

(7), forty-three (43) and forty-four (44) of range eight (8), forty-three (43) and forty-four (44) of range nine (9) west of the fourth principal meridian, and said territory so annexed shall become and be a part of the town of Bayfield.

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

Approved March 8, 1869.

CHAPTER 117.

[Published March 23, 1869.]

AN ACT to provide for a system of county highways in Brown county, and for the adoption of such system by other counties.

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

SECTION 1. The county board of supervisors of Brown county shall hold a special meeting on the first Monday in May, A. D. 1869, for the purpose of electing some suitable person to serve as overseer of county highways and for fixing his compensation. The said board shall at the same meeting declare by resolution such highway or highways or parts thereof as they deem to be of general interest to the whole county, to be county highways. Such resolution shall be published in some newspaper in the county for three successive weeks next after its passage, and thereafter the highways so declared shall remain "county highways" until such resolution is duly revoked.

Board of supervisors shall appoint overseer of highways and fix his compensation.

SECTION 2. Whenever at any meeting of said county board, any highway or highways shall be declared and published as "county highways," in the manner above provided, such highways shall after the first day of March succeeding the passage of such resolution, be repaired and maintained at the county expense, and shall cease to be in any manner under the charge and superintendence of any officers of the towns through which they pass.

County highways to be repaired at county expense.

Resolution of board may be revoked.

SECTION 3. Any resolution of the board declaring county highways, may be revoked upon application of citizens of the county, but such application must be published in the newspaper of the county having the largest circulation, for three successive weeks previous to the meeting of the board at which it is presented.

Term of office of overseer.

SECTION 4. The county overseer of highways shall hold his office for the term of three years, but upon complaint made to the board of the incapacity, negligence or dishonesty of said overseer, accompanied by due proof of the same, they shall remove him from office. The said overseer shall be elected triennially by the board of supervisors on the first Monday in May, but in case of a vacancy in the office, they shall at a special meeting called for that purpose elect a successor for the balance of the term.

His duties.

SECTION 5. It shall be the duty of the county overseer to make a report to the board of county supervisors at or before the meeting at which the annual county taxes are levied, embodying a correct and full statement of the condition of the county highways, and a careful estimate setting forth specifically the amount necessary to be expended upon said highway for the ensuing year. He shall moreover inspect all work done upon the highways aforesaid, and report to the board his opinion as to whether the contract for such work has been faithfully executed. Before entering upon the duties of his office, he shall take and subscribe an oath before some officer qualified to administer oaths, that he will not in any manner, directly or indirectly, be interested pecuniarily in any contract for work or for furnishing supplies or implements to be used upon the county highways, and that he will faithfully discharge the duties of overseer of county highways.

All work to be let by contract.

SECTION 6. All work done upon the county highways shall be done upon contract with the lowest competent and responsible bidder, to be approved by the county board, and based upon specifications which shall be furnished when required by the county overseer aforesaid.

County board shall levy tax for highway fund.

SECTION 7. The county board shall annually levy a tax sufficient for the repairing and maintaining of the county highways. The sum realized from the tax aforesaid shall be kept by the county treasurer as a sep-

arate fund, to be called the "highway fund." The tax for the highway fund shall be levied separately from the tax for general county purposes, and carried out in a separate column upon the tax roll, and in case of any deficiency of cash funds collected by any town treasurer to meet the amount of tax imposed upon the town for all purposes, the said town treasurer shall in addition to the state tax, pay over the full amount of the "highway fund" tax, though it may occasion a deficiency in the town taxes.

SECTION 8. That portion of the interest of the drainage fund which is or may be due to the county of Brown in any year shall be paid over to the county treasurer at the same time with the money due to the county from the school fund for that year, and shall form a part of the "highway fund" aforesaid.

Drainage fund interest to be paid into highway fund.

SECTION 9. The contracts for work upon said "county highways" shall be made with the board of county supervisors and executed by the chairman in their behalf.

Supervisors to make contracts.

SECTION 10. After the first of March, 1870, the ordinary highway tax assessed by the supervisors of towns in Brown county may be less than three but not more than five mills on the dollar.

After 1870, highway tax to be reduced.

SECTION 11. The provisions of this act shall apply to any county in the state whenever the board of county supervisors thereof shall at a meeting held on the first Monday of May in any year, vote to declare any of the highways in such county to be "county highways," and to elect and fix the compensation of a county overseer of highways.

Provisions of this act to apply to other counties.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1869.