

CHAPTER 115.

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[Published March 30, 1861.]

AN ACT to incorporate the village of Shullsburg.

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

Boundaries.

SECTION 1. All that district of country inclosed [included] in the following description, lying and being in the town of Shullsburg, county of La Fayette and state of Wisconsin, to wit: the west half of section eleven (11) and the east half of section ten, (10,) in township number one, (1,) north of range number two (2) east, shall hereafter be known and designated as the "village of Shullsburg," and the inhabitants now residing or who may hereafter reside within the limits of said district of country herein described, are hereby constituted a

Style.

body corporate and politic, by the name and style of the "president and trustees of the village of Shullsburg," and shall have the general powers possessed by municipal corporations at common law, and in addition thereto shall possess the power herein specially granted, and the authorities thereof shall have perpetual succession; shall have the power of contracting and being contracted with, suing and being sued, pleading and being impleaded, in all courts and places, in all matters whatsoever, with the power of purchasing, receiving, holding, occupying and conveying real and personal estate, and shall have a common seal, and may change and alter the same at pleasure.

Corporate powers.

How powers vested.

SECTION 2. The government of said corporation and the exercise of its corporate powers and management of its fiscal, prudential and municipal concerns, shall be vested in a president and four trustees, and such other officers as are hereinafter provided for.

First election—officers elected.

SECTION 3. It shall be lawful for the inhabitants of said village, qualified to vote at any general election, to meet at the court house in said village on the last Tuesday of March, A. D. 1861, at ten o'clock A. M., and choose, *viva voce*, three judges of election and one clerk, who, together, shall form an election board, and then and there said inhabitants shall elect by ballot a president, (who shall be *ex-officio* a trustee,) four trus-

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tees, one assessor, a clerk, one treasurer and one marshal: *provided*, that in case the officers aforesaid shall not be elected on that day, they may be at any time thereafter, on a call signed by twelve electors of said village, and ten days' notice thereof being given by said electors, by posting up three notices of the time and place of said election in said village.

Proviso.

SECTION 4. On the last Tuesday of March in each year thereafter, there shall be an annual election of the officers of said village, and the trustees shall give at least ten days' notice of the time and place of holding the same, and they, or any three, shall be inspectors of such election. All officers shall be elected by ballot, as the law provides for the election of officers of the towns.

Annual election, and notice thereof.

SECTION 5. No person shall be eligible to any of said offices, unless he shall be a voter in said village. Any person qualified to vote at any general election, shall be a legal voter at any election of officers for said village.

Eligibility and qualification.

SECTION 6. At any election under this act, the polls shall be open at 10 o'clock A. M. and continue open until five o'clock P. M. of said day, and a plurality of votes shall in all cases decide the election.

How elections conducted.

SECTION 7. All of said officers shall hold their offices until the — of — next after their election and until their successors are elected and qualified in their stead, respectively. The president shall preside at all meetings of the trustees, keep the seal of said corporation, sign all commissions, licenses and permits which may be granted by the trustees. He shall maintain peace and good order, and see that the ordinances of the village are observed and executed. He shall have power to administer oaths and affirmations; as a judicial officer, he shall have concurrent jurisdiction with the justices of the peace of the county of La Fayette, for the violation of any ordinance of said village, and when presiding at a meeting of the trustees, he shall have a casting vote, but no other, when the vote of the members is a tie.

Terms of office.

Duty of president.

His jurisdiction as justice.

SECTION 8. The president and trustees shall prescribe the time and fix the place of holding their meetings, which shall, at all times, be open to the public, and shall determine the rules of the proceedings, and keep a journal thereof, which shall be open for the in-

Place of meeting, journal of proceedings, by-laws, &c.

