

act, entitled "an act to consolidate and amend the act to CHAPTER 176. incorporate the city of Kenosha, and the several acts amendatory thereof," is hereby amended, by striking out the word "three" where it occurs in the fifth line of said section, and inserting the word "four," so as to read "four supervisors," instead of three.

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

Approved March 22, 1860.

[Published April 11, 1860.]

CHAPTER 176.

AN ACT to incorporate the Village of Mauston.

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

SECTION 1. The inhabitants of the District included in the following limits, to wit: All of section number twelve (12), in township number fifteen (15), north, of range number three (3) east; all of the south-west quarter of section number seven (7), and all of the north-west quarter of said section number seven (7), in township number fifteen (15), north, of range number four (4), east, in the county of Juneau and State of Wisconsin, are hereby created a body corporate and politic, by the name and style of the President and Trustees of the Village of Mauston, and by that name shall be capable contracting and being contracted with, of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts and places, and in all matters whatsoever, with power of purchasing, receiving, holding, occupying, and conveying, real and personal estate, and shall have a common seal, and may change the same at pleasure, and shall be competent to have and exercise all the rights and privileges, and be subject to all the duties and obligations pertaining to a municipal corporation.

§ 2. The government of said corporation, and the exercise of its corporate powers, and management of its fiscal, prudential, and municipal concerns, shall be vested in a President and four Trustees, and such other officers as are hereinafter provided for.

CHAPTER 176.

Election Board.

§ 3. It shall be lawful for the inhabitants of said village, qualified to vote at any general election, to meet, at the School House in said village, on the first Tuesday of April, A. D. 1860, at ten o'clock, A. M., and choose, *viva voce*, three judges of election and one clerk, who, together, shall form an election board, and then, and there, said inhabitants shall elect, by ballot, a President, (who shall be ex-officio, a Trustee,) four Trustees, one Assessor, a Clerk, a Treasurer, a Marshal, a Superintendent of Schools, and two Justices of the Peace: *Provided*, that in case the officers aforesaid shall not be elected on that day, they may be, at any time thereafter, on a call signed by twelve electors of said village, and ten days notice thereof being given by said electors, by posting up three notices of the time and place of said election in said village.

Village officers elected.

If not on that day subsequently.

Annual election.

§ 4. On the first Tuesday of April, in each year thereafter, there shall be an annual election of the officers of said village, and the Trustees shall give at least one week's notice of the time and place of holding the same, and they, or any three of them, shall be inspectors of such elections. All officers shall be elected by ballot, as the law provides for the election of officers of towns.

Eligibility to office.

§ 5. No person shall be eligible to any of said offices, unless he shall be a voter in said village; any person qualified to vote, at any general election, shall be a legal voter at any election of officers for said village,

Voters.

Poll open.

§ 6. At any election under this act, the polls shall be open at 10 o'clock, A. M., and continue open until five o'clock, P. M., of said day, and a plurality of votes shall, in all cases, decide the election.

Term of office.

§ 7. All of said officers shall hold their offices until the first Tuesday of April next, after their election, and until others are elected and qualified in their stead respectively, except the Justices of the Peace, who shall hold their office for two years from the said first Tuesday of April, and until their successors shall be elected and qualified.

Duties of President.

§ 8. The President shall preside at all meetings of the Trustees, keep the seal of said corporation, sign all commissions, license, and permits, which may be granted by the Trustees; he shall maintain peace and good order, and see that the ordinances of the village are observed and executed; he shall have power to administer oaths and affirmations, as a judicial officer; he shall

have concurrent jurisdiction with the Justices of the Peace of the county of Juneau, of all cases for the violation of any ordinance of said village; and when presiding at a meeting of the Trustees, he shall have a casting vote, when the vote of the members are equal.

§ 9. The President and Trustees shall prescribe the time and fix the place of holding their meetings, which shall, at all times, be open to the public, and shall determine the rules of the proceedings, and keep a journal thereof, which shall be open for the inspection of every citizen, at all reasonable times and hours, and shall have power to preserve order and propriety in their proceedings, and may adopt such by-laws, rules, and regulations, for their own government, as are not inconsistent with the provisions of this act, and shall have power to compel the attendance of its members.

