved March 8, 1876.

CHAPTER 195.

AN ACT to authorize George H. Brickner, his associates, and his or their heir or heirs and assigns, to build and maintain a dam across the Sheboygan river in the State of Wisconsin.

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

Authority to build dam.

SECTION 1. George H. Brickner, his associates, and his or their heirs and assigns, are hereby authorized to build and maintain a dam across Sheboygan river, upon land owned or held under control by said George H. Brickner, his heirs, associates or assigns, and described by government survey as the northeast quarter of section number thirty-two (32), township number fifteen (15) north, of range number twenty-three (23) east in said county of Sheboygan, in the State of Wisconsin, for manufacturing and other purposes.