

CHAPTER 68.

[Published February 26, 1875.]

AN ACT to appropriate a certain sum of money therein named for the payment of current expenses of the Soldiers' Orphans' Home, for the year 1875.

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

SECTION 1. There is hereby appropriated, out of Appropriation. any money in the general fund not otherwise appropriated, the sum of seven thousand five hundred dollars, in full for the payment of bounties and current expenses at the Soldiers' Orphans' Home, for the year 1875.

SECTION 2. All sums for current expenses shall be To be paid quarterly. drawn from the treasury not oftener than quarterly in advance.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved February 25, 1875.

CHAPTER 69.

[Published March 13, 1875.]

AN ACT to amend chapter one hundred and eleven (111), of the private and local laws for the year 1867, entitled an act to reduce the law incorporating the city of Hudson, in the county of St. Croix, state of Wisconsin, and the several acts amendatory thereto into one act, and to amend the same.

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

SECTION 1. Sections three, five and six, of chapter seven, of chapter one hundred and eleven, of the private and local laws of the year 1867, are hereby amended so Amended. as to read as follows: Section 3. The cost and expenses of surveying streets, alleys, sidewalks and sewers, and estimating work thereon, repairing and cleansing streets and alleys, and of constructing and repairing reservoirs and sewers, shall be chargeable to and payable out of the general fund of the city. Planking, grading, Cost of expenses of surveying to be charged to city. graveling, macadamizing, or paving streets and alleys Other expenses to be charged to property improved.

to the center thereof, shall be chargeable to, and payable by, the lots fronting on such street or alley, within the line of improvement as far as the work extends; and the whole of the expense thereof shall be assessed upon such lots in proportion to their fronts thereon. Sewers and drains communicating with the main sewers and drains, may be built by order of the common council, through any street or alley for the purpose of draining the lots in the blocks fronting such street or alley, and in such case the expense thereof may be assessed upon the lots so drained and benefitted in such blocks, and being within the line of improvements: *provided*, that in all cases where improvements, or work of any kind is chargeable by virtue of this section upon lots benefitted, all such improvements across streets, alleys and public grounds shall be made and paid for out of the general fund of the city, in proportion to the width of the streets, or alleys, or public grounds. Section 5. No grading or graveling of streets or alleys to be done at the expense of lots fronting such improvements, and no sewers, the expense of which is to be charged to the lots drained or benefitted, as before provided, shall be ordered by the common council, except upon petition in writing of a majority of the owners of the property residing on the line of the proposed improvement, and chargeable therewith, unless by two-thirds vote of the common council, and whenever the council shall thereon determine upon a public improvement under this section, they shall pass a resolution to that effect, and shall require the street commissioner, with the assistance of the city surveyor, to examine the premises and report an estimate of the whole expense thereof, and the lots chargeable with the expense, and the owner's name, if known, and the proportion of the expense to be assessed to each lot, and in case of grading or graveling a street or alley a proper grade, and the common council may adopt, revise, correct or remand the same, with instructions upon such report being adopted; an accurate survey and profile of such grade shall be prepared by the city surveyor and filed in his office for record. The common council may thereupon order the said work to be placed under contract upon such terms and under such regulations as they may deem advisable. Section 6. Where any work provided for in the preceding section shall be completed and the contract performed to the satisfaction of the street commissioner and the city surveyor, said street commissioner shall give notice by publication in the official newspaper of said city, for three weeks, that the expense thereof (in case of streets or alleys) will be assessed upon the lots fronting such

Expense of
sewers and
drains to be
charged to lots.

Improvements
across streets to
be charged to
city.

Accurate sur-
vey to be made.

Notice to be
given.

streets or alleys within the line of such improvement in proportion to their fronts thereon and in case of sewers chargeable to the lots as hereinbefore provided that the lots in the blocks fronting such improvement drained, or benefitted thereby (which lots shall be designated in the notice) will be assessed in proportion to their size or area. Any owner of such lot or lots to be charged as aforesaid feeling himself aggrieved by such assessment may, before the expiration of the publication of such notice, file a petition with the street commissioner, showing in case of streets and alleys that his lot or lots will not be benefitted to the extent of the expense apportioned to such lot, and that such assessment in his case would be unequal and unjust; which said petition shall be sworn to, by the petitioner or some one having knowledge of the facts. The street commissioner shall thereupon require the chief of police to summons three disinterested free-holders of said city, and non-residents of the ward wherein such improvement is located, as commissioners to attend at some convenient time and place, of which notice shall be given by publication in the official paper of said city, at least five days before the time appointed for such commissioners to meet. At the time of meeting, such commissioners shall be examined under oath touching their qualification to act, and in cases of disqualification or absence, the street commissioner shall require the chief of police forthwith to summons others to supply the vacancy. Said commissioners shall be sworn faithfully and impartially to discharge the trust reposed in them, and shall view and examine the premises in question and shall have the power to hear the parties, and administer oaths and examine witnesses. It shall be their duty as early as practicable, and within ten days from the time they entered upon their duties, to report to the street commissioner their decision in writing accompanied by any testimony, or proof, or the substance thereof taken before them. And shall in each case determine whether such assessment (in case of grading or graveling streets and alleys) would be unequal and unjust, and whether, and how much, the same will exceed the benefit, and (in case of sewers), whether the lot or lots in question will be drained or benefitted by the sewer, and thereupon what abatement or exemption, if any, should be allowed. The street commissioner shall thereupon complete his assessment for such improvement, making the necessary abatement or exemptions, in accordance with the report of the commissioner, and the amount deducted for such abatement, shall be assessed upon the other lots, chargeable with the expense aforesaid in the manner before pre-

Appeal from
assessment may
be taken.

scribed. Such assessment, when completed, shall be returned to the common council, and the said common council shall thereupon fix a time for the confirmation thereof, of which notice shall be given in the official paper of the city. Upon the confirmation thereof, such assessment shall become a lien upon said premises, and shall be levied and collected as other taxes and assessments.

Amended. SECTION 2. Section two of chapter two of chapter 111 of the private and local laws of 1867, is hereby amended by striking out of said section the words "street commissioner," where they occur in the second line thereof.

Amended. SECTION 3. Section two of chapter two of chapter 111 of the private and local laws of 1867, is hereby further amended by inserting after the word commissioner, where it occurs in the 27th line of said section, the words "shall be elected by the common council of said city, and," so that that portion of said section, when so amended, will read as follows: "The street commissioner shall be elected by the common council of said city, and shall hold his office for one year, or until his successor is elected and qualified."

Election of
street commis-
sioner.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved February 25, 1875.

CHAPTER 70.

[Published March 1, 1875.]

AN ACT to authorize Canute Anderson and J. M. Whaley to maintain a dam on Wood river, in Burnett county.

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

Authority to
maintain dam.

SECTION 1. Canute Anderson and J. M. Whaley, their heirs and assigns, are hereby authorized to maintain and keep up a dam across Wood river at a point near the town of Grantsburg, in the county of Burnett; *provided*, that said dam shall not raise the water to exceed twelve feet.

Suitable slides
to be built and
when to be kept
open.

SECTION 2. The aforesaid persons, their heirs and assigns, shall build suitable slides in said dam for running logs, timber and lumber over the same, and keep the same in repair; the same shall be kept open