§ 10. The president and trustees shall have power to enact, establish, enforce, alter, modify, amend, or repeal, all such ordinances, rules, and by-laws, for the government and good order of the village, for the suppression of vice, for the prevention of fires, for the benefit of trade and commerce, and for the preservation of public health, as they may deem expedient, declaring and imposing penalties, and to enforce the same, against every person who may violate any of the provisions of such ordinances, rules, or by-laws, and such ordinances, rules and by-laws are hereby declared to be and to have the force of law, and for these purposes shall have authority, by ordinance or by-law, to organize fire companies, hook and ladder companies; to regulate their government, and the time and manner of their exercise; to provide all necessary apparatus for the extinguishment of fires; to require the owners of buildings to provide and keep suitable ladders and fire buckets, (which are hereby declared to be appurtenances to the real estate, and exempt from seizure, distress or sale in any manner), and if the owner shall refuse to procure suitable ladders, or fire buckets, after reasonable notice, the trustees may procure and deliver the same to him, and in default of payment therefor, may recover of said owner the value of said ladders or fire buckets, or both, with costs of suit; to regulate the storage of gunpowder and other dangerous materials; to direct the safe construction of places for the deposit of ashes: to appoint one or more fire wardens, to enter into at reasonable times, and examine all dwelling

CHAPTER 176.

President and Trustees to fix place of meeting, &c.

Powers and duties of President and Trustees.

In case of fires.

Gunpowder.

Ashes. Fire Wardens.

- CHAPTER 176.** houses, lots, yards, inclosures, and buildings of every description, in order to discover whether any of them are in a dangerous condition, and to cause such as may be dangerous to be put in a safe condition ; to regulate the manner of putting up stoves and stove pipes ; to prevent fires and the use of fire works and fire arms within the limits of said village or such part thereof as they may think proper ; to compel the inhabitants of said village to aid in the extinguishment of fires, and to pull, break down, and raze such buildings in the vicinity of the fire as shall be directed by any three of the trustees who may be at the fire, for the purpose of preventing its communication with other buildings, and any buildings so destroyed shall be paid for by the corporation ; and generally to establish other measures of prudence for the prevention or extinguishment of fires, as they may deem proper.
- Stoves and pipes.**
- In case of fires.**
- To abate nuisances.** To prevent abate and remove nuisances, and to take such measures, for the public health, as they may deem proper, and to compel the owner, or occupants, of any grocery, celler [cellar], tallow chandler's shop, soap factory, tannery, stable, barn, privy, sewer, slaughter house, or other unwholesome or nauseous houses or places, to cleanse, remove, or abate the same, from time to time, as often as it may be deemed necessary, for the health, comfort and convenience of the inhabitants of the village.
- Licenses.** To liscence [license] and regulate the exhibitions of common showmen or shows of any kind, or the exhibitions of any natural or artifical curiosities, caravans, circuses, or theatrical performances, under the ordinances or common law.
- Restrain gaming.** To restrain and prohibit all descriptions of gaming and fraudulent devices and practices, and all playing of cards, dice or other games of chance for the purpose of gaming in said village.
- Prevent riots.** To prevent any riots, noise, disturbances or disorderly assemblages ; suppress and restrain disorderly houses, or houses of ill fame, shows and exhibitions.
- Slaughter houses.** To direct the location of all slaughter-houses and markets.
- Encumbering of streets.** To prevent the encumbering of the streets, side-walks, alleys or public grounds, with carriages, carts, wagons, sleighs, boxes, lumber, fire-wood or other material or substances whatever.

To prevent horse-racing, immoderate driving or riding in the streets. CHAPTER No.
Horse racing.

To restrain the running at large of cattle, swine, sheep, hogs, horses or other animals, and to authorize the distraining and sale of the same, or to impose a fine, not exceeding five dollars, for every such animal found so going at large, in violation of the laws of the village. To restrain cattle, &c.

To prevent the running at large of dogs, and to authorize the destruction of the same, in a summary manner, when at large, contrary to the ordinances, or to impose a tax on the same. Dogs.