- CHAPTER 115.** inspection of every citizen at all reasonable times and hours, and shall have power to preserve order and propriety in their proceedings; and may adopt such by-laws, rules and regulations for their own government as are not inconsistent with the provisions of this act, and shall have power to compel the attendance of its members.
- Powers of board.** SECTION 9. The president and trustees shall have power to enact, establish, enforce, alter, modify, amend or repeal, all such ordinances, rules and by-laws for the government and good order of the village, for the suppression of vice, for the prevention of fires, for the benefit of trade and commerce, and for the preservation of public health, as they may deem expedient; to declare and impose penalties, and to enforce the same, against every person who may violate any of the provisions of such ordinances, rules or by-laws; and such ordinances, rules and by-laws are hereby declared to be and to have the force of law. For these purposes, the president and trustees shall have authority, by ordinance or by-law, to organize fire companies and hook and ladder companies, and to regulate their government, and the time and manner of their exercise; to provide all necessary apparatus for the extinguishment of fires; to require the owners of buildings to provide and keep suitable ladders and fire buckets, (which are hereby declared to be appurtenances to the real estate, and exempt from seizure, distress or sale in any manner,) and if the owner shall refuse to procure suitable ladders or fire buckets after reasonable notice, the trustees may procure and deliver the same to him, and in default of payment therefor, may recover of said owner the value of said ladders or fire buckets or both, with costs of suit; to regulate the storage of gunpowder and other dangerous materials; to direct the safe construction of places for the deposit of ashes; to appoint one or more fire wardens, to enter into, at reasonable times, and examine all dwelling houses, lots, yards, inclosures and buildings of every description, in order to discover whether any of them are in a dangerous condition, and to cause such as may be dangerous to be put in a safe condition; to regulate the manner of putting up stoves and stove pipes; to prevent fires and the use of fire works and fire arms within the limits of said village, or such part thereof as they may think proper; to
- Vice, fires.**
- Trade, health.**
- Penalties.**
- Fire companies, &c.**
- Buckets, &c.**
- Gunpowder.**
- Ashes.**
- Fire wardens.**
- Stoves.**
- Firearms.**

compel the inhabitants of said village to aid in the extinguishment of fires, and to pull, break down, and raze such buildings in the vicinity of the fire as shall be directed by any three of the trustees who may be at the fire, for the purpose of preventing its communication with other buildings, and any buildings so destroyed shall be paid for by the corporation, and, generally, to establish other measures of prudence for the prevention or extinguishment of fires, as they may deem proper; to prevent, abate and remove nuisances, and to take such measures for the public health as they may deem proper, and to compel the owner or occupants of any grocery, cellar, tallow-chandler's shop, soap factory, tannery, stable, barn, privy, sewer, slaughter house, or other unwholesome or nauseous houses or places, to cleanse, remove or abate the same from time to time, as often as it may be deemed necessary for the health, comfort and convenience of the inhabitants of the village; to license and regulate the exhibitions of common showmen or shows of any kind, or the exhibitions of any natural or artificial curiosities, caravans, circusses or theatrical performances under the ordinances or common law; to restrain and prohibit all descriptions of gaming and fraudulent devices and practices, and all playing of cards, dice or other games of chance, for the purpose of gaming in said village; to prevent any riots, noise, disturbances or disorderly assemblages; to suppress and restrain disorderly houses, or houses of ill fame, shows and exhibitions; to direct the location of all slaughter houses and markets; to prevent the incumbering of the streets, sidewalks, alleys or public grounds with carriages, carts, wagons, sleighs, boxes, lumber, firewood or other material or substances whatever; to prevent horse racing, immoderate driving or riding in the streets; to restrain the running at large of cattle, swine, sheep, hogs, horses or other animals, and to authorize the distraining and sale of the same, or to impose a fine not exceeding five dollars, for every such animal found so going at large in violation of the laws of the village; to prevent the running at large of dogs, and to authorize the destruction of the same in a summary manner, when at large contrary to the ordinances, or to impose a tax on the same; to establish and regulate boards of health, to provide hospitals and cemetery grounds, and to regulate the

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Fires.

Nuisances.

Showmen.

Gaming.

Riots.

Ill fame.

Markets.

Incumbrances.

Horse racing.

Cattle, &c.

Dogs.

Boards health.

Cemetery.

