

No. 384, A.]

[Published June 13, 1907.

**CHAPTER 207.**

AN ACT to add section 1496b to the statutes of 1898, amending section 1, chapter 484, laws of 1905, relating to the location of a fish hatchery.

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

SECTION 1. Section 1496b is hereby added to the statutes of 1898, to read:

\* \* \* \* \*

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

Approved June 12, 1907.



No. 46, A.]

[Published June 13, 1907.

**CHAPTER 208.**

AN ACT to amend section 943, statutes, relating to the issue of bonds by any town, village or city.

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

SECTION 1. Section 943, statutes, is amended to read:

\* \* \* \* \*

Approved June 12, 1907.

(In effect July 1, 1907.)

demnation or otherwise, the right to enter upon and run its cars over the track, or tracks, of such other street or electric railway corporation heretofore or hereafter constructed on such portion of any such street, alley, bridge or public highway upon such terms as may be mutually agreed upon, and if the corporations do not agree upon the manner and conditions of such entry and use, or the terms and compensation to be made, the same, having reference to the conveniences and necessity of the corporations and of the public, shall be determined by commissioners to be appointed by the court as is provided in chapter 87 of the statutes of 1898 in respect to acquiring title to real estate by railroad corporations, and on an appeal from the determination and award of such commissioners to the circuit court, as provided by said chapter, such court shall have power to review, reverse, modify or affirm such award, both as to the amount of compensation therein made, and as to the manner, terms and conditions of such entry and use.

(Ch. 536, 1907.)

**Appeal not to delay use.** SECTION 940j—43. The appeal herein authorized shall not prevent the entry and use of said tracks by the petitioning electric railway company, in the manner determined by the commissioners, upon the filing of such determination and award with the clerk of the circuit court and the payment of the compensation awarded, as and when the same become due to such street or electric railway company, or to the clerk of court for its benefit.

(Ch. 536, 1907.)

**Poles and span wires; joint use.** SECTION 940j—44. Any such street or electric railroad company shall have a right to construct and maintain feed and trolley wires on the poles and span wires of the company on such portions of said street, alley, bridge and public highway, and the compensation for the use of such poles and wires shall be fixed as above provided for the use of tracks; or in case conduits or other methods of placing or carrying wires for power are used, the said conduits or other methods may be used for placing or carrying the feed wires for power.

(Ch. 536, 1907.)

**Municipal bonds: popular vote on issue; twenty years limit; tax to redeem.** SECTION 943. 1. No bonds shall in

any case be issued by any town, village or city until the proposition for their issue for the special purpose thereof shall have been submitted to the people of such municipality and adopted by a majority voting thereon; or, if to be issued to aid the construction of a railroad, until the proposition for the issue thereof shall have been accepted in one of the modes provided therefor in this chapter; nor shall any such bonds be issued payable after a period of twenty years, nor be issued until an ordinance or resolution shall have been lawfully passed directing that there shall be annually levied a tax in addition to all other taxes, sufficient to pay, when due, the interest annually to grow due on such bonds, and also to pay and discharge the principal thereof by the time the same shall be due. Every such tax shall be, after the issue of such bonds, irrepealable and be annually levied and collected on all taxable property on the assessment roll of such municipality, and the money raised thereby shall be kept as a separate fund, irrevocably pledged to such purpose, and shall not be employed in any other.

**Special election on bonding.** 2. Unless it is otherwise provided by law, no town, city or village shall issue any bonds, except to aid the construction of a railroad, unless upon compliance with the following conditions: Whenever a town or village board, or common council, shall declare its purpose to raise money by issuing bonds, it shall direct, by resolution, which shall be recorded at length in the record of its proceedings, the town, city or village clerk to call a special election for the purpose of submitting the question of bonding the town, city or village, to the electors thereof.

**Election notices.** 3. The notice of such election shall recite the purpose thereof, state the amount of the bonds it is proposed to issue, the time and place of holding the election, and the hours at which the polls will be opened and closed. Such notice shall be signed by the town, city or village clerk, and be published in one or more newspapers in the town, city or village for three successive weeks prior to the election; if no newspaper be published therein, such notice shall be posted in four of the most public places in the town, city or village, at least twenty days prior to the election.

**Polls; time of opening and closing.** 4. Such election shall be held at the usual place or places of holding elections, unless

the board or council shall, in the resolution hereinbefore provided for, designate some other place or places. The election shall be conducted by the officers who are required to conduct the regular town, city or village election, and in a similar manner as near as may be, and the polls shall be open between such hours as are now designated respectively for such elections, and the result thereof shall be determined by them, and returned to the town, city or village clerk, who shall record the same in full, and also the notice of election given by him.

**Ballots; form and marking.** 5. The ballots shall be provided by the respective town, city or village clerk, and shall be substantially in the following form:

For Bonds.



Against Bonds.



Mark a X in the square under the one you wish to vote for.

They may have the endorsements provided by law for ballots for general elections and shall be marked by the voter and counted in a similar manner. \* \* \* No such ballot shall be counted on the question of issuing bonds unless a mark is made thereon applicable thereto. \* \* \* When any such special election is held at the same time as a regular town, city or village election, then such form of ballot, instead of being separate may be printed upon the official ballot to be voted at such election.

**Bonds; issue and sale.** 6. If a majority of the ballots cast shall be in favor of issuing bonds, the chairman and clerk of the town, the mayor and clerk of the city, or the president and clerk of the village, as the case may be, subject to the direction of the board or council, may issue bonds to the amount stated in the call and sell or hypothecate the same for the purpose of raising money for the object stated in the notice of the election; but no bond shall be issued if a majority of the ballots cast shall be against the issue of the bonds. \* \* \*

**Popular initiative required for election on bonding.**

7. The provisions of this section shall not apply to the issuing of bonds by any city of this state for street improvements, school purposes, water works, *electric light works*, *gas works*, *hospitals*, sewerage, parks and public grounds, unless within thirty days after the passage by the common council of the city of a resolution or ordinance authorizing the issuing of bonds for such purposes there shall be filed in the office of the city clerk a petition in writing signed by not less than ten per cent. in number of the voters who voted in said city at the last general state election, asking for a submission of the question of issuing such bonds to a vote of the people, in which case such question shall be submitted as provided for in this section; and, in case the common council of any city has heretofore, by resolution or ordinance, authorized the issuing of any bonds for said purposes, the electors of such city shall have thirty days within which to file such petition after the passage and publication of this act. \* \* \*

**Finding or refunding an exception.** 8. This \* \* \* section shall not apply to the issuing of bonds for the funding or refunding of existing indebtedness or liability under chapter 228 of the laws of 1903, or of chapter 277 of the laws of 1903, or any acts amendatory of either.

(Ch. 208, 1907.)

**City buildings for different purposes; single bonding vote legalized.** SECTION 943g. 1. When any bonds heretofore issued by any city under sections 926—11 and 943 of the statutes and acts amendatory thereof, for the purchase of a site and the construction of a building for two or more separate purposes as set forth in section 926—11 of the statutes, the proposition of their issue for such purpose having been submitted to the people of such municipality and adopted by a majority voting thereon, are hereby declared to be valid, legal and binding in the same manner as if the proposition for their issue had been voted on separately.

(Ch. 443, 1907.)

**Cities, 4th class: legalizing purchase of franchises.** SECTION 943t. If any incorporated village (subsequently incorporated as a city of the fourth class) have granted any franchise to construct and operate any waterworks, electric light-