

by the city clerk, and no order shall be drawn on the city treasurer unless said treasurer shall have sufficient funds in his hands belonging to said city, to pay the same.

SECTION 9. No general law contravening the provisions of this act shall be considered as repealing, amending or modifying the same, unless such purpose be expressly set forth in such law. General laws relative to this act.

SECTION 10. All of the village ordinances and by-laws now in force in the village of Shullsburg shall remain in full force and effect until amended or repealed by the council of said city. Village ordinances to remain in force till repealed.

SECTION 11. The act entitled, "an act to incorporate the village of Shullsburg," approved March 25, 1861, and all acts and parts of acts amendatory thereto, are hereby repealed. And all moneys remaining in the treasury of said village of Shullsburg, shall, upon the organization of said city of Shullsburg, be paid by the treasurer of said village into the treasury of said city, and become a part of the general fund of said city. Repealed.

SECTION 12. This act shall be considered as a public act, and shall be construed favorably in all courts and places, and shall take effect and be in force from and after its passage and publication. And it is hereby made the duty of the secretary of state to cause this act to be published in the official state paper immediately after its passage. Considered as a public act.

Approved March 18, 1889.

[No. 203, A.]

[Published March 21, 1889.]

## CHAPTER 113.

AN ACT substitute for number 203, A., to amend chapter 260, of the laws of Wisconsin for the year 1877, entitled: A bill to revise, consolidate and amend the charter of the city of Stevens Point, approved May 17, 1858, and the several acts amendatory thereof.

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

SECTION 1. Section 2, of sub-chapter 2, of said chapter 260 is hereby amended so as to read as fol-

Amendment to  
sub-chap. 2, ch.  
360, laws of  
1877.

laws: Section 2 The city shall be divided into six wards, called the First, Second, Third, Fourth, Fifth and Sixth wards, and the said wards shall be limited and bounded as follows: All that portion of said city lying east of the middle of the main channel of the Wisconsin river and south of the middle of the channel of the main slough, the levee and Briggs street, and west of the center of Division street, north of the center of Ellis street, and north of the south line of out lot number six to Third street, thence south to the Wisconsin river, together with all that portion of said city which lies west of the main channel of the Wisconsin river, shall constitute the First ward of said city. All that portion of said city lying east of the middle of the main channel of the Wisconsin river and south of the center line of Ellis street, and south of the south line of out lot number six to Third street, thence south on the center line of Third street to the Wisconsin river, and west of the center line of Division street and north of the main line of the Wisconsin Central railroad, shall constitute the Second ward of said city. All that portion of said city lying east of the center of Division street, and a line projected from thence north to the north boundary line of said city, and north of the center of Jefferson street, and a line projected from thence east to the east boundary line of said city, shall constitute the Third ward of said city. All that portion of said city lying east of the center of the main channel of the Wisconsin river and north of the middle of the channel of the main slough, the levee and Briggs street, and west of a line projecting north from the center line of Division street to the north boundary line of said city, shall constitute the Fourth ward of said city. All that portion of said city lying east of the center of Division street and south of the center of Jefferson street and a line projecting from thence east to the east boundary line of said city and north of the main line of the Wisconsin Central railroad, shall constitute the Fifth ward of said city. All that portion of said city lying east of the main channel of the Wisconsin river and south of the main line of the Wisconsin Central railroad, shall constitute the Sixth ward of said city.

**SECTION 2.** By amending section 2, of sub-chapter 3, of said chapter 260, so as to read as follows: Elective officers.  
**Section 2.** The elective officers of said city shall be mayor, treasurer, two assessors and three justices of the peace, elected by and for the city at large, and two aldermen for each ward, and one supervisor to represent his ward in the board of supervisors of Portage county, to be elected by and for each ward. The mayor, treasurer, assessors and aldermen shall be freeholders of said city and all city and ward officers aforesaid shall be qualified voters and residents of the city and in the ward for which they were elected. All other officers necessary for the proper management of the affairs of said city shall be appointed by the mayor and confirmed by a majority of the members of the common council, voting in favor of such confirmation. All elective officers shall, unless otherwise provided, hold their respective offices for one year, and until their successors are elected and qualified, except justices of the peace and aldermen, who shall hold their respective offices for two years, and until their successors are elected and qualified; provided, however, the common council shall have the power for due causes to expel any of their own number and remove from office any officer or agent under the city government, due notice being first given to the officer complained of. The mayor shall have the power to suspend any police officer or watchman appointed by the common council when complained of, for cause, until the council shall take up his cause and dispose of it, and he shall also have power to fill any vacancy thus created for the time being.

**SECTION 3.** Section 11, of sub chapter 3, of chapter 260, is hereby amended to read as follows: Ward officers.  
**Section 11.** There shall be elected at the first election after this act shall go into effect, one alderman for each of the wards of said city, who shall hold his office for one year, and one alderman for each ward who shall hold his office for two years. The person having the highest number of votes in each ward shall be alderman for two years, and thereafter at each annual election there shall be elected one alderman in each ward who shall hold his office for two years. There shall each year also be elected one supervisor for each ward, who shall hold his office for

one year, and shall represent the city in the county board of supervisors.

