

## CHAPTER 311.

[Published March 5, 1863.]

AN ACT to amend section twelve of chapter one hundred of the private and local laws of 1862, entitled "an act to incorporate the Apple river boom company."

(See supplement to local laws.)

## CHAPTER 312.

[Published March 23, 1863.]

AN ACT to amend chapter 78 of the private and local laws of 1862, entitled "an act to authorize the construction of a bridge across Fox river, between Green Bay and Fort Howard."

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

**SECTION 1.** The said chapter 78 of the private and local laws of the year 1862, is hereby amended, by striking out the word "Doty" wherever it occurs in said act, and by inserting in lieu thereof the word "Walnut." The city council of said city of Green Bay shall have power, if they shall deem it necessary, to provide for the payment of a portion of the expense of building the bridge mentioned in the said act, by laying a tax upon all the taxable real and personal property in said city, to any amount not exceeding ten thousand dollars; the remainder of such expense to be paid in bonds to be issued under and in accordance with the provisions of the act hereby amended. The said tax shall be levied and collected at the same time and in the same manner as city taxes are annually levied and collected in said city, except that the said tax shall be carried out upon the tax roll in a separate column, to be headed "bridge tax," and said tax shall be payable in money only. The levy of the tax provided for by this section, shall be made within the same year in which the contract for building said bridge shall be

Amendment.

Council authorized to levy tax to aid in building bridge.

When to be collected.

let, unless the letting of the contract shall take place after the time for levying the annual taxes for state, county and corporate purposes, in which case said levy shall be made with the next levy of general taxes for city, county and state purposes.

Treasurer to give bonds and collect tax.

SECTION 2. The city treasurer of said city shall, when required by the city council of Green Bay, give bonds to the city of Green Bay in such sum as the said city council may require, conditioned for the faithful performance of his duty in collecting all the taxes which shall be levied under said act, as hereby amended, and for the safe keeping and the disbursement thereof, according to the order or orders of said city council; and it is hereby made the duty of said city treasurer, and he shall have power to collect said taxes in the same manner in all respects as other city taxes are collected; and upon non-payment thereof, to proceed in like manner to enforce collections and to advertise and sell real estate, as for general taxes for state, city and county purposes. The said treasurer shall also keep the money so collected by him as a separate fund, to be called the bridge fund.

Powers conferred by this act, not diminished by any ordinance heretofore passed, &c.

SECTION 3. None of the powers conferred by said act shall be deemed to have been exhausted or in any manner diminished by any ordinance or resolution of the city council of said city, heretofore passed, or by any act of the said city, or of any of its officers, or by any vote of the people of said city, under said act or under such ordinance or resolution; but the said city may proceed to execute the powers conferred by said act, as hereby amended, and to carry out the objects of the same, either by amending or repealing any ordinance already passed, or hereafter to be passed, by enacting such new ordinance or ordinances, rules or regulations as may be deemed proper by the said city council, or in such other manner as the said city council shall decide.

Bridge may be built by Green Bay.

SECTION 4. Nothing in the act hereby amended, which relates to the borough of Fort Howard, shall ever be so construed as to prevent the city of Green Bay, the city council thereof, or any of its officers, agents or contractors, from building the said bridge, or from performing any act or thing whatsoever, necessary or proper under said act, as hereby amended, to the execution and completion of said bridge, and to the providing of the means to pay therefor.

SECTION 5. No private property shall be taken for said bridge, or for the use thereof, by the public, against the consent of the owner, without the necessity for taking such property being first established by the verdict of a jury of twelve good and lawful men of Brown county, qualified to serve as petit jurors in the circuit court of this state, but who are not residents or freeholders in the city of Green Bay or borough of Fort Howard. Said jury shall be summoned in such manner and at such time and place, and upon such reasonable notice to parties interested, as shall be determined upon by the city council of said city of Green Bay. When summoned and attending, the said jury shall be sworn before an officer authorized to administer oaths, well and truly [to] hear, try and determine whether or not there shall be a necessity for taking any and what private property for the said bridge, and for the public use thereof, and whether said bridge would be for the public use and benefit. The verdict of said jury shall be in writing, signed by the said jury, and shall be filed in the office [offices] of the clerk of the circuit court and register of deeds of said county.

How private property for use of bridge may be taken.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved February 5, 1863.

## CHAPTER 313.

[Published April 28, 1863.]

AN ACT for the reorganization of the Greenwood cemetery association.

(See supplement to local laws.)