	<u>CHAPTER 115.</u>	burial of the dead ; to provide for the protection and
Bridges.		security of bridges ; to prevent all persons riding or driving any horse or mule, cattle or other animal on the sidewalks, or in any way doing damage to such sidewalks ; to restrain drunkards, immoderate drinking, obscenity in the streets of said village, and to provide for arresting, removing and punishing any person or persons who may be guilty of the same ; to regulate and license the sale of intoxicating liquors, and to prescribe the amount to be paid for such license in conformity to the laws on that subject ; to license and regulate billiard tables, bowling saloons, groceries, taverns and victualing houses, and to restrain the keeping [of] the same without a license ; to protect trees and monuments of said village ; to fill any vacancy that may occur in the office of trustee, assessor, clerk, treasurer or marshal ; to appoint and remove at pleasure, any of the following officers, to-wit : one chief engineer of the fire department, two fire wardens, one surveyor, one sealer of weights and measures, sextons and keepers of burial grounds, one street commissioner, one pound keeper, and to prescribe their duties and fix their compensations, and to impose and enforce such penalties for any malfeasance or improper conduct in their respective offices, as the trustees may deem proper, and to require such officers to give bonds for the faithful performance of their duty ; to order the survey and to establish the grade of all streets in said village, and to prescribe the breadth, grade and material of all side and cross walks ; to compel the owners and occupants of buildings or grounds to remove snow, dirt or other rubbish from the sidewalks, streets or alley opposite thereto, and to compel such owner or occupant to remove from the lot owned or occupied by him, all such substances as the board of health shall direct, and in case of his default, to authorize the removal or destruction thereof by some officer of the village, at the expense of such owner or occupant ; to build, keep, grade, pave or otherwise improve streets, highways, lanes, alleys, sidewalks, crosswalks, culverts, bridges and sewers, within said village ; to require any building, fence or other erection which may be placed within, or erected upon the boundary. The trustees shall have power to lay out, alter, widen, contract, straighten or extend streets, alleys, lanes highways and walks within said village, and to discon-
Sidewalks.		
Drunkards.		
Licenses.		
Billiards, &c.		
Trees.		
Vacancies.		
Appoint, &c.		
Grade.		
Snow, dirt, &c.		
Improve streets, &c.		

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tinue the same, when in their opinion the same are no longer necessary, making such disposition of the land so vacated as to them shall seem proper; to direct the prosecution and defense of suits in which said village may be a party; to procure the necessary blank books for records, and such stationery as may be required for village purposes; to audit and allow all lawful accounts against said village, and to draw an order on the treasury for the payment of the same; to levy and collect on all such property as shall be subject to town and county taxes: *provided*, that the taxes for corporation purposes shall not exceed five mills on the dollar on the assessed valuation of the taxable property of said village, unless two-thirds of the electors of said village, voting at a meeting regularly called for that purpose, shall vote to allow a larger sum to be raised, but in no case shall the electors be allowed to raise more than two per cent. on the assessed valuation aforesaid.

Suits.
Books, &c.
Accounts.
Limit to tax.

SECTION 10. In all cases in relation to which, by the provisions of this act, the president and trustees have power to enact or pass ordinances or by-laws in relation to any subject, they may prescribe any penalty for the violation of such ordinances or by-law, not exceeding fifty dollars for any one offense, in violation of or non-observance thereof, and may also provide that in default of payment the offenders may be imprisoned for such term as they may by such ordinance direct, not exceeding thirty days, for which purpose the said village shall have the use of the jail of said LaFayette county for the imprisonment of any person liable to be imprisoned; and all persons committed to jail by an officer of said village, shall be under the charge of the sheriff of said county.

Penalty for violation of ordinances, &c.

SECTION 11. On all suits for the violation of any ordinance of the village, the process may be by warrant, and it shall be sufficient, without setting forth the special matter, to declare generally in debt, with reference to the ordinance under which the action is brought. The defendant may plead the general issue, and give the special matter in evidence, and a printed copy of any ordinance, published in a newspaper or pamphlet, by authority of the trustees, shall be *prima facie* evidence of the passage and publication of such ordinance.

Actions to be commenced by warrant, &c.

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Executions—defendants may be imprisoned.

SECTION 12. Every execution issuing upon judgment for the violation or non-observance of any ordinance or by-law of said village, shall contain a clause directing, in the event of non-payment of the judgment, the imprisonment of the defendant in the county jail, for such term as shall have been provided for by the ordinance under which the judgment shall have been rendered. All fines, forfeitures and penalties when collected, shall be paid into the treasury of said village.

Publication of ordinances, &c.—proof of publication.

SECTION 13. Any ordinance, regulation, rule or by-law imposing any penalty or forfeiture for the violation of its provisions, shall be published three weeks in some newspaper printed in said village, or by posting notices in three conspicuous places in said village, before the same shall be in force; and proof of such publication, if under affidavit of the printer or foreman in the office of such newspaper when such publication may have been made, or in case there is no publication, then by the affidavit of some competent person posting such notice, shall be conclusive evidence of the publication or promulgation of such ordinance, rule or by-law in all courts and places.

Marshal—his powers and duties.

