

pose of maintaining said free high school shall be paid out only on orders drawn and countersigned in the manner prescribed for making payments in common school districts. Any town which is a single high school district may by resolution adopted at the annual town meeting limit the amount to be raised for high school purposes during such year. In case of a joint town high school district the town boards of the several towns may by joint resolution adopted by all such boards before the first day of July likewise limit the amount to be raised therein.

3. If the electors of any free high school district at the annual or at a subsequent special district meeting held prior to the third Monday of November following, shall not vote a tax sufficient to maintain said free high school for the term of at least nine months during the current year, the free high school board must, on or before the Wednesday next following said third Monday of November, determine the sum necessary to be raised to so maintain such free high school, and the clerk shall forthwith certify to the proper town, city or village clerks the amount so fixed. Upon receipt of this certificate the town, village or city clerks shall assess the same as other taxes are assessed.

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

Approved May 10, 1911.

No. 287, A.]

[Published May 11, 1911.]

## CHAPTER 103.

AN ACT to authorize any city of the first class, whether organized under general laws or special charter, to construct and repair docks along the banks of rivers and other public navigable waters in such city, and to extend the time of payment of the assessment of benefits therefor by the owner of the property fronting or abutting on such improvement.

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

SECTION 1. Whenever in any city of the first class, whether organized under the general laws or special charter, the construction or repairing of docks along the banks of any navigable river or other navigable water in said city shall have been duly authorized, and specifications, together with an estimate of the cost of such work, have been prepared and filed, and the necessary assessment of benefits and damages against the several lots, parts of lots or parcels of land which may be deemed benefited or damaged by the proposed improvement, shall have been made and approved or confirmed, and the contract for such improve-

ment shall have been entered into, the commissioner of public works may by notice duly published in the official newspapers of such city for six successive days, or if there be no such commissioner, the common council, may within two weeks after the letting of such contract, by resolution determine that any owner or owners of any lots, parts of lots or parcels of land which may be assessed for benefits on account of such improvement, shall have the option at any time within thirty days after the publication of said notice or the passage and publication of such resolution, to apply for an extension of the payment of such assessment of benefits to his or their property, by paying therefor in equal annual instalments or such a period as the commissioner of public works or the common council may in such notice or resolution, as the case may be, determine, not less than five and not exceeding ten years, the first instalment to become due and payable without interest immediately after the completion of the first tax sale succeeding the date of the bond hereinafter provided for.

SECTION 2. Any owner or owners of any lots, parts of lots or parcels of land which may be assessed for benefits on account of any such improvement, may within thirty days after the first publication of such notice of the commissioner of public works, or of such resolution to the common council, make application to the commissioner of public works, or if there be no such commissioner, to the city clerk, for the extension of the payment of such assessment of benefits to his other property, and such application shall contain an agreement that in consideration of the privilege granted by such resolution, the applicant will make no objection to any want of power, illegality or irregularity in regard to the assessment against his property, and will pay the same in equal annual instalments, together with interest upon the unpaid balances at a rate not exceeding six per cent per annum, and for such a term of years as in such notice or resolution may have been provided. Such application shall also contain a brief description of the property and a statement that the applicant is the owner thereof. After the expiration of the time within which such application may be made an assessment list shall be prepared containing a description of each piece of property, the owner or owners of which have agreed to pay for such improvement in instalments, showing the amounts chargeable to such property, together with the necessary columns to which the instalment assessments shall be extended, the amount of each instalment and interest, and when payable, and a copy of each such assessment list shall be filed with the city clerk, the

city comptroller and the city treasurer. In all cases where such agreement shall not be signed within the time limited the entire assessment shall be payable in the manner and at the time now provided for the payment of assessments on account of street or other improvements.

SECTION 3. Whenever any contract is entered into for such permanent improvement such contract shall, in addition to the requirements now provided for by law, stipulate that the contractor shall receive, to apply in payment of the contract price, dock improvement bonds upon or against the several lots, parts of lots or parcels of land, the owner or owners of which have agreed as hereinbefore provided to avail themselves of the privilege of paying for such improvement in equal annual instalments; and upon the completion and performance of such contract the contractor shall receive on account and in payment for his work said bond or bonds upon or against said several lots, parts of lots or parcels of land, to an amount not exceeding the assessment of benefits against the same by reason of such improvement.

