

[Published March 23, 1877.]

CHAPTER 216.

AN ACT to authorize the town of Menasha, in the county of Winnebago, to take up and liquidate its bonded indebtedness.

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

SECTION 1. Whenever the board of supervisors of the town of Menasha, in Winnebago county shall pass a resolution to purchase or take up any of the bonded indebtedness of said town before the same shall become due, and such resolution shall have been submitted to a vote of the qualified electors of said town at the annual town meeting, or at any special meeting called for that purpose, and shall be approved by a majority vote at such meeting, then the board of supervisors of said town may levy a special tax or taxes to pay the same according to the terms of the purchase or compromise so made and accepted, in any year when any portion shall become due, and which special tax or taxes may be levied at any time, and shall be levied and assessed upon the last equalized assessment of the real and personal property of said town, previous to the levying of such tax. And immediately thereafter the town clerk of said town shall assess and make out upon a tax roll made from such assessment, such tax in the same manner as provided by law for the assessing, calculating and making out taxes in other cases. And upon completion of said tax roll, the said clerk shall immediately make out a duplicate copy of such tax roll, to which he shall append his warrant as in other cases, as provided by law, and shall deliver such tax roll and warrant to the town treasurer of said town, and thereupon such treasurer shall at once proceed to collect the taxes and assessments specified and made out in such tax list in the same manner as provided for the collection of taxes in other cases, and shall be possessed of the same powers and rights; and he shall have two per cent. for collecting such taxes. Such warrant shall be returnable to the county treasurer of Winnebago county, in forty days from its date, and at the expiration of such time the treasurer of said town shall return such tax list and warrant to said county treasurer, with a list of all lands, lots and personal property upon which the

How bonded indebtedness may be taken up.

Duty of town clerk.

Duty of town treasurer.

taxes have not been paid, with the taxes assessed thereon, and all such taxes not then collected, and so returned to the county treasurer as aforesaid, shall draw interest after such return at the rate of twenty per cent. per annum, up to the day of the sale of lands for taxes; and *provided*, that any such tax may be paid prior to such sale by paying the amount of such tax with interest at the rate of twenty per cent. per annum, and two per cent. for collection, and all costs thereon to that date; and the county treasurer shall possess the same powers and rights in collecting such taxes so returned as in other cases, and shall proceed to advertise and sell all lands on which such taxes shall remain unpaid, at the same time and in the same manner and with the same effect as provided by law for the sale of lands for taxes; and all such taxes returned to the county treasurer and collected by him shall be by him paid over to the treasurer of said town with the interest collected thereon.

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

Approved March 7, 1877.

[Published March 21, 1877.]

CHAPTER 217.

AN ACT to facilitate the more perfect execution of trusts in certain cases.

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

Parties disagreeing as to construction of provisions in mortgage may have same decided by decree of circuit court.

SECTION 1. Whenever any misunderstanding or disagreement shall arise between the mortgager and the mortgagees or trustees named, in any railway mortgage or trust deed of property situated within this state, as to the proper construction of any of the provisions of such mortgage or deed of trust, or as to the rights and duties of either of the parties thereto thereunder, either of the parties to such mortgage or deed of trust, or all of them jointly, may, by petition addressed to the circuit court of any county within which the mortgaged property or any of it may be situated, have a judgment or decree declaring the true intent and meaning of the provision or provisions of such mortgage or deed of trust the construction of