SECTION 14. The marshal shall possess all the powers and enjoy all the rights of a constable of the town of Shullsburg, and be subject to the same liabilities. It shall be his duty to execute all writs and processes to him directed, and when necessary, in criminal cases, or for the violation of any ordinance of said village, he may serve the same in any part of the state. It shall be his duty to suppress all riots, disturbances and breaches of the peace, to apprehend all disorderly persons in said village, and pursue and arrest any person fleeing from justice, to apprehend any person in the act of committing any offense against the state or the ordinances of the village, and to bring such person before competent authority for examination, and for such services he shall receive like fees as are allowed to constables for like services.

Treasurer—his duties.

SECTION 15. The treasurer of said village shall perform such duties and exercise such powers as may be lawfully required of him by the ordinances of said village. All moneys raised, received, recovered and collected by means of any tax, license, fine, forfeiture or otherwise, under the authority of this act, or which belongs to said village, shall be kept by him, and shall

not be drawn therefrom except by a written order signed by the president and countersigned by the clerk, by order of the trustees. Such order shall specify the amount of money to be drawn, and for what. He shall keep a just and accurate account of all moneys and other things coming into his hands as treasurer, in a book to be provided for that purpose. He shall as often as the trustees require, render to said trustees a minute account of his receipts and payments, and at the expiration of his term of office he shall pay over to his successor all moneys, books and vouchers in his possession belonging to said village. He shall, before he enters upon the duties of his office, execute to the president and trustees a bond for the faithful discharge of his duties, to be approved by the trustees, which bond shall be at least double the amount of taxes to be received for the year in which he is elected. The compensation for his services shall be fixed by the trustees, and shall not exceed the sum allowed by law for like services.

Bond.

Compensation.

SECTION 16. The clerk shall keep the records of said village and perform such duties as may be lawfully required of him by the ordinances or by the direction of the trustees, who shall fix his compensation therefor.

Clerk—his duties.

SECTION 17. Every officer elected in said village shall, within ten days after he shall be notified of his election, take and subscribe the oath of office prescribed by the constitution, and file the same with the clerk, and in case of his omission to do so, he shall be deemed to have refused to serve, and his place shall be filled in the manner prescribed by this act.

Oath of office.

SECTION 18. Special meetings may be called by the clerk of said village, by order of the trustees thereof, by giving six days' notice thereof in writing, posted up at three of the most public places in said village. Every notice of such meeting shall state the objects for which such meeting is called.

Special meetings

SECTION 19. No account or claim against said village shall be paid until it shall have been presented to the trustees thereof, and audited and allowed by them. No such account shall be audited or allowed by the trustees until it shall be made out in items, and shall be accompanied by an affidavit of the person claiming to have done the services or made the disbursements therein charged, that the several items of the account

Accounts against the village.

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or claim are correct, and the services therein charged have been rendered, and that the disbursements therein charged have been made, and that no part thereof has been paid. Such affidavit shall be indorsed on or annexed to such account or claim, and presented therewith.

Ibid.

SECTION 20. Nothing in the last preceding section shall be construed to prevent the trustees from disallowing any account or claim, in whole or in part, when so made out and verified, nor from requiring other and further evidence of the correctness and reasonableness thereof.

Village shall not borrow money, &c., nor debts exceed tax.

SECTION 21. Said village shall have no power to borrow money, nor shall it be liable to pay money borrowed on its account or advanced in its behalf by its officers or any other person, nor shall any of its money or property be applied to any such purposes, nor shall the village incur any debt or liability in any year, greater than the amount of tax allowed by this act to be raised in said village in the year in which such debt or liability was incurred, unless two-thirds of the legal voters of said village shall vote in favor of such act.

Grading streets, &c.

SECTION 22. Whenever two-thirds of all the resident owners of real estate bounding both sides of any street or part of street, not less than ten rods in length, in said village, shall desire to have such street graded, paved or otherwise improved, they may make an application in writing to the trustees of said village, specifying in such application the sum necessary to be raised for that purpose, which shall not exceed five per cent. of the assessed valuation; and if all the said trustees shall deem said improvement necessary, they shall levy and cause to be collected, such sum by tax on the owners of real estate, on lots on such street or part of street. Said tax shall be levied on the last assessment valuation of the real estate and lots, as the same shall appear in the assessment roll of said village.

Building sidewalks.

SECTION 23. Whenever the owners of two-thirds of the lots or parts of lots belonging to residents of said village, bounding one side of any street or part of street, shall desire to have a sidewalk built or repaired, the application shall be made as in the last section, and the trustees shall direct the same to be done by giving notice the same as in the last section, but all such work shall be subject to the approval of the trustees.

