

right to lay and construct sewers or water pipes, or both, in, through, and along such lands, and may lawfully enter upon the same with men and teams, as may be necessary or convenient for doing such work, and may dig upon and otherwise prepare such lands for the use for which they are so taken and acquired, doing no unnecessary damage thereby, and may place, lay, and maintain water pipes, or sewers, or both therein, and may, at any and all times, enter upon said lands, with men and teams, as may be necessary or convenient, for the purpose of taken up, relaying, repairing, removing or in any way modifying such water pipes or sewers, or both, doing no unnecessary damage thereby, provided, that it shall be the duty of said city or its officers, or any contractor other person doing any work on lands under the provisions of this act, upon the completion of such work, to restore such lands to the same condition in which they were before such work was done, as nearly as it is practicable to do so, provided further, that no sewer shall be extended into or through any ward from any other portion of said city, by virtue of this act, without the previous consent of the aldermen of said ward in writing, filed in the office of the board of public works.

SECTION 4. In addition to the power to acquire the use of lands for the purposes named in this act, by condemnation as herein above provided, the city of Milwaukee is hereby empowered and authorized to acquire such use of any lands either within or without the limits of said city, by grant or conveyance by deed, in all cases where the terms of a purchase shall be agreed upon, between the city and the owner of any such lands.

Additional powers.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 31, 1881.

[No. 135, A.]

[Published April 8, 1881.]

CHAPTER 251.

AN ACT to amend section one thousand two hundred and fifty-two of the revised statutes, relating "to the collection of poll taxes."

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

SECTION 1. Section one thousand two hundred and fifty-two of the revised statutes, is hereby amended by adding to said section at the end thereof as the same

Full tax may be sued for and collected with damages.

now reads, the following provisions: And in case any person shall become liable to pay his poll tax in money, and shall neglect or refuse to pay the same after due demand therefor, as hereinbefore provided, for the period of ten days, and the overseer of highways shall be unable to find goods and chattels of such person sufficient to make the amount thereof by distress and sale, as hereinbefore provided, such overseer may, in the name of the town, sue for and collect such tax with fifty per centum damages on the same with costs of suit, before any justice of the peace in said town; and the first process in such actions shall be a civil warrant, but before any such warrant shall be issued, the overseer of highways of the road district in which such poll tax shall be due, shall make and file with the justice an affidavit substantially in the following form: State of Wisconsin, — county, ss.

overseer's affidavit.

—, overseer of highways of road district number —, of the town of —, in said county, being duly sworn on oath says that — was assessed by the supervisors of said town to pay a poll tax for the year 18— in said road district of —, and that his name appears upon the list of highway taxes assessed by said supervisors for said year, as a person liable to pay a poll tax in said road district; that such list, with the warrant required by law thereto annexed, was delivered to this affiant on the — day of —, 18—; that said poll tax has become payable in money; that demand of payment of said poll tax was duly made of the said — by this affiant on the — day of —, 18—; and that more than ten days have since elapsed, but that the said — has neglected (or refused, as the case may be) to pay the said poll tax, and that this affiant is unable to find goods and chattels of the said — sufficient to make the amount thereof by distress and sale, as provided by law, and therefore prays that a warrant may be issued and the said — arrested and dealt with according to law.

Subscribed and sworn to before me this — day of —, 18—.

Issue of execution in case of default of payment.

And in default of payment of the judgment in such action, execution shall issue against the body of the defendant as in cases of tort.

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

Approved March 31, 1881.