

[No. 5, S.]

[Published April 29, 1887.]

## CHAPTER 210.

AN ACT to amend section 1224, of the revised statutes of 1878, and to provide for appeals under said section.

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

Amending section 1224, R. S.

SECTION 1. Section 1224, of the revised statutes of 1878, is hereby amended by adding at the end of said section the following provision, to-wit: Provided that when any six or more freeholders residing within the limits of such village or other plat shall wish any street or streets in such plat to be so declared public highways, and opened to public use, such freeholders may apply to the town board of the town for that purpose, in the manner provided in section 1265, of the revised statutes, upon which application such town board shall make and file an order within ten days, declaring such streets to be public highways or refusing so to do; and in either case any person considering himself aggrieved by such order may appeal to the circuit court for the same county by filing with the town clerk of such town a notice of appeal, specifying the grounds of appeal, within twenty days from the filing of the aforesaid order together with a written undertaking of the appellant, with one or more sufficient sureties to be approved by said town clerk, for the payment of all costs that may be awarded against the appellant, and paying to such clerk one dollar for state tax, and one dollar for making return to the appeal. Within twenty days thereafter, such town clerk shall deliver to the clerk of the circuit court of the same county all the papers in the case, together with the notice of appeal, with the date of service indorsed thereon, and pay to him one dollar state tax; whereupon such clerk of the circuit court shall enter an action in his court record in which the appellant shall be plaintiff and the town shall be defendant. The issues as shown by the papers and the appeal aforesaid shall be tried without further pleading, the same as in personal

actions in such circuit court, and judgment rendered and enforced as in other actions in which persons and municipal corporations are parties.

SECTION 2. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

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

Approved March 31, 1887.

[No. 92, S.]

[Published April 29, 1887.]

## CHAPTER 211.

AN ACT relating to the incorporation of villages, and amendatory of section 854, of the revised statutes of Wisconsin, as amended by chapter 203, of the laws of 1880, and chapter 92, of the laws of 1881.

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

SECTION 1. Section 854, of the revised statutes of Wisconsin, as amended by chapter 203, of the laws of 1880, and chapter 92, of the laws of 1881, is hereby amended so as to read as follows: Section 854. Any part of any town or towns, not less than one-half square mile in area, and not included in any village, and all lying in the same county, which shall contain a resident population of not less than three hundred persons thereon, or any part of any town or towns, not less than one square mile in area, and not included in any village, and lying in two adjoining counties, and which shall contain a resident population of at least four hundred persons to every square mile thereof, may, upon compliance with the conditions of this chapter, become incorporated as a village, by such name as may be designated in the order of the court for its incorporation, with the ordinary powers of a municipal corporation, and such as are conferred by these statutes.

Amending sec.  
854, R. S.

SECTION 2. All villages heretofore incorporated under the provisions of section 854, of the revised