SECTION 24. Whenever the trustees shall levy any tax for the purpose of grading, paving or otherwise improving any street, or for building or repairing any sidewalk, they shall make out and deliver to the street commissioner a list of persons and a description of the property taxed, with the amount of tax to be collected and expended; and thereupon the street commissioner shall notify the persons named in said tax list, by publishing a notice in three or more public places in said village, or in some newspaper printed therein, and shall specify in such notice a time, not less than ten nor more than twenty days from the date thereof, when the persons charged with tax in such list may pay their taxes in labor, materials or money; and the persons charged with such tax may at any time and place as may be required by said street commissioner, pay their taxes in labor or materials: *provided*, the labor and materials offered in payment for such taxes are suitable, and such as may be required by said street commissioner.

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Collection of taxes for village improvements.

SECTION 25. At the expiration of sixty days from the time the street commissioner shall have received such tax list, he shall return the same to the trustees, accompanied by a statement verified by his affidavit, showing the amount of tax collected, the amount paid in money or materials, and the manner in which such money was expended, and the items of expenditure; also, the taxes which remain unpaid, and the persons and descriptions of real estate and lots to which such unpaid taxes stand charged.

When list to be returned.

SECTION 26. The trustees in making out the duplicate assessment roll of said village next thereafter, shall enter such unpaid taxes therein in a separate column, with ten per cent. interest added thereto, opposite to the names of the persons and descriptions of property against which the taxes so remain unpaid; and such taxes shall be collected in the same manner as the general taxes of said village are collected, and when so collected shall be paid over to a street commissioner, on the order of the trustees, to be expended on the street or sidewalk for which they were originally assessed.

Unpaid taxes—how collectable.

SECTION 27. The trustees shall in the month of May of each year, determine the amount of general tax necessary to be assessed and collected in said village:

General tax to be determined.

CHAPTER 116. the current year, which amount shall be levied and collected in the same manner as town taxes are levied and collected.

Assessment roll. SECTION 28. The assessment roll of said village shall be made by the assessor at the time and in the manner required by law for making out the assessment rolls of towns, and the compensation of the assessor shall be fixed by the trustees. Said assesmenet roll shall be equalized and corrected by the president, assessor and clerk, at the time and in the manner provided by law for the equalization and correction of the assessments of towns.

Levy of tax. SECTION 29. When such assessment roll shall be finally completed, the trustees shall cause to be levied such amount of tax as shall have been determined to have been raised, and shall set opposite to each description and valuation of taxable property, the amount of tax charged upon such property, and to each person respectively; and when such tax list shall have been so completed, they shall forthwith cause a true copy thereof to be made, and a warrant annexed thereto, and deliver such tax list and warrant to the marshal of said village, as hereinafter provided, and the original assessment roll and tax list shall be deposited with the treasurer of said village.

Warrant—how signed, &c.

SECTION 30. The warrant annexed to any tax list delivered to the marshal, as aforesaid, shall be signed by the president and countersigned by the clerk of said village, or, in the absence of the president, such warrant shall be signed by a majority of the trustees. The warrant shall command the marshal to collect the taxes mentioned in [within] forty days, and pay over the same to the treasurer of said village and make return of said warrant to said treasurer. The trustees may renew the warrant annexed to any tax list for thirty days, when they shall deem it necessary, but any such warrant shall not be renewed more than once.

Marshal to give notice.

SECTION 31. Upon the receipt of the tax list aforesaid, it shall be the duty of the marshal to give public notice by publishing the same in three public places in said village, that such tax list has been committed to him for collection, and that he will receive payment for taxes at his office for the term of twenty days next ensuing such notice, and all taxes paid during said twenty days shall be subject to a deduction of three per cent. upon the amount paid.

SECTION 32. If the taxes are not paid to the marshal within the said term, he may then proceed to collect the same by distress and sale of the goods and chattels of the person charged, giving six days' notice of the time and place of such sale, by written notices set up in three public places in said village.

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May collect by distress.

SECTION 33. It shall be the duty of the marshal, within the time prescribed in any such warrant for the return thereof, to pay over all sums collected by him to the treasurer of said village, and to return such warrant to the said treasurer, with his return thereon written, subscribed by him, and specifying any such sum or sums of money not collected by him by reason of his not being able to find property in said village out of which he could collect the same; and if any sum be returned not collected by him, his return shall be accompanied by his affidavit that the facts therein stated are true.

