

221, of the laws of 1882, is hereby amended by striking out the following words, where they occur in lines four, five and six, of said section 1, to-wit: "There shall also be elected every two years by the qualified electors of said city, one school commissioner at large for said city."

Amendment.

SECTION 6. Section 2, of said chapter 9, of said chapter 221, of the laws of 1882, is hereby amended by striking out the words "together with the school commissioner at large," where they occur in line two, of said section 2, in said chapter 9.

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

Approved March 16, 1883.

[No. 267, A.]

[Published March 20, 1883.]

CHAPTER 80.

AN ACT to incorporate the city of Hartford.

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

CORPORATE POWERS.

Corporate powers.

SECTION 1. All that district of country herein-after described, from, and after the first Tuesday in April, 1883, shall be a city by the name of Hartford; and the people now inhabiting, and those who shall hereafter inhabit the district of country hereinafter described, shall be a municipal corporation by the name of "the city of Hartford," and shall have the general powers possessed by municipal corporations at common law, and in addition thereto, shall possess the powers herein specially granted, and the authorities thereof shall have perpetual succession; shall be capable of contracting and being contracted with; suing and being sued; pleading and being impleaded in all courts of law and equity, and shall have a common seal and may change and alter the same at pleasure.

BOUNDARIES.

Boundaries.

SECTION 2. All of the following described territory, lying and being in sections sixteen (16), seventeen (17), twenty (20); and twenty-one (21), in the town of Hartford, Washington county, and

state of Wisconsin, bounded as follows, to-wit: Commencing at the north one-quarter ($\frac{1}{4}$) section post, of section twenty (20), aforesaid, running thence east on the section line thirty-two (32) chains; thence north one (1) degree, east twelve and fifty-hundredths (12 and 50-100) chains; thence east eight (8) chains to the section line between sections sixteen (16) and seventeen (17) aforesaid; thence south one (1) degree, west two and fifty-hundredths (2 and 50-100) chains; thence south eighty-nine and three-fourths (89 and $\frac{3}{4}$) degrees, east nine (9) chains; thence south one (1) degree, west ten (10) chains to the section line between sections sixteen (16) and twenty-one (21); thence south eighty-nine and three-fourths (89 and $\frac{3}{4}$) degrees, east thirty and ninety-hundredths (30 and 90-100) chains, to the north one-quarter ($\frac{1}{4}$) post of section number twenty-one (21); thence south along the quarter section line, twenty (20) chains; thence south eighty-nine and three-fourths (89 and $\frac{3}{4}$) degrees, east fifteen (15) chains, to the northwest corner of St. Killian's Catholic cemetery grounds; thence south along the west line of said cemetery grounds; nine and seventy-five hundredths (9 and 75-100) chains, to the center of Chicago, Milwaukee & St. Paul railroad; thence westerly along said railroad, fifteen and nineteen-hundredths (15 and 19-100) chains to the quarter line of section twenty-one (21); thence south along said quarter section line eleven and seventy-eight hundredths (11 and 78-100) chains; to the north bank of the Rubicon River; thence south fifty and one-half (50 and $\frac{1}{2}$) degrees, east five and fifteen-hundredths (5 and 15-100) chains; thence south nine and fifty-hundredths (9 and 50-100) chains; thence north seventy-five (75) degrees; west three and ninety-one, hundredths (3 and 91-100) chains to the quarter section line of section number twenty-one (21); thence south along said quarter section line twenty-six and sixty eight-hundredths (26 and 68-100) chains to the south one-quarter ($\frac{1}{4}$) post of section number twenty-one (21); thence west on the section line eighty (80) chains, to the south quarter ($\frac{1}{4}$) post of section twenty (20); thence north on the center one-fourth ($\frac{1}{4}$) line of section twenty (20), eighty (80) chains, to the place of beginning, shall be included in and constitute the limits and boundaries of the city of Hartford.

WARDS.

Ward bound-
aries.

SECTION 3. The city shall be divided into two wards, as follows: The first ward shall be all that portion of said city lying south of the Rubicon river; the second ward shall be all that portion of said city lying north of the Rubicon river.

Corporate
authority.

SECTION 4. The corporate authorities of said city, shall be vested in one principal officer, styled the mayor; and a board of aldermen, consisting of two members from each ward, who, with the mayor, shall constitute and be denominated the common council, and in such other officers as are hereinafter mentioned, or may be created, under this act.

ELECTIONS.

Elections.

SECTION 5. The annual election for city officers, shall be held on the first Tuesday in April in each year, at such places as the common council shall designate; and the polls shall be kept open from nine o'clock in the forenoon, to five o'clock in the afternoon; provided, however, that an adjournment may be had for one hour from twelve M. to one o'clock P. M., if due notice thereof be given at the opening of the polls. Six days' previous notice of such elections shall be given, signed by the clerk, stating the time and place of holding the same, and of the officers to be elected, which notice shall be posted in three public places in the city.

Elective offi-
cers.

SECTION 6. The elective officers of said city shall be a mayor, a treasurer, an assessor, a clerk, a city marshal, one constable, a street commissioner and two justices of the peace, from the city at large, and two aldermen and one supervisor from each ward. The treasurer, assessor, marshal, clerk, justices of the peace and constable, shall be qualified voters and residents of the city of Hartford; and the mayor, aldermen and supervisors shall be qualified electors and freeholders in the city of Hartford. All the other officers, necessary for the proper management of the affairs of said city, shall be appointed by the common council. All elective officers, except justices of the peace, unless otherwise provided, shall hold their offices for one year, and until their successors are elected and qualified; provided, however, that the common council shall have power, for cause, to

Appointed offi-
cers.

expel any of its own members, except the mayor, and to remove from office any officer or agent, under the city government, due notice in writing being first given to the officer complained of. The justices of the peace shall hold their offices for two years, and until their successors are elected and qualified.

SECTION 7. Whenever a vacancy shall occur in the office of mayor, or justice of the peace, such vacancy shall be filled by a new election, which shall be ordered by the common council within ten days after such vacancy shall occur; any vacancy in any other office, shall be filled by the common council. The person elected or appointed to fill any vacancy shall hold his office, and discharge the duties thereof, for the unexpired term, and with the same rights and subject to the same liabilities, as the person whose office he shall be elected or appointed to fill.

In case of
vacancy.

SECTION 8. All elections by the people shall be by ballot, and a plurality of votes shall constitute an election. When two or more candidates for an elective office, shall receive an equal and the highest number of votes for the same office, the election shall be determined by casting lots in presence of the common council, and in such manner as they shall direct.

Votes for all
officers shall be
by ballot.

SECTION 9. All persons who are qualified electors of the state of Wisconsin and entitled to vote at a general election, and who are actual residents of the city of Hartford, shall be entitled to vote for any officer to be elected, and be deemed qualified electors at city elections.

Qualified
electors.

SECTION 10. The first city election for said city of Hartford, for the election of city officers, shall be held in the respective wards of said city on the first Tuesday in April, 1883; the election for the First ward, shall be held at the building north of the postoffice in said ward, lately occupied by R. S. Reuland as an office, and the election for the Second ward, shall be held at the hook and ladder company's building in said ward. At the time of opening the polls at each ward, the electors present shall choose *viva voce*, from the qualified electors present, three inspectors of election, and two clerks of election, and the persons so chosen to act as inspectors and clerks, shall, before entering upon the duties of their offices, take and subscribe the oath required of inspectors and clerks

First election,
when held.

of general elections. Six days' previous notice of the time and place of holding such first elections, shall be given, signed by the town clerk of the town of Hartford, which notice shall be posted in three public places in said city.

Illegal voting,
challenging
votes etc.