Duties of city assessor.

SECTION 4. Section 17, of sub chapter 4, of said chapter 260, is hereby amended so as to read as follows: Section 17. The city assessors shall assess real and personal property of said city at the time and in the manner provided for assessors of towns, and their compensation therefor shall be the same as provided by law for the compensation of town assessors, and wherever the word "assessor" occurs in said chapter it shall read, "assessors."

Relating to actions against the city.

SECTION 5. Section 8, of sub chapter 6, of said chapter 260, is hereby amended so as to read as follows: Section 8. No action shall hereafter be maintained by any person against the city of Stevens Point upon any claim or cause of action for which moneyed judgment only is demandable, unless such person shall have first presented his claim or cause of action to the common council of said city, and neither the said city nor any ward thereof nor officer within said city shall be liable for any damage that may happen by reason of any defection or want of repair in any sidewalk, street or highway in said city, unless the mayor, common council or committee on streets and highways shall first have had actual notice of said defection and want of repair and reasonable time thereafter to repair the same.

Claims.

SECTION 6. Section 9, of sub-chapter 6, of said chapter 260, is hereby amended so as to read as follows: Section 9. The determination of the common council disallowing in whole or in part any claim or cause of action of any person shall be final and conclusive and a perpetual bar to any action in any court founded upon such claim or cause of action, unless an appeal shall be taken from the decision and determination of such council, as hereinbefore provided; provided, however, that when the common council shall refuse or neglect for ninety days to act upon any claim or cause of action duly presented to them, this chapter shall not be construed so as to prevent the institution and maintenance of any action by said claimant against said city.

Ordinances.

SECTION 7. A recorded copy of any and all ordinances, by-laws or resolutions kept in the office of the city clerk, or any or all printed copies of

any and all ordinances, by-laws or resolutions of the city of Stevens Point which shall be published under the authority of the city in any newspaper or in pamphlet or book form shall be admitted as sufficient evidence thereof in all courts of law and in all actions whatever.

SECTION 8. Section 12, of sub-chapter 11, of said chapter 260, is amended so as to read as follows: Section 12. Whenever any work has been done under the contract as provided in this act, and work shall have been approved by the mayor, street committee and city surveyor, such contractor shall be entitled to a certificate therefor, stating the amount of work done by said contractor and the nature thereof, and a description of the lot or parcel of land upon which the same is chargeable, which said certificate may be transferred by endorsement thereon, and which certificate shall bear interest at the rate of eight per cent. per annum until paid; and if the amount is not paid before the time of making out the annual assessment roll, the same must be filed with the city clerk, and the common council shall order the amount of such certificate and interest thereon until the first day of April next thereafter, assessed upon said lots or land respectively, as special tax, and to be collected therefrom for the benefit of the holder of said certificate, as other taxes on real estate are collected by virtue of the laws of this city, and if a notice to do the work required shall have been given, as herein prescribed, no informality or error in the proceedings shall invalidate such assessment.

Contractor to receive certificate.

SECTION 9. Section 2, of sub-chapter 12, is hereby amended so as to read as follows: Section 2. Members of the board of education as constituted shall hold their offices until their successors are elected as herein provided. At the next election for electing members of the board of education, as provided in chapter 167, of the laws of 1873, there shall be elected one member of the board of education for each ward, who shall hold his office for one year, and one member who shall hold his office for two years. The person receiving the highest number of votes in each ward for the office of member of the board of education shall hold his office for two years and the person receiving the next highest number of votes shall hold

Term of office of the board of education.

his office for one year and thereafter at each annual election there shall be elected a member of the board of education in each ward who shall hold his office for two years.

Re-enacted.

SECTION 10. Section 8, of chapter 432, of the laws of this state for the year 1887, is hereby repealed, and sections 3 and 6, of chapter 167, of the laws of this state for the year 1873, are hereby revised and continued in full force, and the said board of education shall be governed in all things not provided for in the city charter by the school laws of the state.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved March 20, 1889.

[No. 173, S.]

[Published March 22, 1889.]

## CHAPTER 114.

AN ACT amending charter of the city of Fort Atkinson.

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

Amendment to  
ch. 10, ch. 247,  
laws of 1878;  
Corporation  
tax.

SECTION 1. Section 10, of chapter 10, of chapter 247, of the laws of 1878, entitled, "An act to incorporate the city of Fort Atkinson," is hereby amended so as to read as follows: Section 10. The common council of said city shall, on or before the first Monday in November in each year, by resolution to be entered on the record, determine the amount of corporation tax for all purposes to be levied and assessed on the taxable property within the corporation limits of said city for that year; provided, however, that the total amount of such tax shall not in any one year exceed eight mills on the dollar of the assessed valuation of the taxable property of said city, as it appears upon the assessment roll for that year, unless a greater sum shall have been authorized to be raised by a vote in favor of such greater sum, of a majority of the qualified electors of said city, had and taken in