To establish and regulate boards of health, to provide hospitals and cemetery grounds, and to regulate the burial of the dead. Boards of Health.

To provide for the protection and security of bridges. Bridges.

To prevent all persons riding or driving any horse or mule, cattle, or other animal, on the side-walks or in any way doing any damage to such side-walks. Protect side walks.

To restrain drunkards, immoderate drinking, obscenity in the streets of said village, and to provide for arresting, removing and punishing any person or persons who may be guilty of the same; to regulate and license [license] the sale of intoxicating liquors, and to prescribe the amount to be paid for such license [license,] in conformity to the laws on that subject; to license [license] and regulate billiard tables, bowling saloons, groceries, taverns, and victualing houses, and to restrain the keeping the same without a license [license.] Restrain drunkards, drinking, &c.

To protect trees and monuments of said village; to fill any vacancy that may occur in the office of trustee, assessor, clerk, treasurer, or marshal, or superintendent of schools. Protect trees, &c.

To appoint and remove, at pleasure, any of the following officers, to wit: One chief engineer of the fire department; two fire wardens; one surveyor; one sealer of weights and measures; sextons and keepers of burial grounds; one street commissioner; one pound-keeper; and to prescribe their duties and fix their compensations, and to impose and enforce such penalties for any malfeasance or improper conduct, in their respective offices, as the trustees may deem proper, and to require such officers to give bonds for the faithful performance of their duty. Appoint and remove certain officers.

To order the survey and to establish the grade of all

- CHAPTER 176.** streets in said village, and to prescribe the breadth, grade, and material of all side and cross walks.
- To order survey of streets, &c.** To compel the owners and occupants of buildings, or grounds, to remove snow, dirt or other rubbish, from the side-walks, streets, or alley opposite thereto, and to compel such owner or occupant to remove from the lot, owned or occupied by him, all such substances as the board of health shall direct; and in case of his default, to authorize the removal or destruction thereof by some officer of the village, at the expense of such owner or occupant.
- Clean side-walks, &c.**
- Improve streets, &c.** To build, keep, grade, pave, or otherwise improve, streets, highways, lanes, alleys, side-walks, cross-walks, culverts, bridges and sewers within said village.
- Build fences, &c.** To require any building, fence, or other erection, which may be placed within or erected upon the boundary.
- Alter, widen, vacate streets, &c.** The trustees shall have power to lay out, alter, widen, contract, straighten or extend streets, alleys, lanes, highways and walks, within said village, and to discontinue the same, when, in their opinion, the same are no longer necessary, making such disposition of the land so vacated as to them shall seem proper; to direct the prosecution and defence of suits in which said village may be a party; to procure the necessary blank books for records, and such stationary [stationery] as may be required for village purposes; to audit and allow all lawful accounts against said village, and to draw an order on the treasury for the payment of the same.
- Defend suits.**
- Procure stationery, &c.**
- Levy and collect taxes.** To levy and collect taxes on all such property, as shall be subject to town and county taxes; *Provided*, that the taxes for corporation purposes shall not exceed one per cent. on the assessed valuation of the taxable property of said village, unless two-thirds of the electors of said village voting at a meeting regularly called for that purpose, shall vote to allow a larger sum to be raised; but in no case shall the electors be allowed to raise more than two per cent. on the assessed valuation as aforesaid.
- Limitation of electors.**
- President and Trustees may prescribe penalties.** § 11. In all cases in relation to which, by the provisions of this act, the president and trustees have power to enact or pass ordinances or by-laws in relation to any subject, they may prescribe any penalty for the violation of such ordinance or by-law, not exceeding fifty dollars for any one offence, in violation of or non-observance thereof, and may also provide, that in

default of payment, the offenders may be imprisoned for such term as they may by such ordinance direct, not exceeding thirty days, for which purpose the said village shall have the use of the jail of Juneau county, for the imprisonment of any person liable to be imprisoned, and all persons committed to jail by an officer of said village shall be under the charge of the sheriff of said county.

CHAPTER 176.