SECTION 11. If either of the inspectors of election at any charter election shall suspect that any person offering to vote does not possess the requisite qualifications, or, if any such vote shall be challenged by an elector, the inspector before receiving the vote of any such person, shall require him to take the following oath: "You do solemnly swear (or affirm) that you are twenty-one years old; that you are a citizen of the United States (or have declared your intention to become a citizen conformably to the laws of the United States on the subject of naturalization); that you have resided in the state of Wisconsin one year next preceding this election; and that you are an actual resident within this ward, and that you have not voted at this election, and that you have made no bet or wager depending on the result of this election." Which oath any member of the board of inspectors is hereby authorized to administer, and if the person so offering to vote shall take such oath falsely, he shall be deemed guilty of wilful and corrupt perjury, and upon conviction thereof, shall suffer the punishment provided by law for persons guilty of perjury. If any person who is not a qualified voter, shall vote at any election, or shall vote more than once at any one election, he shall forfeit and pay a sum not exceeding two hundred dollars (§200), nor less than twenty-five dollars (§25). It shall be the duty of the inspectors of election, to keep a list of the names of all persons whose votes may be challenged and who shall swear in their votes, which list shall be filed with the city clerk. The penalty for any unlawful conduct of clerks or inspectors of election, shall be the same as that provided by statute of this state for similar conduct at any general election.

Votes, how
counted.

SECTION 12. When the polls of any election shall be finally closed, the inspectors shall proceed to count and canvass the votes, one box being completed before another is opened, and shall make a return of the number of votes for each and every office, and the number of votes for each and every person, for each

and every office, and shall declare the result and who are elected as aldermen and supervisors; and they shall deliver such return to the city clerk immediately after such election, who shall lay the same before the common council, which shall declare the result of the same; provided, however, that at the first election under this charter, the said two boards of inspectors, shall, after canvassing the votes in their respective wards and declaring the result, meet together and decide and declare the result, and make a statement thereof under their hands, which said statement shall be filed in the office of the town clerk for the town of Hartford, within three days after such election. In all cases of election or appointment of any person to office, the common council shall file with the clerk, a certificate signed by at least a majority of them, giving the name of the person elected or appointed, and the time for which he was so elected or appointed, and the clerk shall record such certificate in a book to be provided for that purpose. Whenever a justice of the peace or city marshal (shall) be elected, the clerk shall forthwith give notice thereof, in writing, to the clerk of the circuit court for Washington county, giving both the names and terms for which elected, and upon the election of mayor or treasurer, the clerk shall give like notice to the county clerk for said county, and those county officers, upon receiving such notice, shall file the same in their respective offices.

SPECIAL ELECTIONS.

SECTION 13. Special elections to fill vacancies, or for other purpose, shall be held and conducted in the same manner, and upon the same notice, and the returns thereof shall be made in the same manner and form as regular elections, and within such time as may be provided by the common council; provided, however, that after the first election of officers under this charter, the aldermen and supervisors for the respective wards shall constitute the board of inspectors for such wards, and may choose one of their number chairman, and any two electors of such wards, as clerks of election; but this provision shall not apply to general elections, nor to charter elections at which judges of courts of record are to be elected, but such elections shall be conducted in the same

Special elections, how conducted.

manner as such judicial elections; provided, that the voters of the city of Hartford, shall be entitled to cast their votes in the judicial election to be held on the first Tuesday in April, 1883, at the voting place in the town of Hartford.

What is deemed a vacation in office.

SECTION 14. Any officer removing from the city, or any officer who shall neglect or refuse for ten days after his election or appointment, to qualify, and enter upon the discharge of his duties, shall be deemed to have vacated his office, and the common council shall proceed to fill such vacancy as herein provided.

Terms of office.

SECTION 15. The term of every officer elected under this act, shall commence on the second Tuesday in April, of the year for which, and in which, he shall be elected.

First charter election.

SECTION 16. The annual election of officers under the provisions of this act, shall be held on the first Tuesday in April. The election of justices of the peace, shall be held at the same time and place, and one justice shall be elected each year, for the term of two years, and the justices of the peace now residing within said city of Hartford, shall hold their offices until their terms expire. The justices of the peace for the town of Hartford may, if they so elect, hold their offices within said city, but such justices shall have no jurisdiction of actions brought under any provision of this charter; provided, however, that if any cause be removed from either of the city justices under any provision of law, and the other city justice shall be disqualified or unable to try the same, the nearest town justice, otherwise qualified to try such case, shall hear and determine the same.

Justices of the peace.

In case there is a failure to elect.

SECTION 17. Should there be a failure to elect any officer herein required to be elected on the day designated, the common council may order a new election to be held, ten days' notice of the time and place being first given.

Shall take and subscribe an oath.

SECTION 18. Every person elected or appointed to any office under this act, except justices of the peace, shall, before he enters upon the duties of his office, take and subscribe an oath of office and file the same with the city clerk. The treasurer, clerk, marshal and such other officers as the common council may direct, shall severally, before they enter upon the duties of their respective offices, execute to the city of Hartford, a bond with two sureties, to be approved by the common coun-

cil, or a majority thereof; and said common council may, from time to time, require new and additional bonds, and remove any officer refusing or neglecting to give the same.

SECTION 19. The mayor, when present, shall Duties of mayor. preside over the meetings of the common council, and shall take care that the laws of the state and the ordinances of the city are duly observed and enforced, and that all executive officers of the city discharge their respective duties. The mayor shall be the chief executive officer of the city, and the head of the police of the city; and in case of riot and other disturbances, or apparent necessity, he may appoint as many special or temporary policemen as he may deem necessary. The mayor shall have a seat and vote in the common council, and shall give the common council such information and recommend such measures, as he may deem proper and advantageous to the city. The common council shall, at its regular meeting after its election, choose one of the aldermen as president of the board of aldermen, who, in the absence of the mayor, shall act as mayor and have and possess all the rights and privileges of such officer, and be subject to all the liabilities thereof, during the absence of the mayor, and when acting as such shall be styled "acting mayor." In the absence of both mayor and president, the common council may choose one of its number to preside.

SECTION 20. The supervisors shall represent Supervisors on county board. their respective wards in the county board of supervisors, and also act as members of the board of inspectors of election in their respective wards at charter elections. No supervisors shall receive any compensation from the city for any of his services.

SECTION 21. The city clerk shall perform all the Duties of clerk. duties required of him by law, and the ordinances of the city. He shall be keeper of the books, records and papers, and the corporate seal of the city, and the records of the proceedings of the council, and shall possess the same power that town clerks possess by law, to issue transcripts from the records of his office; and they shall, when certified by him, be received in all courts in like manner and effect. He shall perform the same duties in regard to common schools in said city, that are by

the general laws imposed on town clerks. He shall draw and countersign all orders on the treasurer, and keep a record of the same. He shall file in his office all chattel mortgages left with him to be filed, and the renewals, thereof, receiving the same fees allowed to town clerks therefor, and the said mortgages and renewals shall be as valid and lawful as when filed in the office of the town clerk; and the said clerk shall possess authority to administer oaths. He shall receive such compensation as the common council shall provide by ordinance or resolution.

Jurisdiction
of justices of
the peace.

SECTION 22. The justices of the peace elected under this act, or who hold over, shall have the same and equal jurisdiction, and perform all and like duties of justices of the peace in towns, under the general laws of the state of Wisconsin, and shall be subject to the same liabilities, and have in addition thereto, jurisdiction of all offenses against the provisions of this charter, and the ordinances and police regulations of the city, and shall qualify in the same manner as provided by the general laws of this state, except that the official bond or agreement required to be given by them, shall be approved by the common council of said city.

