

Chap 5.

An Act appropriating to Matthew Murphy the sum therein named.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to **Matthew Murphy**, to be paid out of any money in the Treasury not otherwise appropriated, the sum of forty-five dollars for his per diem as member of Assembly, up to and including the thirty first day of January, A. D., eighteen hundred and fifty-two.

J. McM. SHAFER.

Speaker of the Assembly.

E. B. DEAN, JR.

President pro tem. of the Senate.

Approved January 31st, 1852.

LEONARD J. FARWELL.

Chap. 6.

An Act to authorize the borrowing of money to construct a harbor at the mouth of Sheboygan River.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Commissioners. SECTION 1. That Asabel P. Lyman, Henry Stocks, Chas. D. Cole, Jonathan F. Seeley, A. G. Dye, Reed C. Brazelton, and John Grove, and their successors are hereby appointed a Board of Commissioners for the purpose of constructing a harbor at the mouth of the Sheboygan river in the county of Sheboygan.

To organize, &c. SEC. 2. Said commissioners shall, previous to the transaction of any other business, elect one of their number President, and one Treasurer, and shall also appoint a Secretary. The President when present shall preside at all meetings of the Board for the transaction of business; and the Secretary shall keep a record of all the doings of said board. The first meeting of said Commissioners shall be at Sheboygan, at such time as shall be designated by a majority of them.

Authorized to borrow. SEC. 3. Said Commissioners are hereby authorized to borrow ten thousand dollars on the credit of the village of Sheboygan, and twenty thousand dollars on the credit of the county of Sheboygan, to be expended by them in the construction of said harbor; said loans to be for a term of years not less than five years, nor more than twelve years, at such legal rate of interest as shall be agreed upon by said commissioners, payable annually.

To issue bonds. SEC. 4. Said Commissioners, to secure the payment of said loans as hereinbefore specified, are hereby authorized

to issue bonds for ten thousand dollars in the name of the village of Sheboygan, in such sum or sums not less than one hundred dollars, as said commissioners shall deem expedient: said bonds shall be signed before issued, by the President and Secretary of said Board of Commissioners, and countersigned by the Clerk of said village of Sheboygan, and also like bonds for the sum of twenty thousand dollars, in the name of the county of Sheboygan, to be signed before issued, by the President and Secretary as aforesaid, and countersigned by the Clerk of the Board of Supervisors of said county. Said bonds, when signed and countersigned as aforesaid, shall be, in the hands of any bona fide holder of the same, full and complete evidence both in law and equity to establish the indebtedness of said village and county of Sheboygan according to the tenor and effect of said bonds; *Provided*, that no bonds shall be issued except by order of a majority of said commissioners, made at a meeting of said board, and entered upon the records of their proceedings.

Proviso

SEC. 5. It shall be the duty of the said commissioners on or before the fifteenth day of March in each year, to give notice to the Clerk of the board of Trustees of said village of Sheboygan of the sum that will become due for interest or principal, or both, upon the bonds of said village issued by them as aforesaid, for the ensuing year, and of the place where the same is payable, and on or before the first day of October in each year they shall give a like notice to the Clerk of the Board of Supervisors of said County of the sum that will become due for interest or principal, or both, upon the bonds of said county, issued by them as aforesaid for the ensuing year, and of the place where the same is payable.

Commissioners to notify clerk of village, and of Supervisors.

SEC. 6. It is hereby made the duty of the said board of trustees of the village of Sheboygan to levy an annual tax upon all the taxable property within the corporate limits of said village, to be collected in cash in the same manner that other village taxes are collected, sufficient to pay the annual interest upon the said sum of ten thousand dollars, or so much thereof as shall be borrowed by said commissioners, and that in the year previous to which the principal sum so loaned or any part thereof shall become due, it shall be the duty of the said Trustees to levy an additional tax upon all the taxable property within said corporate limits to be collected in cash, in manner aforesaid to pay the principal sum or sums due on said bonds; and it is also hereby made the duty of the Board of Supervisors of said county, or such other officer or officers as are required by

Board of trustees to levy tax.

law to levy the taxes in said county, to levy an annual tax upon all the taxable property in said county to be collected in cash by the same officers and in the same manner that the State taxes are levied and collected, sufficient to pay the annual interest upon the said sum of twenty thousand dollars, or so much thereof as shall be borrowed by said commissioners, and that in the year previous to which the principal sum so loaned or any part thereof shall become due, it shall be the duty of said board of Supervisors or other officer or officers, to levy an additional tax upon all the taxable property of said county, to be collected in cash to pay the principal sum or sums due on said bonds.

SEC. 7. Said Commissioners shall expend all moneys borrowed by them in the manner aforesaid, in the construction of a harbor at the mouth of Sheboygan river; and they shall make a semi-annual report to the board of trustees of the village of Sheboygan, and also to the board of Supervisors of said county, of all their receipts and disbursements, and of their progress in the construction of said harbor, and shall cause a copy of said report to be published in each of the newspapers published in said county.