SECTION 4. After full performance of any such contract as is within the preceding section, if the owner or owners of any lot, parts of lots or parcels of land fronting or abutting on any river or other navigable waters of such city, which has been improved as therein provided, shall have applied for an extension of the time for the payment of assessments as is provided in next to the last preceding section, the commissioner of public works, or if there be no such commissioner, the city clerk, shall issue bonds against such lots, parts of lots or parcels of land for the amounts chargeable against such property, said bonds to be payable within the time limited in the notice or resolution provided for in section 1 hereof. Such bonds shall be designated "Dock improvement bonds," bear the name of the river or other navigable water upon which said improvements are made, be made payable to the contractor doing the work or bearer, be negotiable, state the amount of work done by the contractor, the nature thereof and a description of the property upon which the same is chargeable, be issued in the name of the city and countersigned by its comptroller; but neither the city nor any officer thereof shall become liable or holden for any part thereof, either principal or interest, excepting for so much as has been actually collected by the city treasurer for the payment of such part of the improvement for which such bonds have been issued. Such bonds shall bear interest at a rate not exceeding six per cent per annum from and after the first day of February succeeding the

date of issue and have attached thereto coupons, each in amount equal to the annual payment due on such bond together with the accrued interest. Said coupons and bonds shall be payable at the office of the city treasurer immediately after the completion of the tax collection each year to the extent of the moneys received by him on account of the improvements for which such bonds have been issued; they shall be a first lien against any lots, parts of lots or parcels of land on account of which they were issued, and in case of failure of the payment of any instalment of the interest thereon when the same becomes due, the whole amount of any such bond, together with the interest chargeable against any such lot, part of lots or parcels of land, the owner or owners of which have failed to pay the annual assessment or interest, shall, at the election of the holder of such bonds, to be exercised within thirty days after such default forthwith become due and payable and may be recovered as mortgages are foreclosed; there may also be recovered a reasonable attorney's fee and costs. The owner or owners of any lots, parts of lots or parcels of land upon which bonds are issued may, at any time, pay to the city treasurer the entire unpaid assessment and accrued interest, and receive a release of the lien and assessment against their property by paying to said treasurer, in addition to said assessment and accrued interest, interest on said bonds for the period of three months after such payment. The issuance of said bonds shall be conclusive evidence of the regularity of all previous proceedings and the validity of said lien; and no want of power, illegality or irregularity in connection with the making of such assessments or the issue of such bonds shall invalidate said bonds.

SECTION 5. The proper city officer shall, in preparing the annual tax roll, enter the amount of the annual instalment assessment, together with the accrued interest, against the several pieces of property on said tax roll according to the assessment list prepared and filed in the office of the city clerk for the term of years that such instalment assessment list may cover and until the entire amount chargeable to such property on account of the improvement and interest thereon shall have been taxed and levied against such property; and such assessment shall be collectable by the city treasurer as other taxes are collected by him. He shall keep a separate account of the funds arising from the collection of such instalment assessments and interest, and such funds shall not be diverted to the payment of any other improvement than that for which the same were collected, and enter upon each assessment list, in its proper column and place,

such amounts as have been paid; such lists shall be open to the public for examination. As soon as the coupons or bonds shall have been paid by the city treasurer he shall cancel the same and turn them over to the city comptroller, by whom they shall be kept on file.

SECTION 6. The lots, parts of lots or parcels of land fronting or abutting the aforesaid improvements shall be chargeable with the payment of the cost of the same to the extent of the benefit, which in the opinion of the commissioner of or board of public works, will actually accrue to the owner of such lots, parts of lots or parcels of land in consequence of such improvements. And the commissioner of or board of public works of such city shall have the same authority over such improvements and the lots and lands fronting thereon, and over the navigable rivers and other navigable waters of such city as he or they now have in such cities over streets and lots or lands fronting thereon, and shall be governed by the same rules in respect thereto as in cases of improvement of streets, so far as applicable and not in conflict with this act, except that no exemption from liability for the payment of benefits for street improvements shall apply to dock improvements.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved May 10, 1911.

No. 308, A.]

[Published May 11, 1911.

## CHAPTER 104.

AN ACT to create section 4567h—1 of the statutes, prohibiting the drawing of nets.

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

SECTION 1. There is added to the statute a new section to read: Section 4567h—1. 1. It shall be unlawful, and it is hereby prohibited for any person to draw or lift nets or seines in the nighttime, being between sunset and sunrise, for the purpose of taking or catching fish in any of the waters of this state except Lake Superior, Lake Michigan and Green Bay.

2. Any person who violates the provisions of this act shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail not less than ten nor more than thirty days, or by both such fine and imprisonment.

(Am. 1911, c. 664, s. 9.)