Duties of
treasurer.

SECTION 23. The city treasurer shall perform all the duties required of him by law; collect all city, county and state taxes, and pay over all moneys in his hands according to law; he shall keep in a proper book an account of all moneys received, and of all moneys paid out by him, and the same shall at all times be open to the inspection of the voters of the city; he shall make reports quarterly, and render an itemized account to the common council of all sums received, when and by whom the same were paid, and also of all moneys by him paid out. All fines and penalties imposed for violation of any city ordinance, resolution, by-law or regulation, and all license moneys, including license moneys for the sale of intoxicating drinks, shall belong to said city and shall be paid into the treasury thereof, and be part of the general fund. All moneys raised, received, recovered or collected by means of any tax, license, penalty, forfeiture, fine, or otherwise belonging to said city under the authority of this act, shall be paid into the treasury of the city, and shall not be drawn therefrom, except by an order

issued by order of the common council, and signed by the mayor or acting mayor, and countersigned by the city clerk. The treasurer shall have the same power, and be subject to the same laws and liabilities, and governed by the same laws, as treasurers of towns in the state, except as changed by this charter, but he shall receive no other fees, except the compensation hereinafter provided.

SECTION 24. The marshal shall perform such duties as shall be prescribed by the common council, for the preservation of the peace, and collection of license moneys and fines. He shall possess all the powers and authority of constables of towns, 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 city, or law of this state, may pursue and serve the same in any part of this state. It shall be his duty to suppress all riots, disturbances and breaches of the peace, and to remove all obstructions in the streets and alleys of said city, and to abate all nuisances in said city, to apprehend with or without warrant, any person in the act of committing any offense against any ordinance of said city, or the laws of this state, and within reasonable time bring such person before competent authority, for examination or trial, and for such service he shall receive such fees, as are allowed by law to constables for like services in this state; provided, that if said marshal perform any labor by direction of the common council or required by law, for which no fees are allowed, he shall receive such compensation as the common council shall determine. He shall have power to appoint one or more deputies, subject to the approval of the common council, but for whose official acts he shall be responsible, and of whom he may require bonds for the faithful discharge of their duties. Such deputies shall also take and subscribe the proper oath of office, which will be filed in the office of the city clerk, and when duly qualified as aforesaid, such deputies shall possess all the powers and authorities, and be subject to the same liabilities as the marshal.

Duties of
marshal.

SECTION 25. If any person having been an officer in said city, shall not, within ten days after notification and request, deliver to his successor

Penalty for
not delivering
to successor.

in office, all property, books, papers and effects, belonging to said city pertaining to the office, he shall forfeit and pay to the use of the city, one hundred dollars (\$100), besides all damages caused by his neglect or refusal to deliver over the same, and such successor may recover possession of such books, papers and effects in the manner prescribed by the law in this state.

No mayor or alderman shall be party to any job or contract.

SECTION 26. No mayor or alderman shall be a party to, or interested in any job or contract with the city, and any job or contract in which they, or either of them may be so interested, shall be null and void, and in case any money has been paid on such contract, the city may sue for, and recover back, the amount so paid from the parties to such contract, and the mayor or aldermen interested in the same.

Officers of the peace.

SECTION 27. The mayor, each and every alderman, justice of the peace, marshal, deputy marshal, policeman, watchman and constable of said city, and the sheriff of Washington county and his deputies, shall be officers of the peace, and may command the peace, and suppress in a summary manner all riotous or disorderly behavior within the limits of said city; and, for that purpose may command the assistance of all bystanders, and if any person, bystander, or private citizen shall refuse to aid in maintaining the peace when so required, every such person so refusing, shall forfeit and pay a fine of not less than five dollars (\$5) nor more than fifty dollars (\$50).

Justices shall pay over all fines.

SECTION 28. Every justice of the peace shall account for and pay over to the treasurer of said city, all fines and penalties collected by him, and belonging to said city, within ten days after receiving the same, and take his receipt for the same in his docket. Said justices shall be entitled to receive, in all cases had before them, in which the city is interested, the same fees as are provided by law for justices of the peace of the several towns of this state in similar cases.

Duties of assessor.

SECTION 29. The assessor shall assess the real and personal property of said city, at the time and in the manner provided for assessing in the towns of this state, and shall perform all other duties prescribed and directed by this act for him to perform, and he shall receive as compensation therefor fifty dollars (\$50) a year.

DUTIES OF STREET COMMISSIONER.

SECTION 30. It shall be the duty of the street commissioner, to see that all ordinances of the city relating to the obstruction and cleaning or closing of sidewalks, crosswalks, streets, bridges, alleys, public grounds, gutters, sewers and water in said city are duly observed and kept, and he shall have the general supervision over all grading, paving, graveling, planking, repairing and cleaning streets, bridges, alleys, public grounds and gutters, and such other duties as the ordinances of said city may prescribe, subject to the order of the common council, and shall receive therefor, such compensation as the common council shall prescribe.

Street commissioner and his duties.

COMMON COUNCIL.

SECTION 31. The mayor and aldermen shall constitute the common council, and shall not receive any compensation for their services. The style of all ordinances shall be, "The common council of the city of Hartford do ordain," etc. A majority of the members of the common council shall constitute a quorum, but a less number may adjourn from time to time.

What constitutes the common council.

SECTION 32. The common council shall hold its first annual meeting in each year on the second Tuesday in April, and thereafter at such times as they shall appoint. The mayor may call special meetings, by notices to each of the members personally, or left at their several places of abode. The common council shall determine the rules of its own proceedings, and have power to compel the attendance of absent members by fine or otherwise.

Meetings of common council.

SECTION 33. The common council shall have the control and management of the finance, and of all property of the city, and shall likewise, in addition to the power herein vested, have full power to make, ordain, establish, publish, enforce, alter, modify, amend and repeal all such ordinances, rules and by-laws for the government and good order of the city, for the suppression of vice and immorality, for the prevention of crime, and for the benefit of trade and commerce and health, as it shall deem expedient, declaring and imposing penalties, and to enforce the same against any person or persons who may violate any of the provisions of such ordinance, rule or by-law, and

Shall have management and control of finances.

such rules, ordinances and by-laws are hereby declared to have the force of laws; provided, they are not repugnant to the constitution and laws of the United States, or of this state.

Powers of common council defined.

SECTION 34. The common council shall have the power to license and regulate the exhibition of common showmen and shows of any kind, or the exhibitions of caravans, circuses, or theatrical performances, billiard tables, bagatelle tables, pigeon-hole tables and bowling saloons, etc., and to provide for the abatement and removal of nuisances under the ordinances or at common law; and to grant licenses for selling spirituous, vinous or fermented liquors, and to regulate and license groceries, taverns, victualling houses, and all persons vending or dealing in spirituous, vinous or fermented liquors, and to revoke the same for a violation thereof; provided, that the sum to be paid for any such license shall not be less than the minimum nor more than the maximum amount per annum, established by the general laws of the state of Wisconsin, and that all such licenses hereafter granted, shall run from the first day of May in each year; provided, however, that when any license may be applied for after that date, the same may be granted, to expire on the first day of May of each year, the applicant paying *pro rata* therefor; but no license shall be granted for a longer time or period than one year.

Gaming.

1st. To suppress, restrain and prohibit all description of gambling, and fraudulent devices and practices, and all playing of cards, dice or other games of chance with betting, and to restrain, prohibit and suppress any person or persons from vending or giving away, or dealing in, spirituous, fermented or vinous liquors, unless duly licensed by the common council; and to license, regulate and suppress hawkers and peddlers.

Riots, disturbances etc.

