

[No. 282, A.]

[Published March 20, 1879.]

CHAPTER 187.

AN ACT to provide for the re-assessment of benefits in the construction of drains where the original assessment is declared void.

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

When costs and benefits, duly assessed and apportioned, are from any cause uncollected or found uncollectable, they may be re-apportioned, and reassessed.

SECTION 1. Whenever any drain, ditch, or water-course shall have been constructed or enlarged by the officers of the town, for the purpose of draining any marsh, swamp or overflowed lands, and such town shall have paid or incurred the costs and expenses of constructing or enlarging the drain, ditch or water-course, or some part thereof, and whenever the benefits heretofore or hereafter apportioned and assessed upon any land by the supervisors of the town for the costs of the construction or enlargement of such drain, ditch or water-course, shall have been set aside or determined to be illegal or void, or the collection thereof prevented by the judgment of a court or the action of the county board, or whenever any town treasurer shall have been prevented by injunction from collecting or returning as delinquent any such tax or assessment for benefits in consequence of any error, omission, irregularity or illegality in any of the proceedings in laying out, constructing or enlarging such drain, ditch or water-course, or in the apportionment or assessment of such benefits, or any erroneous or imperfect description of such lands, or of any omission to comply with the forms and steps required by law, then if the lands were properly chargeable, taxable or assessable for such benefits, such tax or assessment for benefits, or so much thereof as shall not have been collected, with ten per cent. interest from the time of the original assessment for benefits, may be re-apportioned and reassessed upon such lands by the supervisors of the town at any time within two years after such judgment or such action of the county board, or the dissolution of such injunction, and the supervisors of the proper town shall make an order directing the same to be reassessed upon such lands, and file the same in the town clerk's office.

Duty of supervisors.

SECTION 2. The supervisors of the town shall, within ten days after filing the order for re-assessment, re-assess such benefits or so much thereof as have not been collected, with ten per cent. interest, as provided

in the preceding section, upon such lands and upon the owner thereof, and shall make a certificate of such re-assessment, setting forth a description of the piece or parcel of land so re-assessed and the amount re-assessed by them to the same, and shall, within ten days after such re-assessment, cause the same to be filed and recorded in the town clerk's office.

SECTION 3. If any person shall not be satisfied to pay the amount re-assessed against his lands for benefits, he may at any time within fifteen days after the filing of such certificate of re-assessment, appeal therefrom, as provided in section one thousand three hundred and sixty-six of the revised statutes of 1878, and such appeal shall be tried, and the same proceedings had thereon, as provided in sections one thousand three hundred and sixty-seven and one thousand three hundred and sixty-eight of the revised statutes of 1878. Appeal may be taken.

SECTION 4. The town clerk shall enter upon the next tax roll in a separate column, the amount re-assessed by the supervisors as shown by their certificate or as amended by the verdict of the jury, certified to him, if any, opposite the description of each tract or parcel of land so re-assessed, and such tax shall be collected as other taxes on the roll. Duty of town clerk.

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

Approved March 4, 1879.

[No. 18, A.]

[Published March 17, 1879.]

CHAPTER 188.

AN ACT to suppress vagabondage.

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

SECTION 1. Any male person sixteen years of age or over, being a vagrant within the purview of section one thousand five hundred and forty-three of the revised statutes, who shall be found in any town, city or village in this state, not being an inhabitant of such town, city or village, shall be deemed a tramp. Defining vagabondage.

SECTION 2. Any person convicted of being a tramp, shall be punished by imprisonment at hard labor in the county jail for a period not exceeding six months, or by imprisonment in the county jail not exceeding thirty days, in solitary confinement, and to be fed on Penalty for being a tramp.