May prescribe imprisonment.

§ 12. On all suits for the violation of any ordinance of the village, the process may be by warrant, and it shall be sufficient, without setting forth the special matter, to declare generally in debt, with reference to the ordinance under which the action is brought; the defendant may plead the general issue and give the special matter in evidence, and a printed copy of any ordinance, published in a newspaper, or pamphlet, by authority of the trustees, shall be *prima facie* [*facie*] evidence of the passage and publication of such ordinance.

Process on suits for violation of ordinance.

§ 13. Every execution, issuing upon judgment, for the violation or non-observance of any ordinance or by-law of said village, shall contain a clause directing, in the event of non-payment of the judgment, the imprisonment of the defendant in the county jail, for such term as shall have been provided for by the ordinance under which the judgment shall have been rendered; all fines, forfeitures, and penalties, [penalties] when collected, shall be paid into the treasury of said village.

Nature of execution issued for violation of ordinance.

§ 14. Any ordinances, regulation, rule or by law, imposing a penalty for the violation of its provisions, shall be published, one week, in some newspaper in the county, before the same shall be in force.

Certain ordinances to be published.

§ 15. The marshal shall possess all the powers and enjoy all the rights of a constable of the town of Lemmonweir, and be subject to the same liabilities; it shall be his duty to execute all writs and process to him directed, and when necessary, in criminal cases, or for the violation of any ordinance of said village, he may serve the same in any part of the State. It shall be his duty to suppress all riots, disturbances and breaches of the peace, to apprehend all disorderly persons in said village, and pursue and arrest any person fleeing from justice, to apprehend any person in the act of committing any offence against this State or the ordinances of the village, and to bring such person before competent authority for examination, and for such services he

Authority and duties of Marshal.

CHAPTER 176.**Fees.****Powers and duties of Treasurer.****Bond.****Compensation.****Duty of Clerk.****Compensation.****Oath of office.****Special meetings, how called.**

shall receive like fees as are allowed to constables for like services.

§ 16. The treasurer of said village shall perform such duties, and exercise such powers, as may be lawfully required of him by the ordinances of said village; all money raised, received, recovered, and collected, by means of any tax, licence, [license] fine, forfeiture, or otherwise, under the authority of this act, or which belongs to said village, shall be kept by him, and shall not be drawn therefrom except by a written order, signed by the president, and countersigned by the clerk, by order of the trustees; such order shall specify the amount of money to be drawn, and for what; he shall keep a just and accurate account of all moneys, and other things, coming into his hands as treasurer, in a book to be provided for that purpose; he shall as often as the trustees require, render to said trustees, a minute account of his receipts and payments, and, at the expiration of his term of office, he shall pay over to his successor all moneys, books and vouchers in his possession belonging to said village; he shall, before he enters upon the duties of his office, execute, to the president and trustees, a bond for the faithful discharge of his duties, to be approved by the trustees, which bond shall be, at least, double the amount of taxes to be received for the year in which he is elected; the compensation for his services, shall be fixed by the trustees, and shall not exceed the sum allowed by law for like services.

§ 17. The clerk shall keep the records of said village, and perform such duties, as may be lawfully required of him by the ordinances, or by the direction of the trustees, who shall fix his compensation therefor.

§ 18. Every officer elected in said village shall, within ten days after he shall be notified of his election, take and subscribe the oath of office, prescribed by the constitution, and file the same with the clerk, and in case of his omission to do so, he shall be deemed [deemed] to have refused to serve, and his place shall be filled in the manner prescribed by this act.

§ 19. Special meetings may be called by the clerk of said village, by order of the trustees thereof, by giving six days notice thereof, in writing, posted up at three of the most public places in said village; every notice of such meeting shall state the objects for which such meeting is called.

§ 20. No account or claim against said village shall be paid until it shall have been presented to the trustees thereof, and audited and allowed by them; no such account shall be audited, or allowed by the trustees until it shall be made out in items, and shall be accompanied [accompanied] by an affidavit of the person claiming to have done the services, or made the disbursement, therein charged, that the several items of the account or claim are correct, and the services therein charged have been rendered, and that the disbursements therein charged have been made, and that no part thereof has been paid; such affidavit shall be endorsed on or annexed to such account or claim and presented therewith.