Return of warrant, &c.

SECTION 34. In case the tax on any lot or parcel of land shall remain unpaid on the first of October, it shall be the duty of the treasurer to make out a general advertisement, stating that all lots or other pieces of land upon which taxes have not been paid, will be sold by him at a certain time and place therein mentioned, for the purpose of paying the taxes assessed thereon, together with all costs and other liabilities which may accrue by advertising and selling, agreeably to the provisions of this act. Said advertisement shall be published in a newspaper published in said village, if there be one, or by written notices set up in three of the most conspicuous places in the village, for at least twenty days before the day of such sale.

Notice of sale of lands for unpaid taxes.

SECTION 35. On the day and at the time and place mentioned in the notice, the treasurer shall commence the sale of lands and lots, and continue the same from day to day until so much thereof shall be sold as will pay the taxes, interest, charges due, assessed and charged thereon, agreeably to this act; and the treasurer shall give to the purchasers of any lot or lots of lands a certificate of the lots or land purchased, stating the sum paid therefor, including fees, and the time the purchaser will be entitled to a deed.

Sale of lands for unpaid taxes.

SECTION 36. Said treasurer shall, immediately after the close of such sale of lots or lands for taxes, deposit in the office of the clerk of said village all affida-

Statement of lands sold.

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Redemption of
lands sold, tax
deeds, &c.

Proviso.

List of unre-
deemed lands to
be published,
fees for advertis-
ing, &c.

vits, notices and papers in relation to such tax sale, to be filed in the office of said clerk; also, a statement containing a particular description of each lot or parcel of land sold, to whom sold, the amount for which the same was sold, and the name of the owner, if known. And the said treasurer and clerk shall record such statement in a book kept for that purpose, by each of them, in their respective offices.

SECTION 37. If the person claiming the title to the lots or parcels of land so sold and described in said certificate given by the treasurer, shall not, within two years from the date thereof, pay to the treasurer for the use of the purchaser, his heirs or assigns, the sum mentioned in said certificate, together with interest thereon at twenty-five per cent. per annum from the date of such certificate, the treasurer shall, at the expiration of said two years, execute to the purchaser, his heirs or assigns, a conveyance of the lots or parcels of land so sold, which conveyance shall vest in the person or persons to whom the same shall be given, an absolute estate in fee simple, and the same conveyance shall be evidence that the same was regular, according to the provisions of this act; and any such conveyance executed by the treasurer under his hand and the seal of the corporation, in the name and in behalf of the said village, and execution thereof witnessed and acknowledged, as by law in other cases provided, may be given in evidence and recorded in the same manner and with like effect as a deed regularly acknowledged by the grantee [grantor] may be given in evidence and recorded: *provided*, that in case of assessment of taxes in gross upon any lot or parcel of land, the treasurer, upon the application of any claimant or owner of a part thereof, either divided or undivided, shall receive the taxes on such part, either in payment or redemption, with the interest and charges thereon, proportionate to the quantity of such lot or tract so claimed or owned, and the remainder of such taxes, interest or charges, shall be a lien only on the remainder of such lot or piece of land.

SECTION 38. In all cases, before lands shall be conveyed as aforesaid, the treasurer shall advertise the same by a correct description thereof, for three months, in some newspaper published in the county of LaFayette, stating that all such lots or parcels of land will be forfeited if the taxes, interest and charges upon the same are not paid before the day mentioned in such notice.

SECTION 39. All lots or lands which shall be advertised for sale, for non-payment of taxes, shall be subject to a charge of ten cents for each lot or parcel of land so advertised, for the first advertisement, and such piece of land which shall be sold as aforesaid, shall be chargeable with the following fees: for each certificate to be given to a purchaser of any lot at such sale, twelve and a half cents; for certifying the amount necessary to redeem any lot or piece of land, twelve and a half cents; and one dollar for each conveyance executed in pursuance of this act: the said fees to be paid by the person receiving such instrument. The charge for advertising the forfeiture of a piece of land, shall be fifteen cents for each lot or parcel.

SECTION 40. The trustees shall levy a highway tax in each year, of an amount not exceeding three mills on the assessed valuation of the property in said village, which shall be levied and collected in the same manner that highway taxes are levied and collected in the towns, to be expended on the streets of said village, to be expended by the street commissioner under the direction of the trustees. Highway tax—limit.

