

creation, and may at any time be defined and limited by law, and shall be exercised in conformity to the laws of this state for the time being.

SECTION 3. The amount of the capital stock of such corporation shall be expressed in the written statement made under the provisions of the first section, and shall never exceed twenty thousand dollars, of which five per cent. or more shall be paid in at the time of forming the corporation, and the amount so paid in shall be expressed in such statement. Limit to capital.

SECTION 4. This act shall take effect upon the publication thereof.

Approved March 27, 1863.

## CHAPTER 181.

[Published April 15, 1863.]

AN ACT to grant additional powers to the board of trustees of the village of Neenah, and to define the boundaries thereof.

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

SECTION 1. In addition to the powers now possessed by the board of trustees of the village of Neenah, the said board shall have power to improve the navigation of the south branch of Fox river; the canal, lock, lake or other waters lying within the corporate limits of said village, but no tax for such purpose shall exceed [exceed] five hundred dollars in any year; to prohibit the putting into said river, canal or other of said waters, any slabs, edgings or other materials that may obstruct the navigation thereof; to provide for the opening and shutting of the lock and highway draws in said village, and for the purpose of defraying the expense thereof; to impose and collect such tolls as said board shall deem expedient and just, from persons wishing to pass boats or other vessels through the same; to take up, vacate and close, or lay out, establish and open, highways and streets within the limits of said village, subject to the provisions of sec. 40 of chapt. seventy of the revised statutes of Improvement of navigation, &c. Tolls. Streets, &c.

**Crosswalks.** Wisconsin, in relation to damages; to prevent the obstruction of crosswalks by persons hitching or leaving teams thereon, or otherwise, and for such purpose, to establish and collect fines for violation of such ordinance, providing such fine or forfeiture shall not exceed three dollars for any one offense; to appoint a wood inspector, whose duty it shall be to measure any and all wood when called upon so to do, sold in the streets of said village, and a certificate in writing of such measurement by said wood inspector, shall be *prima facie* evidence of the amount of such wood, and such wood inspector shall receive a sum not exceeding ten cents for each cord so measured, as his compensation for such services, to be paid by the person employing him, unless otherwise agreed to by the parties; to prevent riots, noise, disturbances or disorderly assemblages, suppress and restrain disorderly houses, or houses of ill-fame; to direct the location of slaughter houses and markets; to restrain drunkenness, disorderly conduct or obscenity in the streets of said village, and to prohibit bathing or swimming during the day time in such places within the limits of said village as they may deem proper, and to provide for the arresting, removing and punishing of any person or persons guilty of the same. And to this end, it shall be the duty of marshal of said village to suppress all riots, disturbances and breaches of the peace; to apprehend all disorderly persons in said village, and pursue and arrest any person flying from justice, in any part of this state; to apprehend any person in the act of committing any offense against the laws of this state or ordinance of the village, and forthwith to bring such person or persons before competent authority for examination or trial; and for all such services he shall receive like fees as are allowed by law to constables. He shall do and perform all such duties as may lawfully be required of him by the ordinances of said village, and shall have power to appoint one or more deputies, to be approved by the board of trustees, or a majority of them, and for whose official acts the said marshal shall be responsible. And said board of trustees of said village of Neenah shall have power to provide and maintain a "lock up," or some place of security for the use of said marshal in the suppression of riots, and for the detention of any person or persons in the act of

