

state for the relief and support of the poor in towns shall apply to said city, and the common council shall make such rules, regulations, ordinances and provisions in relation to the same as they shall deem proper.

**Public act.** SECTION 23. This act is hereby declared a public act, and shall be liberally construed in all courts of this state.

**Repealing act.** SECTION 24. All acts or parts of acts inconsistent and conflicting with the provisions of this act are hereby repealed, but the repeal of said acts or parts of acts shall not in any manner affect, injure or invalidate any contracts, claims, penalties or demands that may have been entered into, performed, commenced or that may exist under, or by virtue or in pursuance of the said act, or any former act incorporating the village of Cumberland or any of them; but the same shall exist and be enforced, and carried out and be completed as fully and effectually, to all intents and purposes, as if this act had not been passed.

SECTION 25. This act shall take effect and be in force from and after its passage and publication.  
Approved March 27, 1885.

[No. 281, A.]

[Published April 8, 1885.]

## CHAPTER 148.

AN ACT to amend the city charter of the city of Kewaunee relating to the construction of bridges and sidewalks.

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

Authorized to build a draw-bridge.

SECTION 1. The city of Kewaunee is hereby authorized to build and maintain a draw-bridge across the Kewaunee river at either of the following described points:

First. To cross said river at right angles to the thread of the stream thereof, at a point where the line between lots fifteen and sixteen, of block twelve in said city, intersects with said river, according to the plat and survey of said city, made

August 11, 1883, by John V. Suydam, called the upper bridge.

Second. To cross said river at right angles to the thread of the stream thereof, at a point where the section line between sections seventeen and eighteen, township twenty-three north, of range twenty-five east crosses said river, called the lower bridge.

SECTION 2. It shall be duty of said city council, when said bridge is completed, to keep the same in good repair and to keep thereupon at all seasons of navigation sufficient manual force to open and close the same so as to admit the passage of vessels and other water-crafts with the least possible delay.

Duty of city to keep bridge in repair.

SECTION 3. Before building a bridge under the provisions of this act the question of building the same and also the question of its location at either of the points aforesaid shall be submitted to the qualified electors of said city at a special election to be called and held as provided by the charter of said city. At such special election the ballots cast shall be either "for the upper bridge," "for the lower bridge," or "no bridge," and shall be counted and canvassed as in other cases. But one bridge shall be built under the provisions of this act and the same shall be located at whichever of the aforesaid points is designated by a majority of the votes cast at such special election. The cost and manner of construction of said bridge shall be under the control of the city council, as well as the time within which the same must be completed, but in no case shall the cost of the same exceed the sum of eight thousand dollars.

Question of location to be submitted to voters.

SECTION 4. Chapter 252, of the laws of 1883, is hereby amended by adding thereto section 92, to read as follows: Section 92. The mayor and common council of the city of Kewaunee shall have power to compel the owners or occupants of lots abutting on the streets of said city, to build, repair or maintain sidewalks in such manner as the mayor and common council shall approve, whenever a majority of the owners of real estate, abutting upon the side of any street or part of a street upon which such sidewalk is to be built or repaired, shall petition the said common council in writing therefor. In such case the city clerk, by order of the council, shall cause to be served a

Amended.

notice in writing, upon all owners or occupants of lots abutting upon such proposed sidewalk, who have not signed said petition, that unless they build, maintain or repair, as the case may be, a sidewalk of such description as shall be determined upon by said council, within thirty days from the date of such notice, that the same will be by said city repaired or built, as the case may be, and the costs and expenses of such building or repairing, assessed as a special tax upon the property abutting upon said proposed sidewalk, of such person as shall refuse or neglect to build or repair said sidewalk, within said thirty days. The common council may, upon the application of any person, extend his time in which to build or repair for thirty days additional. In case any person or persons shall refuse or neglect, or fail to build or repair such sidewalks after such notice or after the expiration of the time fixed by the council, the said council shall, after giving one week's notice to bidders, in such manner as they think best, and to the lowest responsible bidder, the contract of building or repairing said sidewalks, and pay such person out of the city treasury, and the amount so paid shall be by the city clerk, upon order of said council, entered in the tax roll opposite the description of the said property so abutting on said sidewalk, the owner of which shall have failed to build his share of said sidewalk; and collected with other taxes upon the same property, as provided by law. Any person requesting said council for an extension of time within which to build or repair said sidewalk, shall be estopped from afterwards questioning the regularity of any of the proceedings of said council thereon. The order of the council that the cost of building or repairing such sidewalk be charged as a special tax upon the property aforesaid, shall be *prima facie* evidence of the regularity of all prior proceedings, and of the fact that such tax was properly chargeable on such property.

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

Approved March 27, 1885.