CHAPTER 176.
Accounts, how audited.

§ 21. Nothing in the last preceding section shall be construed to prevent the trustees from disallowing any account or claim, in whole or in part, when so made out, and verified, nor from requiring other and further evidence of the correctness and reasonableness thereof.

Trustees may disallow claims.

§ 22. Said village shall have no power to borrow money nor shall it be liable to pay money borrowed on its account, or advanced in its behalf, by its officers, or any other person; nor shall any of its money or property be applied to any such purposes, nor shall the village incur any debt or liability in any year, greater than the amount of tax allowed by this act to be raised in said village, in the year in which such debt or liability was incurred, unless two-thirds of the legal voters of said village shall vote in favor of such act.

Village no power to borrow money.

Limitation on debt and liability.

§ 23. Whenever two thirds of all the resident owners of real estate bounding both sides of any street, or part of street, not less than ten rods in length, in said village, shall desire to have such street graded, paved, or otherwise improved, they may make an application, in writing, to the trustees of said village, specifying, in such application, the sum necessary to be raised for that purpose, which shall not exceed five per cent. of the assessed valuation, and if all the said trustees shall deem said improvement necessary, they shall levy and cause to be collected; such sum, by tax on the owners of real estate, on lots on such street, or part of street; said tax shall be levied on the last assessment valuation of the real estate and lots, as the same shall appear in the assessment roll of said village.

Proceedings in improving streets.

Limitation of tax.

Tax, how levied.

§ 24. Whenever two-thirds of all the resident owners of real estate and lots on one side of any street,

Proceedings in building sidewalks.

CHAPTER 178.

or part of street, shall desire to have a side-walk built or repaired, the application for that purpose shall be made to the trustees by such owners and the tax for building or repairing such side-walk shall be levied as prescribed in the preceding section.

Duty of Trustees when levying tax for improvement of streets.

§ 25. Whenever the trustees shall levy any tax for the purpose of grading, paving, or otherwise improving any street, or for building or repairing any side-walk, they shall make out and deliver to the street commissioner, a list of persons and a description of the property taxed, with the amount of tax to be collected and expended, and thereupon the street commissioner shall

Duty of Street Commissioner.

notify the persons named in said tax list, by publishing a notice in three or more public places in said village, or in some newspaper printed therein, and shall specify in such notice a time not less than ten nor more than

How taxes may be paid.

twenty days from the date thereof; when the persons charged with taxes in such list may pay their taxes in labor, materials or money, and the persons charged with such tax may at any time and place as may be required by said street commissioner, pay their taxes in labor or

Proviso.

materials: *Provided*, The labor and materials offered in payment for such taxes are suitable, and such as may be required by said street commissioner.

Tax list to be returned by Street Commissioner.

§ 26. At the expiration of sixty days from the time the street commissioner shall have received such tax list, he shall return the same to the trustees, accompanied by a statement verified by his affidavit, showing the amount of tax collected, the amount paid in money or materials, and the manner in which such money was expended, and the items of expenditure; also the taxes which remain unpaid, and the persons and descriptions of real estate and lots to which such unpaid taxes stand charged.

Delinquent taxes, how collected.

§ 27. The trustees in making out the duplicate assessment roll of said village next thereafter, shall enter such unpaid taxes therein, in a separate column, with ten per cent. interest added thereto, opposite to the names of the persons and descriptions of property against which the taxes so remain unpaid; and such taxes shall be collected in the same manner as the general taxes of said village are collected, and when so collected shall be paid over to a street commissioner, on the order of the trustees, to be expended on the street or side-walk for which they were originally assessed.

Taxes, how used when collected.

§ 28. The trustees shall, between the first Monday

in May and the first Monday in July, in each year, determine the amount of general tax necessary to be assessed and collected in said village the current year.

CHAPTER 176.

Time of determining the amount of tax to be levied.

