

[No. 260, A.]

[Published April 9, 1889.]

CHAPTER 290.

AN ACT to amend the charter of the city of Milwaukee.

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

SECTION 1. Section 5, of chapter 6, of the charter of the city of Milwaukee, as amended by chapter 524, of the laws of 1887, is hereby further amended so that when amended the same shall read as follows: Section 5. Should the jury report that it is necessary to take such premises, the common council shall enter an order among its proceedings confirming the whole of said report or any part thereof; and the common council shall direct the board of public works, within one month thereafter, or such further time as may be deemed proper, to view such premises at such time as the board may agree upon, of which at least three days' notice shall be given by publication in the official papers, for the purpose of ascertaining and determining the amount of damages to be paid to the owner or owners of the property proposed to be taken, and also what lands or premises will be benefited by such taking, and to make report of their assessment of such damages and benefits to the common council. Said board may obtain the testimony of witnesses as to the facts in the case, in the same manner as provided in section 4, of this chapter, and shall hear such testimony as may be offered by any party interested, which testimony shall be reduced to writing by one of the members of said board upon the request of any person so interested; and the said board shall determine and assess and return such damages and benefits in the manner hereinafter directed. In case either member of said board of public works shall be interested in the premises, or in any property affected by such proceedings, it shall be the duty of the common council to appoint some disinterested person to act in his stead.

Amendment to section 5, chapter 6, charter of Milwaukee, as amended by chapter 524, laws of 1887.

Council to confirm report of jury.

SECTION 2. Section 6, of chapter 6, of the charter of the city of Milwaukee, as amended by chapter 524, of the laws of 1887, is hereby further amended so that when amended the same shall read as follows: Section 6. Whenever it shall have been determined by the report of the jury, that it is necessary to take certain lands for public use, for the purpose of laying out public squares, grounds, streets or alleys or of enlarging or widening or changing the same, and such report or any part thereof shall have been confirmed by the common council and referred to the board of public works, the said board of public works shall have power to view the premises, so to be taken, and to proceed to assess the damages to the land proposed to be taken and also to assess, against the lands which the said board of public works may deem benefited by the proposed improvement, the amounts, which it shall determine such property to be benefited, in the manner hereinafter provided. If the total amount of damages as assessed exceeds the total amount of benefits as assessed, the excess of such damages shall be chargeable to and paid out of the general city fund and the ward funds of the wards in which the lands proposed to be taken are situated, in equal proportions.

Amend chapter 6, chapter 524, laws of 1887.

Confiscating of land.

SECTION 3. Section 13, of chapter 6, of the charter of the city of Milwaukee, as amended by chapter 524, of the laws of 1887, is hereby further amended so that when amended the same shall read as follows: Section 13. The assessments so reported shall be laid before the common council when in session, and the fact of its presentation shall be entered upon the journal and mentioned in the proceedings of such session, with a statement in brief for what purpose and in what locality such assessment has been made, but the common council shall not have power to act finally upon such report until at least one week from the date of the session at which it was so presented. At or after the expiration of such period of one week last mentioned the common council may, in its discretion, revise and correct the assessment, and shall confirm the same as corrected by them or without correction, or refer it back to the said board for revision and correction. If said assessment shall be so referred back, the

Amend chapter 6, chapter 524, laws of 1887. Council may revise assessment.

said board of public works shall proceed to review, correct and report the same in like manner and upon like notice as herein required in relation to the first assessment, and all parties interested shall have the like rights, and the board of public works and the common council respectively, shall perform like duties and have like powers in relation to any such subsequent assessment as are hereby given in relation to the first. In all cases, however, the excess of damages over benefits in any such proceeding shall be paid out of the ward and general city funds as provided in section 6.

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

Approved April 8, 1889.

[No. 635, A.]

[Published April 10, 1889.]

CHAPTER 301.

AN ACT to amend the charter of the city of Milwaukee, and to authorize said city to raise a special tax in the Bay View sewerage district.

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

SECTION 1. The common council of the city of Milwaukee is hereby authorized to levy and raise by taxation upon all the taxable property, real and personal, within the Bay View sewerage district of said city, in addition to the amount authorized to be raised for a sewerage fund in said district, and in addition to the amount of money authorized to be raised by taxation for all purposes within said district now limited by law for each of the years 1889 and 1890, a sum of money not exceeding one mill on the dollar in each of said years, upon all of the taxable property within said district, for the purpose of continuing and completing the sewers contemplated by the plans for sewers in said Bay View sewerage district of said city, now on file in the offices of the proper

Amend charter
of the city of
Milwaukee.
Special tax.