SEC. 8. If it shall be necessary for said commissioners to enter upon and take any lands adjoining the mouth of said river, for the construction of said harbor, and the said commissioners shall not be able to agree with the owner or owners of the same upon the amount of damage or compensation which said owner or owners should receive for the lands so entered upon and taken possession of by said commissioners for the purpose aforesaid, the said commissioners may apply to any Justice of the Peace who shall upon the request of said commissioners give notice in writing to the said owner or owners that at a certain time and place therein mentioned, he will appoint three disinterested freeholders, appraisers to estimate and appraise the damages which said owner or owners may sustain by the entering upon and taking his or their lands for the purposes aforesaid. Said notice shall be served upon said owner or owners if residents of said county, at least five days previous to the time of appointment of said appraisers therein mentioned, and in case said owner or owners shall not be residents of said county, then the said commissioners shall cause a notice to be published in one of the newspapers published in said county, for three successive weeks, once in each week, that on some day therein mentioned not less than three weeks after the first publication of said notice they will apply to some Justice of the Peace in said county mentioned in said notice, to appoint appraisers for the pur-

Commissioners to
expend money,
and make report

How damage to
be settled,

To serve notice,

pose aforesaid; at the time and place mentioned in said notice the said Justice shall appoint three freeholders, appraisers to estimate and appraise the damages sustained by the owner or owners of said lands by reason of the entering upon and taking said lands for the purposes aforesaid. It shall be the duty of said appraisers to give notice to the said commissioners and the owner or owners of said lands that on a certain day they will appear on the premises for the purpose of making the appraisement aforesaid; said notice shall be served on the said parties at least five days previous to the time appointed for making said appraisement in all cases where the owners reside in said county, and when said owners are not residents of said county the said appraisers shall give notice of the time of making said appraisement by publication in a newspaper as above mentioned: at the time appointed, said appraisers shall go upon the premises and view the same, and shall make an appraisement on oath of the damages to be sustained by said owner or owners and reduce the same to writing, sign the same and deliver a copy thereof to said commissioners, and file the original appraisement with the Clerk of the Circuit Court of said county. The said commissioners shall within three days after the filing of said appraisement, pay to said Clerk for the use of said owners the amount of damages estimated by said appraisers, and shall also pay all the costs and expense of said appraisements; and upon said payment by said commissioners they shall have full power to enter and take said lands for the purposes aforesaid.

How appraisal to be made.

SEC. 9. All contracts entered into by said commissioners shall be made in the name of the Sheboygan Harbor Commissioners, and shall be signed by the President and Secretary of said board, and all contracts shall be made by consent of a majority of the board, or by some person duly authorized by a vote of the majority of said board at a meeting of the same.

How contracts to be made

SEC. 10. Said commissioners shall receive no pay for their services.

No pay.

SEC. 11. Said commissioners shall negotiate said bonds for nothing except cash or labor and materials to be expended in the construction of said harbor, nor shall they pay for any such labor or materials except in cash or said bonds.

Bonds to be negotiated.

SEC. 12. Any four of said commissioners shall have power to transact any business authorized to be transacted by said board of commissioners.

Quorum.

SEC. 13. It is hereby made the duty of the Clerk of the village of Sheboygan and of the board of Supervisors of

Clerks to countersign bonds.

said county of Sheboygan to countersign all bonds presented to them by said board of commissioners not exceeding the sums in this act authorized to be issued by said commissioners, on the credit of said village and county respectively, and they shall respectively keep a correct register of all the bonds so countersigned by them.

How interest & principal to be paid.

SEC. 14. It shall be the duty of the Treasurer of said village of Sheboygan and of the county of Sheboygan to pay the interest and principal which shall become due upon the bonds of the said village and county issued as aforesaid out of the moneys coming into their hands for such purpose, at such time and place as shall be specified in said bonds.

How vacancy to be filled.

SEC. 15. When any vacancy shall occur in said board of commissioners by the resignation, death, or removal from said county of any of said commissioners, it shall be filled by an election by the remainder of said board of some free holder of the said county.

SEC. 16. This act shall take effect from and after its passage.

J. McM. SHAFER,

Speaker of the Assembly.

E. B. DEAN, JR.

President pro tem. of the Senate.

Approved, January 31, 1852.

LEONARD J. FARWELL.

Chap. 7.

An Act to change the names of Susan Burrell and Henry Paul.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That the name of Susan Burrell shall hereafter be Susan Mary Parker and the name of Henry Paul shall hereafter be John Henry Parker, by which names the said persons shall be called and known to all legal intents and purposes.

To be heirs.

SEC. 2. The said persons whose names are thus changed by section first of this act, shall be the children and heirs at law of John Parker of Kenosha, Wisconsin, and the obligations of child to parent and parent to child shall pertain as fully between the parties herein named as in the case of natural parentage and descent.