2d. To prevent or regulate the blowing of steam whistles, and prevent riots, noise, disturbances or disorderly assemblages, suppress and restrain disorderly houses or groceries, and houses of ill-fame, and to authorize the destruction of all instruments used for the purposes of gambling.

Nauseous places.

3d. To compel the owner or occupant of any grocery, cellar, tallow chandler's shop, soap factory, tannery, stable, barn, privy, sewer, or other unwholesome house or place, to cleanse, remove or abate the same from time to time, as often as

it may be necessary for the health, comfort and convenience of the inhabitants of said city.

4th. To direct the location and management of slaughter houses and markets, and to prevent the erection, use and occupation of the same when offal or filth therefrom, shall discharge into the waters of the rivers, streams, ponds or sloughs. Slaughter houses, etc.

5th. To prevent the encumbering of streets, sidewalks, crosswalks, lanes or alleys with railroad cars, carriages, sleighs, boxes, lumber, fire wood or any other materials or substances whatever. Encumbering of streets, etc.

6th. To prevent horse racing and immoderate driving in the streets, and to regulate the places of bathing and swimming in the waters within the limits of said city. Racing and immoderate driving.

7th. To restrain the running at large of horses, cattle, swine, sheep, poultry and geese, and to authorize the restraining, impounding and sale of the same. Restrain cattle.

8th. 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. Dogs.

9th. To prevent persons from bringing, depositing or having within said city, any putrid carcasses, or unwholesome substances, and to require the removal of the same by any person who may have upon his premises any such substance, or putrid or unsound beef, pork, fish, hides or skins of any kind, or, on default, to authorize the removal thereof, by some competent officer, at the expense of such person or persons. Putrid carcasses.

10th. To establish and make public pounds, pumps, wells, cisterns and reservoirs of the city, to regulate and license hacks, cabs, drays, carts and charges of drivers of the same; and to erect lamps for lighting the streets, public grounds and public buildings with gas or otherwise. Public pounds, wells, hacks, etc.

11th. To establish and regulate boards of health, provide hospitals and cemetery grounds, regulate the burial of the dead, and the return of the bills of mortality, and to exempt burial grounds, set apart for public uses from taxation. Boards of health.

12th. To prevent all persons riding or driving any horse or mule, or any other animal on the sidewalks of said city, or in any way doing damage to sidewalks and bridges. Riding or driving on sidewalks.

13th. To prevent shooting of firearms or fire-

Shooting of
fire arms, or
fire crackers.

crackers, and to prevent the exhibition of any fireworks in any place or situation which may be considered by the common council dangerous to the city or any property therein, or annoying to the citizens thereof.

Restrain
drunkenness.

14th. To restrain drunkards, immoderate drinking or obscenity in the streets or public places, and to provide for arresting, removing and punishing any person or persons who may be guilty of the same.

Runners and
solicitors.

15th. To restrain and regulate runners and solicitors for stages, cars, public houses, and other establishments.

Government
of police.

16th. To make rules, regulations and ordinances for the government of the police of the city.

Public
markets.

17th. To establish public markets, and make rules and regulations for the government of the same, and to punish and restrain all persons for attempting to interfere, or interfering with the due observance of such rules and regulations; to license and regulate butchers' stalls, shops, stands for the sale of game, poultry, meat, fish and other articles.

Hay and fuel.

18th. To regulate the place or places and manner of weighing or selling hay, and measuring and selling fuel, lime and other gross commodities.

Removal of
snow, dirt and
rubbish.

19th. To compel owners or occupants of buildings or grounds, when the same are occupied, to remove snow, dirt or rubbish from the sidewalks, streets or alleys opposite or adjacent 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 his or her default, to authorize the removal or destruction thereof, by some officer of the city, at the expense of such owner or occupant.

Contagious
diseases.

20th. To regulate, control and prevent the stopping and removal from carriages of common carriers, or any vehicle whatever, any person or persons afflicted with any infectious or contagious diseases or disorders, and to make such disposition of any person or persons so afflicted as to best preserve the health or the city.

Watchmen.

21st. In cases of emergency, in the discretion of the common council, to appoint watchmen and prescribe their duties.

- 22d. To provide by ordinance for a standard of weights and measures. Weights and measures.
- 23d. To protect trees and monuments in the said city. Monuments.
- 24th. To prescribe and regulate the construction of bridges, culverts and sewers within said city. Bridges and sewers.
- 25th. To lay out, make, open, keep in repair, alter or discontinue any highways, streets, lanes, alleys and sidewalks, and to keep them free from any incumbrances, and to protect them from injury. Highways, streets.
- 26th. To change the name of any street in said city. Change of names.
- 27th. To consolidate or change the boundaries of school districts in said city, under the same restriction, and with the same power, as is now conferred on town boards under the general laws of this state. School districts.
- 28th. To make, ordain, amend and repeal all such ordinances, by-laws and police regulations, not contrary to the constitution of this state, necessary for the good order and government of the city, and which may be necessary or expedient to carry into effect the powers vested in the mayor and common council, or any officer of said city by this act, or which may be vested in any officer of said city by any ordinance thereof. Ordinances. Actions against city.
- 29th. To provide for the prosecution or defense of all actions or proceedings in which the city is interested, and employ council therefor. Actions against city.
- 30th. To purchase real estate, and provide for the erection of a city hall, engine houses, and other public buildings; provided—the same is authorized by a majority of all the votes cast at any election, called to determine whether such real estate shall be bought or such buildings erected; and the common council is authorized to call elections for such purpose. City hall and engine house.
- 31st. To call a special election for the purpose of raising a tax, when, in their opinion, the amount which they are authorized to raise by the provision of this act, is insufficient to meet the requirements. Special meeting to raise tax.
- 32d. To establish grades of any or all the streets in the city, to cause sidewalks, gutters, and pavements to be constructed in the manner which the common council shall prescribe. Grades of sidewalks, etc.
- 33d. To establish a fire department, and to pro-

Fire department and its requirements.

vide for the due and proper support and regulation of the same, and to appoint or direct the election of such officers for such department, as they shall see fit, and to define their powers and duties; to provide protection from fire by the purchase of fire engines and all the necessary apparatus for the extinguishing of fires, and by the erection of pumps and the construction of water mains, reservoirs, or other water-works; to erect engine houses, to compel the inhabitants of the city to aid in the extinguishing of fires, and to pull down and raze such buildings in the vicinity of fires, as shall be directed by them or any two of them, who may be present at the fire, for the purpose of preventing its spreading to other buildings; to regulate the storage of gunpowder and other dangerous materials; to require the construction of safe places for the deposit of ashes; to regulate the construction of, and cleaning of chimneys; to prevent bonfires, and the use of fire-works and fire-arms in the city, or any part thereof; to authorize fire wardens, at all reasonable times, to enter into and examine all dwellings, lots, yards, enclosures 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; and generally to establish such necessary measures for the prevention or extinguishing of fires, as may be necessary and proper; and to declare by ordinance the punishment for violation of any such ordinance or regulation. "The Washington Engine Company No. 1" and the "Hook and Ladder Company No. 1," now and heretofore existing in the territory of said city, and heretofore known as the fire department of Hartford, and their constitution, laws and by-laws, regulations and officers shall continue in full force in said city of Hartford, and be supported by said city until the common council shall establish a fire department under the provisions of this act, and the proper officers of the department now existing, and so long as it shall continue to exist as such, shall, in the months of May and October of each year, make a report to the common council, showing an estimate of what will be necessary and required for the maintenance of said department, and also a correct statement showing for what purpose moneys have been expended, which

may have been paid to said department by said city.