**Wood inspector.**

**Riots, &c.**

**Slaughter houses.**  
**Drunkenness,**  
**bathing, &c.**

**Authority to marshal.**

**His fees.**

**Lock-up.**

committing any offense against the laws of this state or the ordinances of said village, or for the detention of any person arrested by said marshal, or on supposition of having committed any violation against the laws of this state or the ordinances of said village; and such persons so arrested or detained shall be under the care of said marshal until discharged or removed by the authorities before whom such persons are brought for examination; to divide said village into such number of wards as they may from time to time deem proper; to direct the cleaning of sidewalks and crosswalks from snow, and to pay therefor from the general fund; to prohibit or license all theatrical exhibitions or other public shows to which admission is obtained by payment of money, the selling by public auction of goods, wares and merchandise brought into said village for that purpose by transient persons, and the running at large in said village of all cattle, sheep, swine, horses, mules or colts, upon such terms and by such regulations and restrictions as they may deem just and proper; to appropriate from the general fund a sum not exceeding fifty dollars for any one object, for the purpose of assisting in bridging or otherwise improving any part of a street or streets in said village, when they shall deem the whole expense too great to be assessed wholly on the adjoining lot or lots: *provided*, said each adjoining lot or lots shall be assessed for making said improvements not less than the highest sum assessed upon any other lot on said street for making the improvement thereof; and whenever a majority of the owners of real estate bounding any portion of any street or highway in said village, shall petition said board in writing for the construction of a sidewalk, or the opening and constructing of sewer or sewers along any street or highway, or the grading, paving, planking, filling up, widening or otherwise improving said street or highway, said board shall have the power to order the building and constructing or repairing of said sidewalks, or the grading, paving, planking, filling up or other improvement of said street or highway, and to proceed to levy and collect, as provided by law, a sum sufficient to build or repair such walk or make such improvement; and the tax for the opening and construction and repairing of sewers, shall be levied and collected in the same manner as taxes for the con-

Wards.

Cleaning walks.

Licenses.

Cattle, &amp;c.

General fund.

Sidewalks, &amp;c.

Sewers.

struction and repairing of sidewalks are levied and collected.

Laws applicable to improvement of navigation.

SECTION 2. Whenever said board shall determine to improve the navigation of any waters within the limits of said village, the [they] shall proceed to make such improvement as provided in section five (5) of an act entitled "an act to legalize the proceedings and organization of Winnebago rapids, and to change the name thereof, and to confer additional powers thereto," approved March 28th, 1856.

How tax to be levied.

SECTION 3. Section three of the acts [act] mentioned in the last preceding section, is hereby amended, by striking out from the latter part thereof the following clause, which is hereby repealed, to wit: "Said sums or tax to be levied on the last assessed valuation of said real estate, as the same shall appear in the last assessment roll of said village, if there be one; if not, then as the same shall appear in the last assessment roll of the town of Neenah."

Repair of side walks.

SECTION 4. Whenever any sidewalk within said village shall be defective, and need repairs, said board may, with or without a petition from the resident owners of real estate bounding such walk, cause such repairs to be made. Said board shall, by a resolution specifying the lots or parcels of land in front of which such repairs are to be made, direct the street commissioner to proceed to cause such repairs to be made; and said board shall cause to be delivered to such commissioner a copy of said resolution. On receipt of said copy, it shall be the duty of said street commissioner, without delay, to proceed to notify at least one of the owners of each lot or parcel of land in front of which such repairs are to be made, if known by him to be residents of said village, to repair said walk forthwith. Said notice may be given verbally to said owners in person, or in writing left at the last and usual place [places] of abode in said village, with some person of suitable age and discretion. If the owner of any of such lots shall be unknown to said commissioner, or shall not be resident of nor within said village, said notice may be given to any tenant residing thereon. If not thus occupied, no notice need be given, but said commissioner shall, without delay, proceed to make the necessary repairs required. If any owner, after receiving said notice as aforesaid, shall, for the space

of forty-eight hours, (48,) neglectto make the repairs required, or cause the same to be made, the said commissioner shall, without delay, proceed to repair said walk, as required by the board; and when said repairs shall have been completed, said commissioner shall present the board a verified and itemized account of the cost of such repairs, in front of each lot or parcel of land, so made by him, which account said board shall audit in the same manner as other accounts are audited; and when so audited and allowed, the sum or sums allowed shall be paid as other accounts are paid, from the general fund.

SECTION 5. Whenever repairs shall have been made by said street commissioner, and an account allowed therefor, as provided in the next preceding section, the amount thus allowed for repairs on each lot or parcel of land shall become and remain from and after the date of making such repairs, a lien and charge upon said lot or parcel of land, until paid; and said sum, together with twelve per cent. added thoreto, shall, in a separate column, be placed in the tax-list next thereafter made by said village, opposite such lot or parcel of land, and collected in the same manner as other taxes are collected. Lien.