SECTION 41. The trustees shall tax each male person who, by the laws of this state is subject to perform highway work or labor, one day's labor in each year, to be expended on the streets of said village; but any such person may at his option pay one dollar for such tax, which money and labor shall be expended by the street commissioner, under the direction of the trustees; and in default of the payment of such money or labor, the street commissioner may sue and collect such money, with the costs of suit, in the name of the "president and trustees of the village of Shullsburg." Poll tax—how expended.

SECTION 42. The trustees shall within ten days next preceding every annual election, cause to be published in three public places in said village, by posting up written notices, a statement which shall show the name of every person who shall have had an account or claim allowed, (*by*) the amount of such account or claim as represented, the amount allowed, and a brief statement of the nature of the demand. It shall also give a statement of the condition of the treasury. The first statement so published shall embrace all the accounts allowed from the incorporation of the village to the time of publishing the same, and each subsequent statement. Annual statement of accounts allowed, and condition of treasury.

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Claims to be numbered.

SECTION 43. Every account or claim against said village, presented to the trustees in any year, shall be numbered from number one and upwards, in the order in which it shall be presented, and a memorandum of the time of presenting the same, the name of the person in whose favor it shall be made out, and of the person by whom it shall be presented, shall be entered in the records of the proceedings of the trustees.

Orders—what to show, how signed, &c.

SECTION 44. Every order drawn by the trustees to pay any account or claim, shall refer to such account by its number, the name of the person in whose favor it was made out, and the time when it was presented, and shall be signed by the president and countersigned by the clerk, and a memorandum of such reference and of the amount of the order, shall be entered in such records before such order shall be delivered to the claimants.

Competency of Judge, &c.

SECTION 45. No person shall be an incompetent judge, justice, witness or juror, by reason of his being an inhabitant of said village, in an action or proceeding in which said village is a party, or interested.

Quorum.

SECTION 46. A majority of the trustees shall form a quorum for the transaction of business, but a less number may meet and adjourn from time to time, until a quorum shall be present, but shall do no other business; and in the absence of the president, three trustees being present, one of their number may be appointed chairman *pro tem*.

No member of board to be interested in contract.

SECTION 47. The president and trustees of said village shall not receive any pay or emoluments for any services by them performed for said village, or for the discharge of any of their official duties; and they shall not be directly or indirectly interested in any contract made with, or work done for, said corporation: *provided*, that the provisions of this section shall not extend to the judicial acts of the president, authorized by him to be performed in section seven of this act.

Appropriations.

SECTION 48. No money shall be appropriated for any purposes whatever, except such as are expressly authorized by this act.

Actions to recover penalties.

SECTION 49. All actions brought to recover any penalty or forfeiture under this act, or the ordinances,

by-laws, or police or health regulations, made in pursuance thereof, shall be brought in the corporate name of the village. It shall be lawful to declare generally in debt, for such penalty or forfeiture, stating the clause of the charter or by-laws or ordinance under which the penalty or forfeiture is claimed, and to give the special matter in evidence under it. CHAPTER 118.

SECTION 50. The incorporation of the village of Shullsburg, and its organization, shall in no manner affect the organization, government or boundaries of the present town of Shullsburg, which shall continue its existence as a town, with all its present rights and privileges, save and except those relating to streets, sidewalks and roads within said corporation. The taxes levied in the village of Shullsburg, by the trustees of said village, shall be for village purposes only, and the electors of the village of Shullsburg shall not, in consequence of the organization of said village, lose any rights as electors of said town. Organization of town of Shullsburg not affected.
Village taxes.

SECTION 51. This act shall be considered a public act, and shall take effect and be in force from and after its passage and publication. Public act.

Approved March 25, 1861.

CHAPTER 118.

[Published March 25, 1861.]

AN ACT to detach certain lands from the city of Sheboygan and annex the same to the town of Sheboygan, in the county of Sheboygan.

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

SECTION 1. The north half of sections fourteen and fifteen, and the west half of sections twenty-two and twenty-seven, all in township number fifteen, north of range number twenty-three east, and now lying within the corporate limits of the city of Sheboygan, are hereby detached from said city of Sheboygan; and the said several tracts of land are hereby annexed to the town of Sheboygan, in the county of Sheboygan, and the said lands shall hereafter form and constitute a part of the town of Sheboygan, for all purposes whatsoever. Description of lands detached, &c.