34th. To make, from time to time, such by-laws and ordinances as it may deem necessary for the preservation of bridges now erected, or hereafter to be erected, over any stream or pond in the city of Hartford, and enforce the same by adequate penalties.

Preservation of bridges.

SECTION 35. All laws, ordinances, regulations and by-laws shall be passed by an affirmative vote of a majority of the common council, and shall be signed by the mayor, and shall be published in a newspaper published in the city of Hartford, before taking effect, and within fifteen days thereafter they shall be recorded by the city clerk in books provided for that purpose; but before any such by-laws, ordinances or regulations shall be recorded, the publication thereof respectively within the same time, shall be proved by the affidavit of the foreman or publisher of the newspaper in which the same shall be published, and the said affidavit shall be recorded therewith, and at all times shall be deemed and taken as sufficient evidence of the time and manner of the publication.

Laws and ordinances, how passed.

SECTION 36. All printing and publication required by this act, or by the common council, shall be let to the lowest bidder therefor; provided such bid shall not be higher than the legal rates. Such bidder shall be an actual resident of the city of Hartford, and shall be required to give bonds with such conditions, and such sureties as the common council shall determine and require.

Printing to be let to lowest bidder.

SECTION 37. The power conferred upon said council, to provide for the abatement or removal of nuisances, shall not bar or hinder suits, prosecutions or proceedings in the courts according to law. Gambling houses, houses of ill-fame, disorderly taverns, houses or places where spirituous, vinous or fermented liquors are sold without the licenses required thereof, houses or buildings of any kind, wherein more than one hundred pounds of gunpowder are deposited, stored or kept at any one time, are hereby declared and shall be deemed nuisances.

Shall not bar or hinder suits.

SECTION 38. The common council shall examine, audit and adjust the accounts of the clerk, treasurer, street commissioner, marshal and other officers or agents of the city, at such times as they may

Council shall examine, audit and adjust ac counts.

deem proper; also at the end of each year, and before the time for which the officers of said city are elected or appointed shall have expired, and the common council shall require each and every such officer and agent to exhibit his books, accounts, and vouchers for such examination and settlement, and if any such officers shall refuse to comply with the orders or requirements of the council in the discharge of their duties, in pursuance of this section, or shall neglect or refuse to render their account, or present their books and vouchers, to said council, it shall be the duty of said council to declare the office of such person vacant; and the council shall order suits and proceedings at law against any such officer, or person or agent of said city, who may be delinquent or defaulting in his accounts, or discharge of his official duties, and shall make a full record of all such settlements.

Funds shall be under control of council.

SECTION 39. All funds in the treasury except school, state and county funds, shall be under the control of the common council, and shall be drawn out upon the order of the mayor and clerk, duly authorized by a vote of the common council, and all orders drawn upon the treasurer shall specify the purpose for which they were drawn, and shall be payable out of any funds in the treasury belonging to the city. City orders shall be receivable for all city taxes, except school and special taxes for bridges and school purposes, and except taxes levied for the payment of principal or interest of any outstanding debt of said city. All orders shall be payable to the person, or order of the person in whose favor they may be drawn.

Annual tax levy.

SECTION 40. The common council of said city shall annually levy upon the taxable property of said city, to defray the current and lawful expenses of said city, a tax sufficient to defray the same; provided, said common council shall not levy in any one year, a tax of more than five mills on the dollar of the assessed valuation of the taxable property of said city, not more than two mills of which shall be a highway tax, unless authorized to raise a greater sum, by a majority vote of the electors of said city, at a general or special election.

Power to issue bonds.

SECTION 41. The common council of said city, shall not have power to issue any bonds or other evidences of debt, payable at a day subsequent to

the date of the issue thereof, except in cases specially authorized by law, and no bonds shall be issued to aid the construction of a railroad, until the proposition for their issue, shall have been submitted to the electors of the city and adopted by a majority voting thereon; nor shall the common council issue in any one year, orders upon the city treasury to an amount greater than the amount of taxes which may be levied under the provisions of this act.

SECTION 42. No account shall be allowed by the common council unless the same is properly verified by the oath of the owner thereof, or some person in his or her behalf, except it be for street work or hire, under the supervision of the street commissioner, duly certified by him.

Accounts shall be verified.

SECTION 43. When the claim of any person against the said city shall be disallowed, in whole or in part by the common council, the determination of the common council disallowing the same, in whole or in part, shall be final and conclusive, and a perpetual bar to any action in any court, founded on such claim, unless an action to recover the same shall be commenced within thirty days after such disallowance by the common council of said city.

Determination of board shall be final.

SECTION 44. The common council shall annually, on the second Tuesday next preceding the annual election, make a report showing in detail all the receipts and disbursements of the said city, for the past fiscal year, and cause the same to be published in a newspaper published in said city, before the annual election.

Annual report.

SECTION 45. The common council shall have power to lay out public streets and alleys, and to widen the same, as follows: Whenever five or more freeholders residing in said city shall, by petition, represent to the common council that it is necessary to take certain lands within the city for the public use, for the purpose of laying out public streets or alleys, or the enlarging of the same, the courses and distances, metes and bounds of the lands proposed to be taken, together with the names and residences of the owners of such premises, if the same shall be known to the petitioners, to be set forth in such petition. The common council shall thereupon cause notice of such application, to be given to the owners or occupants of such lands, if any there be, or if any portion

Power to lay out streets, etc.

of said lands shall not be in the actual occupation of any person, then the common council shall cause such notices, describing as near as may be, the premises proposed to be taken, to be published in a newspaper published in said city, four weeks successively, at least once in each week.

What notice shall state.

SECTION 46. Such notice shall state, that upon a day therein to be named, not less than ten days from the service of such notice, or expiration of such publication, as the case may be, application will be made to a court commissioner of said county of Washington, for the appointment of twelve jurors to view said premises, and to determine whether it will be necessary and proper, to take the same for the purpose specified in said petition.

Proceedings to condemn land.

SECTION 47. Upon the presentation of such application, and upon proof of the publication or service of the notice hereinbefore required, the said court commissioner, shall appoint twelve resident freeholders of said city, not interested in the result of such application. The said court commissioner shall thereupon issue his precept, directed to said jurors, requiring them, within ten days, to view the premises to be specified in said precept, and to make returns under their hands, to the common council, whether in their judgment it is necessary and proper to take said premises, for the purpose specified in said application; and the said jurors, before entering upon the discharge of their duties, shall take and subscribe an oath faithfully and impartially to discharge their duties as such jurors in the premises, which oath may be administered by any person authorized to administer oaths, which shall be filed in the office of the city clerk.

Service of precept.

SECTION 48. The city marshal shall serve the said precept immediately on the jurors named therein, by reading the same to each one that can be found, and immediately after such service, he shall return the said precept to the court commissioner who issued the same, together with his doings thereon; and if the jurors so appointed cannot be found, or shall be disqualified from acting, or shall be excused from acting by the said commissioner, the court commissioner shall appoint others, to be summoned in like manner, in their places, and a memorandum of such substitution, shall be indorsed on the precept.

SECTION 49. The said jurors, at such times as shall be designated in said precept, shall proceed in a body to view the premises in question, and shall hear such testimony as shall be offered by any party interested, which testimony shall be reduced to writing, and either of the jurors shall be authorized to administer oaths to witnesses. After viewing the premises in question and hearing testimony, if offered, the jurors shall make a report of their proceedings, which shall be signed by them, and which shall state whether, in their judgment, it is necessary to take the premises in question for public use, which said report, testimony and precept shall be returned to the common council. Should the jurors report that it is necessary to take the premises, the common council shall enter an order among its proceedings, confirming said report, and directing the same jurors, within twenty days thereafter, to again view the premises, to ascertain the amount of damages to be paid to the owner or owners of said property proposed to be taken; and to assess and return within the twenty days, such damages to the common council, who shall enter an order confirming the same.

