

are also authorized to administer and certify to any oaths or affidavits required by the provisions of this chapter.

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

Approved April 1, 1881.

[No. 445, A.]

[Published April 12, 1881.]

### CHAPTER 274.

AN ACT to amend an act entitled "an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof, approved March 10, 1874, and the acts amendatory thereof."

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

Resolutions to appropriate money to be referred to committee.

SECTION 1. Section five of sub-chapter four, of chapter one hundred and eighty-four of the laws of 1874, entitled "an act to revise, consolidate, and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof," is hereby further amended so as to read as follows, to-wit: Section 5. All resolutions appropriating money, or creating any charge against any of the funds of said city or wards, and all accounts and ordinances, shall be referred to appropriate committees, and shall only be acted on by the common council at a subsequent meeting not held on the same day, on the report of the committee to which the same were referred; and if such report is made upon an ordinance or resolution appropriating money out of, or creating any charge against, any of the funds aforesaid, said report shall be countersigned by the city comptroller, and said comptroller shall not countersign any such report, unless there is a sufficient portion of the proper city or ward fund unappropriated, to meet said appropriation or charge. Action upon any report of a committee made to the common council, shall be deferred to the next regular meeting of the same by request of one-fifth of the aldermen present. And no portion of any city or ward fund shall be transferred to, or borrowed for, or by any other of said funds, at any time, or for any purpose whatsoever, so as to increase any fund to an amount in excess of the estimate for such fund as fixed by the common council.

Estimate of cost for im-

SECTION 2. Section six of sub-chapter seven of said chapter one hundred and eighty-four, of the laws of

1874, is hereby further amended so as to read as follows, to-wit: Section 6. Whenever the board of public works shall deem it necessary to grade or otherwise improve any alley, sidewalk or public ground, or to erect and construct a bridge or viaduct over any ravine in said city of Milwaukee, or to dredge or dock any of the rivers or of the public canals after their first construction, or to abate any nuisance caused by stagnant water in said city, it shall cause to be made an estimate of the cost of such work, and shall put the same on file in its office, and such estimate shall be open to the inspection of any party interested. Thereupon the said board of public works shall make to the common council such recommendation in relation to the proposed work as it may deem proper; and upon the same being adopted by the common council, in whole or in part, the said board may order so much of the work to be done as shall have been adopted, provided that no change of any previously established grade, and no such work, chargeable to lots or parcels of land fronting on or abutting on the same, except repairs and except docking and dredging, shall be ordered by resolution, ordinance or otherwise, unless a petition therefor shall first be presented to the common council, signed by residents of said city owning a majority of the feet in front of all the lots fronting upon such proposed improvements, owned by residents of such city, and for that purpose, every person in the actual possession of any lot or parcel of land fronting upon such improvements under a contract in force for the purchase thereof from the owner, shall be held to be a freeholder within the meaning of this act, and to be the owner of such real estate for the purpose of petitioning as owner thereof. Each person signing such petition as a resident or as the owner of property, shall be required to write after his signature thereto, a brief description of the property so owned by him, and of the place of his his residence in said city, and to annex thereto an affidavit that he is such resident and owner, and thereupon he shall be taken to be such resident and owner, and such petition shall be as valid and have the same effect, as if such person were the owner of such property and a resident of the city or ward, as stated in his affidavit, although in fact it should thereafter appear that he was not such owner or resident.

proving streets,  
sidewalks, etc.

SECTION 3. Section seven of sub-chapter eight of said chapter one hundred and eighty-four of the laws of 1874, is amended by adding thereto the following

Notice giving  
description of  
proposed im-  
vements.

words, to-wit: Provided, further, that said board of public works shall, at least five days before the presentation of such recommendation to the common council, serve a notice stating the day when such recommendation will be presented to the common council, and giving a general description of the proposed improvement and extension personally, upon the owner or owners, if they reside in said city, of every lot or parcel of land fronting or abutting on such sewer. Upon the presentation of such recommendation to said common council, with proper proof of service of the notice above described, the same shall be referred to the appropriate committee, and considered and disposed of in the same manner and under the same rules, as are provided for in the case of ordinances or resolutions creating a charge or liability against any city or ward fund.

Penalty for depositing debris into sewers in certain cases.

SECTION 4. Section one of chapter two hundred and six, laws of 1880, is hereby amended so as to read as follows: Section 1. Any person who shall deposit, or knowingly cause to be deposited, in any open stream or river in the city of Milwaukee, after June 1, 1880, any offal, garbage or filth, or any refuse, obnoxious, odious, or unhealthful matter of any kind or nature whatever, from any factory, brewery, distillery, stock yard, slaughter house, tannery, gas factory, glue factory, or other building or establishment of whatever kind, located in said city, or the contents of any privy, privy vault or water closet, located within any residence or dwelling house, and connected with or emptying into any of the sewers of said city, unless means are provided and employed for the abundant flushing of the same with clear water every time it may be used, shall be deemed guilty of a misdemeanor, and for every such offense, shall be punished by imprisonment in the county jail not more than three months, or by a fine not exceeding one hundred dollars, or by both fine and imprisonment, as the court may determine. It shall be the duty of the commissioners of health to rigidly enforce this provision of law, and for this purpose, he shall have power to employ a sufficient number of assistants, the compensation of whom shall be fixed and determined by the common council.

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

Approved April 1, 1881.