SECTION 6. No suit or action shall hereafter be commenced, prosecuted or maintained by any one, against said village, or any officer therof, to restrain or enjoin said village or any officer thereof from selling any lot or parcel of land for the non-payment of any tax levied for the purpose of building, constructing or repairing any sidewalk, or for the opening and constructing of any sewer, or for the grading, paving, planking, graveling or other improvements of said street or highway in said village, or from issuing any certificate of sale thereof, or from executing and delivering any deed in pursuance thereof, nor for the purpose of canceling any such certificate or deed, or otherwise invalidating said sale, when the said walk, sewer, or improvement of a street, for the constructing and making of which said tax shall have been levied, shall have been constructed, repaired or made, except upon the sole ground that said tax has been paid by the onwer of said lots or parcels of land; unless previous [previously] to the commencement of said suit or action, the plaintiff or plaintiffs therein shall pay the village treasurer, for the Enjoining officers from selling lands for taxes for street improvements.

use of said village, the actual cost and expense incurred by said village in constructing or repairing said sidewalk or sewer, or in making the improvement of said street in front of said plaintiff's lot or parcel of land, together with twelve per cent.

Reassessment of taxes illegally levied.

SECTION 7. Whenever any tax heretofore or hereafter levied by said village, for the purpose of building or repairing any sidewalk, sewer or other improvement of any street in said village, shall have been or shall hereafter be ascertained to have been illegally levied, and the village shall have built the walk or sewer, or made the other improvement for the constructing and making of which said tax was or shall have been levied, the board of trustees shall have power to insert the amount of said tax, together with twelve per cent. interest per annum, from the completion of said walk or other improvement, in a separate column, opposite such lot or lots or parcel of land, in the next tax-list made after the cancelation [cancellation] of the certificate or certificates of sale made in consequence of the non-payment of any such tax, or deed issued in pursuance thereof, and a settlement with the holder thereof, which amount shall be collected in the same manner as other taxes therein are collected.

Penalties for violation of ordinances.

SECTION 8. Whenever the board of trustees of said village shall, under the provisions of chapter 70 of the revised statutes, and of this act, have power to enact or pass ordinances or by-laws in relation to any subject, they may prescribe any penalty for the violation or non-observance of such ordinances or by-laws, not exceeding fifty dollars for any one offense, as they may deem proper; and may also provide that in default of payment of any judgment rendered in any action brought to recover such penalty for such violation or non-observance, the offender may be imprisoned for such term as they may by such ordinance prescribe, not exceeding thirty days, for which purpose the said village shall have the use of the jail of Winnebago county for the imprisonment of any person liable to be thus imprisoned; and all fines and penalties thus imposed, when collected, shall be paid over to the treasurer of said village by any justice of the peace or other officer to whom the same shall have been paid, and shall become a part of the general fund of said village.

Corporate limits of village.

SECTION 9. The corporate limits of said village of Neenah shall hereafter include all the territory lying

within the following boundary, to wit: Commencing at the N. W. corner of the S. W.  $\frac{1}{4}$  of sec. 21, town 20, north of range 17 east, in town of Neenah; thence running south along the west section lines of sections 21 and 28, to the S. W. corner of said section 28; thence along the south section lines of sections 28 and 27, to Lake Winnebago; thence northerly to a point where the shore of said lake is intersected by the E. and W. quarter lines of section 23; thence west on the quarter lines of section [sections] 23, 22 and 21, to place of beginning.

SECTION 10. Chapter 136 of the laws of Wisconsin Repeal. for 1857, entitled "an act to grant additional powers to the board of trustees of the village of Neenah, and to enlarge the boundaries of said village," and so much of all other acts as is inconsistent with the provisions of this act, is [are] hereby repealed.

SECTION 11. This act shall be in force and effect from and after its passage.

Approved March 27, 1863.

## CHAPTER 132.

[Published April 13, 1863.]

AN ACT providing for an additional term of the circuit court for the county of Kenosha.

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

SECTION 1. In addition to the terms of the circuit court now required by law to be held for the county of Kenosha, there shall hereafter be held in each year a term of said circuit court for said county of Kenosha, commencing on the second Tuesday in February; but no jury shall be summoned to attend such additional term. To commence second Tuesday of February.

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

Approved March 27, 1863.