Duties of
Jurors.

SECTION 50. If there should be any building in whole or in part, upon said lands to be taken, the jurors shall first estimate the value of such building to the owner aside from the value of the land, and the injury to him in having such building taken from him, and secondly, the value of such building to him to remove.

SECTION 51. At least ten days' notice of such determination, shall be given to the owner or his agent, if known and a resident of the city, if not known or a non-resident, notice to all persons interested shall be given by publication in a newspaper of said city, for three successive weeks. Such notice shall specify the building and the award of the jurors, and it shall require the parties interested, to appear by a day named therein, and give notice of their election, to the common council, either to accept the award of the jurors, and allow such buildings to be taken with the land appropriated, or of their intention to remove such building, and he shall have such time to remove such building as the common council shall allow.

Notice of
determination
shall be given.

SECTION 52. If the owner shall refuse to take the

If owner refuses to take buildings at value assessed.

building at the value assessed by the jurors to remove, or fail to give notice of his election as aforesaid within the time prescribed, the common council shall have power to direct the sale of such building at public auction, for cash, giving ten days' notice of such sale; the proceeds shall be paid to the owner, or deposited for his use. If the lands or buildings belong to different persons, or if the lands be subject to lease, judgment or mortgage, or if there be any estate in them less than an estate in fee, the injury done to such persons or interests respectively, shall be awarded to them by the jurors.

Award of jurors shall be signed.

SECTION 53. The award of said jurors shall be signed by them and returned, together with the testimony taken and the precept, to the common council, within the time limited in such precept. Any person whose property is taken, or against whom any assessments are made, may, within ten days from the return of the jurors to the common council, appeal from such assessment of damages, to the circuit court of Washington county, by causing a written notice of such appeal to be served on the clerk of said city, and executing a bond to said city conditioned for the faithful prosecution of such appeal, and the payment of all costs that shall be adjudged against the appellant by the court; said bond to have a good and sufficient surety, to be approved by the clerk of said city, or county judge, or court commissioner.

Land shall not be taken until damages are paid or tendered.

SECTION 54. The lands required to be taken for the purposes mentioned in this act, shall not be appropriated until the damages awarded therefor, to the owners thereof, or party entitled thereto, shall be paid or tendered to the owner or party entitled thereto, or his agent, or, in case the owner or party entitled thereto, or his agent, cannot be found, or is unknown, deposited to his credit in some safe place of deposit; and then, and not before, such lands may be taken and appropriated for the purposes required, and the same shall thereafter be subject to all the laws and ordinances of the city, in the same manner as streets, alleys and public grounds, opened or laid out. The damages assessed shall be paid within one year, or tendered, or deposited, as herein required, and if not so paid, tendered or deposited within one year from the confirmation of such assessment, the proceedings shall be void.

SECTION 55. When any known owner of lands or tenements, affected by any proceedings under this act, shall be an infant, or other person under legal disability, having no general guardian, the county judge of Washington county, on the application of the mayor of the city, or such party, or his next friend, shall appoint a guardian for such party, and all notices required by this act shall be served upon such guardian. Whenever any street, alley or public grounds shall be laid out under the provisions of this chapter, the common council shall cause an accurate survey and profile thereof to be made, and filed in the office of the city clerk.

In case of
minor.

SECTION 56. All property, real or personal, within the city, excepting such as may be exempt by the laws of the state, shall be subject to taxation for the support of the city government, schools, and the payment of debts and liabilities, and the same shall be assessed in the manner hereinafter provided; and the assessor elected under this act, shall have and possess the same powers, that are, or may be conferred upon township assessors, except so far as they may be altered by this act; provided, that the common council may prescribe the form of the assessment roll, and more fully define the duties of the assessor, and make such rules and regulations in relation to revising, altering or adding to such rolls as it may, from time to time, deem advisable. When the assessment roll shall be completed, the assessor shall return the same to the board of equalization of the city. The board of equalization may supply omissions in said roll, and for the purpose of equalizing the same, may alter, and add to, take from, and otherwise correct the same. If it shall appear to the assessor that any lot or parcel of land was omitted, in the assessment roll of either or both of the preceding two years, and that the same was then liable to taxation, he shall, in addition to the taxation of that year, assess upon the lot or tract so omitted for such year or years, that it shall have been omitted, the just value thereof, noting the year when such omission occurred, and such assessments shall have the same force as it would have had, if made the year when the same was omitted. Should the tax or assessment upon any parcel of land be set aside,

Property sub-
ject to tax ation

or declared void by reason of any defect or any informality in assessing or levying said tax, or conveying said land, but not affecting the justice and equity of the tax itself, the common council shall cause the tax or assessment so set aside or declared void, to be relieved in such manner, as it shall direct by ordinance.

Board of
equalization.

SECTION 57. The mayor, clerk, treasurer and assessor shall constitute the city board of equalization, and shall meet on the first Monday of July in each year, at nine o'clock in the forenoon, and shall proceed in all respects as town boards are required by law to proceed, as far as the law is applicable to them, revising, correcting, and equalizing the assessment roll of the city. The mayor shall be president of the board, and the city clerk, clerk thereof. When the assessment roll shall have been completed, revised and corrected, it shall be filed with the clerk, and all changes of the assessment roll by the board of equalization, shall be recorded by the clerk. Thereupon the common council, shall, by resolution levy such sum or sums of money as may be sufficient for the several purposes for which taxes are herein authorized to be levied, but not exceeding the authorized percentage, specifying the purposes for which the same are levied. All taxes and assessments, general or special, levied under this act, shall be and remain a lien upon the lands and tenements upon which they may be assessed, and on all personal property of any person or body politic, assessed for personal tax, from the delivery of the warrant for collection thereof, until paid.

Duty of clerk
in regard to
tax roll.

SECTION 58. It shall be the duty of the city clerk, immediately on the receipt of the corrected assessment roll, and a certificate of the amount of state, county and school tax apportioned to said city, to calculate and carry out the total amount of such taxes, together with the city and other local taxes, setting down opposite the several sums set down as the valuation of real and personal property, the respective sums assessed as taxes thereon, in dollars and cents, rejecting the fraction of a cent when less than one-half, otherwise reckoning said fraction as a cent; and the clerk shall immediately make out a duplicate copy of such assessment roll when thus completed, and deliver the same to the treasurer, on or before

the second Monday in December in each year, and to such assessment roll so delivered, a warrant under the hand of the clerk, and the corporate seal of said city shall be annexed, substantially in the following form:

The state of Wisconsin, to the city treasurer of the city of Hartford, in the county of Washington: Form of warrant.

You are hereby commanded to collect from each one of the persons and corporations named in the annexed assessment roll, and of the owners of the real estate described therein, the taxes set down in such roll, opposite to their respective names, and to the several parcels of land therein described; and in case any person or corporation upon whom such tax is imposed, shall refuse or neglect to pay the same, you are to levy and collect the same, by distress and sale of goods and chattels of the person or corporation so taxed, and out of the moneys so to be collected, after deducting your fees, you are first to pay to the treasurer of the county of Washington, on or before the last Monday in January next, the sum of _____, for state taxes, and the further sum of _____, for county taxes, and the balance of the money you are required to retain and pay out according to law; and in case said tax and assessment shall not be paid by the fourth Monday of February next, you are required to return the same, to the county treasurer of the county of Washington.

Given under my hand, and the corporate seal of the city of Hartford, this _____ day of _____.

City Clerk.

