

[No. 472, A.]

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## CHAPTER 114.

AN ACT to amend section two of sub-chapter two, and sections three and thirteen of sub-chapter three of chapter forty-seven of the general laws of Wisconsin for the year 1876, entitled an act to codify, consolidate and amend the act to incorporate the city of Appleton, and the several acts amendatory thereof.

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

Elective officers.

Assessors.

Aldermen and supervisors.

Justice of the peace.

Appointive officers.

SECTION 1. Section two of sub-chapter two of said chapter forty-seven, is hereby amended so as to read as follows: The elective officers of said city shall be a mayor, a treasurer, an attorney, a clerk, and three assessors, to be chosen from the city at large. Said assessors, at the first election after the passage of this act, shall be elected as follows: one assessor for the term of one year, one assessor for the term of two years, and one assessor for the term of three years; and one assessor shall be elected annually thereafter, whose term of office shall be three years, and their salaries shall not exceed the sum of three hundred dollars each, in lieu of all other compensation. Two aldermen and one county supervisor shall be elected in each ward, at the annual city election to be held on the first Tuesday of April, 1876. A justice of the peace shall be elected by the qualified voters of each of the following districts, viz.: The first ward shall elect one justice of the peace, the second and sixth wards shall elect one justice of the peace, the third and fifth wards shall elect one justice of the peace, the fourth ward shall elect one justice of the peace. The justices of the peace of said city now in office shall be and remain in office until the second Tuesday in April, 1876, and until their successors are elected and qualified. Vacancies in the office of justice of the peace may be filled by appointment by the the common council, to hold office for the residue of the term to which they are appointed. The appointive officers of said city shall consist of a marshal, street commissioner, city surveyor, commissioner of the poor, city physician, and a pound keeper or keepers, and all other officers necessary for the proper management of the affairs of said city, to be appointed by the common council. All elective officers, except justices of the peace and aldermen, shall, unless otherwise provided by law, hold their respective offices for one year, and until their successors are elected and qualified; and justices of the peace

and aldermen shall each hold office for two years, and until their successors are chosen and qualified: provided, however, the common council shall have power, for due cause, and after opportunity for a fair hearing, to expel any of its own number, and to remove from office any officer or agent under the city government, except justice of the peace, written notices being first given to the officer complained of, to appear before the common council and answer to the complaint made.

Removal from office.

SECTION 2. Section three of sub-chapter three of said chapter forty-seven, is hereby amended so as to read as follows: Section 3. At the first meeting of the common council in each corporate year, it shall proceed to elect by ballot one of its number president, and in the absence of the mayor from the city, or his inability for any reason to discharge the duties of his office, the said president shall exercise all the powers and discharge all the duties of the mayor. In case the mayor and president shall both be absent at any meeting of the common council, that body shall proceed to elect a temporary presiding officer, who, for the time being, shall discharge all the duties of mayor. The president or temporary presiding officer, while discharging any of the duties of mayor, shall be styled acting mayor, and acts performed by them or either of them, in such capacity, shall have the same force and validity as if performed by the mayor. The common council at its first or second meeting after the charter election in each year, shall regulate by ordinance, the time of appointing city surveyors, and such other officers as it may deem necessary; and all the appointed officers herein named shall hold office for one year, and until their successors are chosen and qualified. The common council shall, by resolution, fix the salary or fees of all officers of the city, at the first regular meeting in March of each year: provided that the present common council may fix the salaries of officers for the coming corporate year, at any meeting during the month of March, 1876, and no salary shall be increased or diminished during the term of office of any officer, and such salary or fees shall neither be increased or diminished during the corporate year in which such resolution may be adopted. The common council at its first meeting in each year, or as soon thereafter as may be, shall order the city clerk to advertise for proposals from the publishers of weekly newspapers printed in said city, for all the printing and publication necessary to be done by the city, except as otherwise provided herein, and said print-

President of council.

Temporary presiding officer.

City surveyor.

Salaries.

Proposals for printing.

ing and publication shall be let to the lowest responsible bidder, who shall be styled the city printer, the same to be the publisher of some weekly newspaper, which has been published in the English language in said city, for at least two years prior to such letting; and in case of bids being alike, the common council shall designate which paper shall receive the contract, and all affidavits and verifications of the fact of publication of any notice, ordinance, by-law, or resolution, may be made by any person doing such printing, or by the foreman in the office in which such printing may have been done, and such affidavits shall be read in evidence in the same manner and shall in all respects have the same force and effect as if made by the city printer; and no appropriation of money shall be made for any printing or publishing unless the same shall be let by contract as herein provided.

Aldermen not  
to be parties  
to contract or  
jobs.

SECTION 3. Section thirteen of sub-chapter three of said chapter forty-seven, is hereby amended so as to read as follows: Section 13. No alderman shall be a party to, or interested in any job or contract with the city, and any contract in which any alderman may be so interested, shall be null and void, and in case any money shall have been paid on such contract, the common council shall sue for and recover the amount so paid from the parties to such contract, and the alderman interested in the same. A reasonable compensation shall be allowed to the mayor and aldermen for their services in that capacity, and for their services as inspectors of elections, and board of health, but not otherwise. The senior alderman of each ward shall be ex-officio a member of the county board of supervisors of the county of Outagamie, whenever there shall be a vacancy in the office, or of disability on the part of the county supervisors thereof.

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

Approved March 17, 1881.