§ 29. The assessment roll of said village shall be made by the assessor, at the time and in the manner required by law for making out the assessment rolls of towns, and the compensation of the assessor shall be fixed by the trustees; said assessment roll shall be equalized and corrected by the president, assessor and clerk at the time, and in the manner provided by law for the equalization and correction of the assessments of towns.

Assessment roll when made out. Compensation.

Assessment roll, how equalized.

§ 30. When such assessment roll shall be finally completed, the trustees shall cause to be levied such amount of tax as shall have been determined to have been raised, and shall set opposite to each description and valuation of taxable property, the amount of tax charged upon such property, and to each person respectively; and when such tax list shall have been so completed they shall, forthwith, cause a true copy thereof to be made and a warrant annexed thereto, and deliver such tax list and warrant to the marshal of said village, as hereinafter provided, and the original assessment roll and tax list shall be deposited with the treasurer of said village.

When assessment roll completed tax to be levied.

Copy of tax list to be made.

§ 31. The warrant annexed to any tax list delivered to the marshal, as aforesaid, shall be signed by the president and countersigned by the clerk of said village, or, in the absence of the president, such warrant shall be signed by a majority of the trustees; the warrant shall command the marshal to collect the taxes mentioned, in forty days, and pay over the same to the treasurer of said village, and make return of said warrant to said treasurer; the trustees may renew the warrant annexed to any tax list for thirty days, when they shall deem it necessary, but any such warrant shall not be renewed more than once.

Nature of warrant to be appended to tax list.

Warrant may be reversed.

§ 32. Upon the receipt of the tax list aforesaid, it shall be the duty of the marshal to give public notice by publishing the same in three public places in said village, that such tax list has been committed to him for collection, and that he will receive payment for taxes at his office for the term of twenty days next ensuing such notice, and all taxes paid during said twenty days shall be subject to a deduction of three per cent. upon the amount paid.

Duty of Marshal on receipt of tax list.

CHAPTER 176.

Proceedings
when taxes not
paid.

Duty of Mar-
shal to pay
over taxes.

Lands to be
sold for pay-
ment of taxes,
proceedings.

Treasurer to
sell.

§ 33. If the taxes are not paid to the marshal, within the said term, he may then proceed to collect the same by distress and sale of the goods and chattels of the person charged, giving six days notice of the time and place of such sale, by written notices, set up in three public places in said village.

§ 34. It shall be the duty of the marshal, within the time prescribed in any such warrant for the return thereof, to pay over all sums collected by him to the treasurer of said village, and to return such warrant to the said treasurer, with his return thereon written, subscribed by him and specifying any such sum or sums of money not collected by him by reason of his not being able to find property in said village out of which he could collect the same, and if any sum be returned not collected by him, his return shall be accompanied by his affidavit that the facts therein stated are true.

§ 35. In case the tax on any lot or parcel of land shall remain unpaid, on the first day of October, it shall be the duty of the Treasurer to make out a general advertisement, stating that all lots or other pieces of land, upon which taxes have not been paid, will be sold by him at a certain time and place, therein mentioned, for the purpose of paying the taxes assessed thereon, together with all costs and other liabilities which may accrue by advertising and selling agreeable [agreeable] to the provisions of this act; said advertisement shall be published in a newspaper published in said village, if there be one, or by written notices set up in three of the most conspicuous places in the village for at least twenty days before the day of such sale.

§ 36. On the day, and at the time and place mentioned in the notice, the Treasurer shall commence the sale of lands and lots, and continue the same, from day to day, until so much thereof shall be sold as will pay the taxes, interest, charges due, assessed and charged thereon agreeably [agreeably] to this act, and the Treasurer shall give to the purchasers of any lot or lots of lands a certificate of the lots or land purchased, stating the sum paid therefor including fees and the time the purchaser will be entitled to a deed.

§ 37. Said Treasurer shall, immediately after the close of such sale of lots or lands for taxes, deposit in the office of the Clerk of said village all affidavits, notices and papers in relation to such tax sale, to be filed

in the office of said Clerk; also a statement containing a particular description of each lot or parcel of land sold, to whom sold, the amount for which the same was sold, and the name of the owner, if known; and the said Treasurer and Clerk shall record such statement in a book kept for that purpose, by each of them, in their respective offices.