The assessment roll and warrant thereto attached shall be *prima facie* evidence in all courts, that the lands and persons therein named were subject to taxation, and that the assessment was just and equal. Evidence.

SECTION 59. All the general laws of this state, which are now, or may hereafter be in force relative to the assessment and collection of taxes, shall be in force in said city, except as otherwise herein specially provided, and the city treasurer shall proceed to collect the taxes, and all assessments of said city, in the same manner as is required by law of the town treasurer to collect taxes, except as herein provided. All general laws relating to assessment shall be in force.

Public notice shall be given.

SECTION 60. Upon the receipt of the tax roll and warrant by the treasurer, he shall give public notice in a newspaper published in said city, that such tax list, has been delivered to him for collection, and that he will receive payment for taxes at his office, for the term of thirty days next ensuing the date of said notice. If the taxes are not paid in that time, he shall then proceed to collect the same, by distress and sale of the goods and chattels of the persons charged, giving at least six day's notice of the time and place of such sale, by posting up not less than three written or printed notices, in as many public places in said city.

Collection of taxes by treasurer.

SECTION 61. The treasurer shall collect as fees for the collection of taxes, one and one-half of one per cent. on all taxes collected by, or paid to him, on or before the second Monday of January in each year, and three per cent. upon all taxes or assessments paid to, or collected by him after said day; and in case of a distress or sale made by him of goods and chattels for the payment of any tax, he shall collect the same fees as are allowed constables on sale of goods on execution.

Payment of state tax.

SECTION 62. The treasurer shall, on or before the last Monday in January, in each year, pay to the county treasurer, the state tax assessed upon the property in said city.

In case taxes cannot be collected.

SECTION 63. In case the city treasurer is unable to collect any tax assessed upon any personal property, and payable by any person named in the tax list, he shall proceed in all things, as prescribed by the laws of this state, and any act that may hereafter be passed amendatory of said acts, or in addition thereto.

Relief of the poor.

SECTION 64. The laws of the state for the relief and support of the poor, shall apply to said city in the same manner as if it were a town.

Supervision of the common schools.

SECTION 65. The common schools of the city of Hartford, shall be under the control and supervision of the school district boards of each district, in the same manner as if this act had not been passed, and the same relations shall be sustained between said city and such schools, as near as may be, as between towns and schools therein, and the same reciprocal powers and duties; and school districts number four and ten, of the town of Hartford, shall hereafter be known as joint districts number four and ten, respectively, of the

city of Hartford and the town of Hartford, until otherwise provided according to law.

SECTION 66. The town clerk of the town of Hartford for the year 1883, shall apportion all school money or school fund that is to be apportioned prior to the first day of September, 1883, to the several districts, a part of which is embraced in the city of Hartford, in the same manner as though this act had not been passed.

SECTION 67. The city of Hartford, in its corporate name, may sue for, and recover any and all fines, penalties and forfeitures, under this charter, and the acts amendatory thereof, or under the ordinances, by-laws, or police or health regulations made in pursuance thereof, any general law of the state to the contrary notwithstanding, and all such prosecutions, shall be commenced in the name of the city of Hartford, and shall be conducted in the same manner, and the same proceedings shall be had as in civil actions in justice's courts, including the right of either party to appeal, except as herein otherwise provided; and it shall be lawful to complain generally in debt for such penalty or forfeiture, stating the section of this act, or the chapter or section of this act, or the ordinance, by-law or regulation under which the penalty or forfeiture is claimed, and to give the special matter in evidence under it. In all prosecutions for any violation of any of the provisions of this act, or any ordinance, by-law or regulation, the first process shall be a summons, unless oath be made for a warrant, as hereinafter prescribed, and when commenced by summons, such summons may be substantially in the following form:

Actions by city,
how conducted.

COUNTY OF WASHINGTON, }
City of Hartford. } ss.

Form of
summons.

The state of Wisconsin to the sheriff or any constable of said county, or the marshal of the city of Hartford:

You are hereby commanded to summon ———, to appear before the undersigned, a justice of the peace, in and for the city of Hartford, on the ——— day of ———, 18—, at ——— o'clock in the ——— noon, to answer to the city of Hartford, to the damages of said city, two hundred dollars or under.

Given under my hand, this ——— day of ———, 18—.

—————, Justice of the Peace.

When the action is commenced by summons, the complaint may be substantially in the following form:

Form of complaint.

CITY OF HARTFORD, } In Justice Court,
 against } County of Washington,
 A. B. } Before C. D., Justice of the
 Peace.

The plaintiff complains against the defendant, that on the _____ day of _____, at the said city, the defendant did violate section _____, of (this act) or section _____, of an ordinance, or by-law, or regulation of said city (describing it by its title), which said _____ is now in force. By reason of such violation, an action has accrued to the city of Hartford, to recover of the defendant the sum of _____ dollars, wherefore the plaintiff demands judgment against the defendant for the sum aforesaid, beside the cost of this action. In all cases where a warrant is desired, the complaint shall be made on oath by the complainant, and no other affidavit shall be necessary, which last mentioned complaint may be substantially in the following form:

Form of complaint.

CITY OF HARTFORD, } In Justice Court, County of
 against } Washington.
 A. B. }

_____, being duly sworn, complains on oath to C. D., a justice of the peace of the city of Hartford, in said county, that A. B., on the _____ day of _____, _____, at said city, did violate section _____, of (this act), or section _____ of chapter _____ of (this act), or section _____ of an ordinance, or by-law, or regulation of said city, (describing it by its title), as this complainant verily believes, and prays that said A. B. may be arrested, and held to said city of Hartford therefor.

Subscribed and sworn before me this _____ day of _____, _____.

Upon the filing of such complaint with the justice of the peace, he shall issue a warrant substantially in the following form:

Form of warrant.

COUNTY OF WASHINGTON, }
 } ss.
 City of Hartford. }

The state of Wisconsin, to the sheriff or any constable of said county, or to the marshal of the city of Hartford:

Whereas, ———— has this day complained to me, in writing, on oath, that A. B., on the ——— day of ———, ———, at said city, did violate section ——— of (this act), or section ——— of chapter ——— of (this act), or section ——— of an ordinance, by-law or regulation of said city, (describing it by its title), therefore, you are hereby ordered to arrest the body of said A. B., and bring him before me forthwith, to answer to said city of Hartford on the complaint aforesaid.

C. D., Justice of the Peace.

Upon the return of the warrant, the justice shall proceed summarily with the case, unless it be adjourned. The defendant, if required by the court, shall recognize, with security to be approved by the court, for his appearance in such sum as the court may direct, and in default may be put in charge of the officer who made the arrest, or be committed.

How justice shall proceed.

SECTION 68. A printed copy of an ordinance, by-law or regulation passed by the common council, and purporting to be published by its authority, as certified by the clerk of said city so to have been published, shall be *prima facie* evidence of its passage and publication, and shall be received [in evidence] on the trial of all cases, cognizable before any court in this state.

Printed copy to be evidence.

SECTION 69. Witnesses and jurors shall attend before a justice of the peace in all city and criminal suits, without payment of fees in advance, or a tender thereof, upon a process duly served, and in default thereof, their attendance may be compelled by attachment.

Witnesses and jurors shall attend without prepayment of fees.

SECTION 70. In city prosecutions, the answer of "not guilty" shall put in issue all the subject matter embraced in the action, and the finding of the court or jury shall be, "guilty," or, "not guilty." If guilty, the court shall render judgment against the defendant for the fine, forfeiture or penalty prescribed in this act, or in an ordinance, by-law or regulation, and for costs of suit; but if not guilty, the costs of [suit] shall be taxed against the city. Upon rendition of the judgment against the defendant, and the non-payment thereof, the justice shall forthwith issue execution, as in other cases of tort in justices' court, in case the action was commenced by summons, or a commitment, in case it was commenced by warrant, and shall in either case determine and enter upon

Finding of jury, etc.

his docket, the length of time the defendant shall be imprisoned for non-payment, which in no case shall exceed six months, and also insert such time in the execution or commitment. The form of the execution and commitment shall be the same, as near as may be, and conform to the provisions of this act, as are prescribed in similar or like cases in justices' court in this state.

Shall not work incompetency.

SECTION 71. No person shall be incapacitated or excused, from testifying touching any offense, committed against the provisions of this act, or any ordinance of the city of Hartford, by reason of his or her being implicated in such offense, but the testimony of such witness, shall in no case be used against such witness.

SECTION 72. No person shall be an incompetent witness, judge, justice or juror, by reason of his being an inhabitant of said city, in any proceeding or action in which the city shall be a party in interest.

No property of citizens to be levied on, upon city judgments.

SECTION 73. No real or personal property of any inhabitant or corporation of said city, shall be levied on, or sold to satisfy any contract, or debt or obligation of said city, or any judgment against said city of Hartford.

Remission of penalties.

SECTION 74. No penalty or judgment recovered in favor of the city, shall be remitted or discharged, except by a two-thirds vote of all the members of the common council.

City may hold and purchase real estate.

SECTION 75. The said city may have, purchase and hold real and personal property sufficient for the convenience of the inhabitants thereof, and may sell and convey the same, and the same, while owned or held by said city, shall be exempt from taxation, except as provided by the general laws of the state.

Deeds.

SECTION 76. When the city of Hartford deeds or leases any real estate or any interest therein, owned by said city, the party of the first part shall be the city of Hartford, and the person or persons authorized to execute such deed or lease, need not be named in the body thereof.

Deeds and leases, how executed.

SECTION 77. Deeds or leases executed by the city shall be signed by the mayor and clerk, and the clerk shall attach to said deed or lease, a true copy of an ordinance, or resolution, authorizing the same by the city council, which said corporate seal, shall also be attached to said deed or lease and the certified copy of such ordinance or reso-

lution, when so attached, shall be recorded with such deed or lease, by the register of deeds, and such copy, when so attached, and the record thereof, shall in all courts of this state be *prima facie* evidence or the authority of the mayor and clerk to execute such deed or lease.

SECTION 78. If any election by the people or common council shall, for any cause, not be held at the time or in the manner prescribed, or if the council should fail to organize as provided, it shall not be considered reason for arresting, suspending or abolishing said corporation, but such election or organization may be held at any subsequent day, by order of the mayor, and if any of the duties enjoined by this act, or the ordinances or by-laws, or regulations of said city, to be done by any officer at any specified time, are not then performed, the common council may appoint another time at which said act may be done.

If any election, for any cause, should fail to be held.

SECTION 79. No general law of this state contravening the provisions of this, shall be considered as repealing, amending or modifying the same, unless such purpose be expressly set forth.

Not repealing.

SECTION 80. The common council shall levy the same poll tax as is, or may be required by the general law to be levied in towns, and the general laws relative to the collection and expenditure of poll taxes, and of highway taxes in towns, shall, as far as applicable, govern the collection and expenditure thereof in said city. Said poll and highway taxes shall be separately assessed for each ward, and the amount raised in each ward shall be expended in such ward.

Poll tax.

SECTION 81. The board of supervisors of the county of Washington, shall regard the city of Hartford as a town, in equalizing the assessment rolls of the several towns in said county, as provided for by law, and shall receive the supervisors whose election is, or may be, provided for by this act, or any act amendatory thereof, as a member of the county board. The said board of supervisors may levy tax or taxes, as now is, and may hereafter be, provided by law in relation to towns, and shall cause the amount of taxes so levied, to be certified to the city clerk, in the manner provided by law in relation to towns and town clerks.

City regarded as a town for equalizing purposes.

SECTION 82. Before the annual meeting of the board of supervisors of the county of Washing-

Copy of assessment roll to be made by clerk.

ton, and by the time required by law for the return of the assessment roll from the several towns, the city clerk shall transmit a copy of the assessment roll, or such statement as is required by law to be made by towns, to the clerk of the board of supervisors of said county, who shall lay the same before the board of supervisors at its annual meeting.

Sale of delinquent lands.

SECTION 83. The county treasurer shall sell all delinquent lands and lots returned from the city of Hartford, at the same time and in the same manner, as other delinquent lands are sold in the county.

Duty of county treasurer in regard to delinquent lands.

SECTION 84. It shall be the duty of the county treasurer of the county of Washington, where lots, tracts, pieces or parcels of lands have been returned by the city treasurer as delinquent, for any general tax of this state, or for any tax authorized under this act, immediately after the sale of such delinquent lots, tracts, pieces or parcels of land by him, to pay said city treasurer the amount which may have been returned delinquent, belonging to the city of Hartford, either in cash, or in certificates of sale of said lots, tracts, pieces or parcels of land so returned as delinquent.

Use of county jail.

SECTION 85. The use of the jail of Washington county shall be granted to the city of Hartford until otherwise provided, for the confinement of offenders; and every such offender shall be delivered to the sheriff of said county, who shall be responsible for the safe keeping, custody and delivery of said offender as in other cases.

Connection between town and city shall cease.

SECTION 86. From and after the first Tuesday in April, 1883, the connection between the town of Hartford and that part of said town included within the limits of the city of Hartford, for all town purposes, shall be dissolved; all that part of the town of Hartford not included within the limits of the city of Hartford, shall constitute the town of Hartford, and the first town meeting shall be held at such place, as the chairman of the board of supervisors of said town shall appoint.

SECTION 87. Real estate exempted from taxation by the laws of this state shall be subject to special taxes or assessments which become, or shall be chargeable against, particular property as provided by this act.

Compensation of city officers.

SECTION 88. The city officers whose compensation is not herein provided for, shall receive as

compensation for their services, such ~~sum as the~~ common council shall determine. No such officer shall receive a higher or lower compensation than his predecessor, unless such increase or reduction of compensation, shall have been determined by the city council before the election or appointment of such officer; and in case of an officer elected or appointed to fill a vacancy, he shall receive the same *pro rata* compensation that his predecessor would have received.

SECTION 89. This act is hereby declared a public act, and shall be liberally construed in all courts. Public act.

SECTION 90. The town clerk of the town of Hartford, shall sign and give the notices, and file the papers provided for in this act, and shall receive the same compensation therefor, as for doing like services for the town. Town clerk shall sign notices, etc.

SECTION 91. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1883.

[No. 187. S.]

[Published March 21, 1883.]

CHAPTER 84.

AN ACT to revise, codify and amend chapter 102, laws of 1882, entitled "An act to incorporate the city of Menomonie."

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

SECTION 1. All the district of country in the county of Dunn, contained within the boundaries hereinafter described, shall be a city by the name of "Menomonie;" and the people now inhabiting said district shall be a municipal corporation, the name of which shall be, "The city of Menomonie." Said corporation shall have the general powers possessed by municipal corporations at common law, and in addition thereto, the powers hereinafter specifically granted, and the authorities thereof shall have perpetual succession; shall be capable contracting and being contracted with; of suing and being sued; pleading and impleaded in all courts, and shall have a common seal and may change the same at pleasure. Boundaries, and corporate name.

CITY BOUNDARIES.

SECTION 2. The southwest quarter ($\frac{1}{4}$) of the southeast quarter ($\frac{1}{4}$), and the southeast quarter ($\frac{1}{4}$) of the southwest quarter ($\frac{1}{4}$) of section eleven City boundaries.