CHAPTER 176.

Duty of Treasurer after close of sale of lands.

§ 38. If the person claiming the title to the lots or parcels of land so sold and described in said certificate given by the Treasurer, shall not, within two years, from the date thereof, pay to the Treasurer for the use of the purchaser, his heirs or assigns, the sum mentioned in said certificate, together with interest thereon, at twenty-five per cent. per annum, from the date of such certificate, the Treasurer shall, at the expiration of said two years execute to the purchaser, his heirs or assigns, a conveyance of the lots or parcels of land so sold, which conveyance shall vest in the person or persons, to whom the same shall be given, an absolute estate in fee simple, and the same conveyance shall be evidence that the same was regular, according to the provisions of this act, and any such conveyance, executed by the Treasurer, under his hand and the seal of the corporation, in the name and in behalf of the said village, and execution thereof witnessed and acknowledged, as by law in other cases, provided, may be given in evidence and recorded in the same manner, and with like effect, as a deed regularly acknowledged by the grantee may be given in evidence and recorded: *Provided*, That in case of assessment of taxes, in gross, upon any lot or [or] parcel of land, the Treasurer upon the application of any claimant or owner of a part thereof, either divided or undivided, shall receive the taxes on such part, either in payment or redemption, with the interest and charges thereon, proportionate to the quantity of such lot or tract so claimed or owned, and the remainder of such taxes, interest and charges shall be a lien only on the remainder of such lot or piece of land.

Treasurer to execute deeds of lands sold after two years.

May receive taxes on part of land assessed.

§ 39. In all cases, before lands shall be conveyed as aforesaid, the treasurer shall advertise the same, by a correct description thereof, for three months in some newspaper published in the county of Juneau, stating that all such lots or parcels of land will be forfeited, if the taxes, interest and charges upon the same, are not paid before the day mentioned in such notice.

Lands to be advertised before conveyed.

§ 40. All lots or lands which shall be advertised for

CHAPTER 176.

Charges on
land advertis-
ed.

sale, for non-payment of taxes, shall be subject to a charge of ten cents for each lot or parcel of land so advertised, for the first advertisement, and such [or] piece of land which shall be sold as aforesaid, shall be chargeable with the following fees: For each certificate to be given to a purchaser of any lot at such sale, twelve and a half cents; for certifying the amount necessary to redeem any lot or piece of land, twelve and a half cents; and one dollar for each conveyance executed in pursuance of this act. The said fees to be paid by the person receiving such instrument. The charge for advertising the forfeiture of a piece of land shall be fifteen cents for each lot or parcel.

Charge for ad-
vertising.

Owners of
farming lands
not required to
make improve-
ments.

§ 41. Nothing in this act shall be so construed as to require the owners or occupants of any farming lands in said village, to build side walks or make other improvements on or opposite said lands, or to pay any portion of the expense arising from, or in consequence of any fire, or of measures taken for the prevention of the same, unless said lands are platted for village lots; when such lands are platted for village lots, they shall be subject to the same laws and regulations as other property in said village.

President
member of Co.
Board.

§ 42. The President of the Board of Trustees of said village shall be a member of the County Board of Supervisors, and as such shall have all the powers and privileges of a chairman of a Town Board of Supervisors.

§ 43. On and after the first Tuesday in April, A. D. 1860, all connection, heretofore existing, between said village and the towns of Lindina and Lemonweir shall be at an end.

§ 44. In the judgment of this Legislature, the objects of this act cannot be attained under any general law.

§ 45. This act shall be in force from and after its passage.

Powers and li-
abilities of
School Super-
intendent.

§ 46. The Superintendent of schools, elected by virtue of this act, shall have and exercise the same powers and duties and be subject to the same liabilities and regulations as Superintendents of schools in towns.

Poll tax.

§ 47. The Trustees shall have power to levy and collect from every male inhabitant, over the age of twenty-one and under the age of fifty years, a highway or poll tax, of not to exceed one dollar and fifty cents per year.

Approved March 23, 1860.