

and reconstruction, shall be made in the same manner as in case of the original construction of sidewalks; provided, further, that in case the expense of repairing any sidewalk does not exceed the sum of five dollars (\$5.00), the same may be forthwith repaired by the street commissioner, and by him certified to the city clerk, as hereinbefore provided in the construction of sidewalks, and if not sooner paid, the same shall be inserted in the next tax roll as a tax against the property, and all proceedings with reference to the same, including the collection thereof, shall be as hereinbefore provided in case of the original construction of sidewalks.

SECTION 5. All acts and parts of acts inconsistent or conflicting with the provisions of this act, so far as they relate to the construction, reconstruction and repair of sidewalks, and the collection of the cost thereof, including all proceedings thereunder, are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.
Approved March 2, 1891.

No. 66, S.]

[Published March 5, 1891.

CHAPTER 11.

AN ACT to amend the charter of the city of Plymouth, and the acts amendatory thereof.

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

SECTION 1. Section 20, of chapter 193 of the laws of Wisconsin for 1877, is hereby amended so as to read as follows: Section 20. The police jurisdiction of police justice. justice shall have and possess all the authority, powers and rights of a justice of the peace in civil proceedings, and shall have sole and exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal cases arising within the city, and shall have exclusive jurisdiction in all cases in which the city

shall be a party and shall have the same power and authority in cases of contempt as in a court of record; provided, that nothing therein contained shall be deemed to divest the judges of the circuit or county courts of the authority as conservators of the public peace, nor to affect in any manner the powers or jurisdiction of the circuit or county courts of the county of Sheboygan. The police justice shall be entitled to receive for his services the same compensation in fees as is allowed by law to justices of the peace for similar services, and no other; but the city shall not be liable to said justice for his said fees, except such as shall accrue in prosecutions for the violation of the charter or ordinances of the city, wherein the offender shall have been discharged from imprisonment or custody by the authority of the common council. In case of absence, sickness or other disability of the police justice, the mayor by warrant, may authorize any justice of the peace within said city, to perform the duties of police justice, and it shall be thereupon the duty of the mayor to inform the marshal of such substitution, and make report thereof to the common council, and they may confirm or set aside such appointment, and the justice so appointed shall for the time being possess all the authority, powers and rights of the police justice; and appeals and writs of certiorari may be taken from the police justice in the same manner as from justices of the peace.

Compensation.

Temporary vacancy to be supplied by mayor.

SECTION 2. Sections 65 and 87 of said chapter 193, are hereby repealed.

SECTION 3. The common council shall have power to order the building, construction, reconstruction or repair of sidewalks in the city of Plymouth in such manner as it may deem proper; but such walks shall be made of plank or boards, laid upon lumber or timber of the proper size; provided, however, that when any member of the common council shall offer a resolution for the construction of any sidewalk in the city, the resolution shall be referred to the proper committee and lie over until the next regular meeting. Such resolution shall describe the street or part of street along which, and the block opposite which it is proposed to construct such sidewalk. The city clerk shall within five days after such resolution is introduced and referred, serve a copy of such

Sidewalks

resolution on each and all the residents or occupants of lots on the street or streets along which it is proposed to build such sidewalk.

Sidewalks, how ordered to be built.

SECTION 4. At its next regular meeting after such resolution shall have been so offered and referred, action shall be had by the common council thereon, and if such resolution be adopted by the common council, an order shall be entered among its records requiring a sidewalk to be constructed along such street, or part of street, or lands described in said resolution. The common council, in such order shall designate and determine the street or part of street along which such sidewalk shall be so constructed, and the time within which the owner or owners of the property along such street or streets shall build the same. If the owner or owners of any such lot or lots, or of such lands shall fail to so construct such sidewalks opposite the lot or lots, or lands so owned by him or them within the time limited in said order, the city shall construct such part thereof as such owner or owners have so failed to construct, and charge the cost thereof to the lot or lots, or lands, opposite which the city shall have so constructed such sidewalk.

Failure of owner to construct; city to construct the same at owner's cost.

Notice of order, how served.

SECTION 5. Within three days after said order shall have been entered as aforesaid, the city marshal of said city shall serve a copy of such order upon the residents and occupants of the lots or lands opposite which such sidewalk is to be constructed, personally or by leaving a true copy thereof at the usual place of abode of such owners or occupants in said city. In case any owner or owners of any such lot or lots, or of such lands, shall not reside thereon, or in the city of Plymouth, or his or their name or names shall be unknown to the city marshal, then such order shall be served on such non-resident or unknown owner or owners, by publishing the same in some newspaper published in said city, at least once and at least ten days before the expiration of the time limited in said order for the construction of such sidewalk. As soon as the city marshal shall have completed the service of said order as herein provided, he shall make and file with the city clerk his return of service, in which he shall state the time, place and manner of service thereof; and in case the order shall have been published as here-

inbefore provided, he shall attach to his return, and file therewith the affidavit of the publication thereof in the usual form, subscribed and sworn to by the printer or publisher of the newspaper in which such order shall have been so published.

SECTION 6. At any time after such order shall have been so entered by the common council as hereinbefore provided, and within the time therein limited therefor, the owner or owners of the lots or lands opposite which such sidewalk is to be constructed, may, at his or their own expense, and in the manner and of the width and material designated in such order, construct such sidewalk opposite the said lot or lots or lands owned by them respectively.

SECTION 7. Within three days after the expiration of the time limited in such order for constructing said sidewalk, the street commissioner of said city shall examine the street, part of street or block along which said sidewalk shall have been ordered to be so constructed, and within said three days shall make and file with the city clerk a report in writing, signed by him, as to the construction of the same. He shall state in such report what part of said sidewalk, if any, has been, and what part, if any, has not been constructed, in conformity with such order and shall describe the lots or parts of lots or lands, if any, opposite which sidewalk has been so constructed as well as the lots, parts of lots or lands, if any, along which said sidewalk has not been so constructed.

Street commissioner to report condition of lot.

SECTION 8. If it shall appear by such report of the street commissioner that any part of such sidewalk has not been constructed in conformity with the order aforesaid, the common council shall, at its next regular or special meeting after such report shall have been made and filed, direct the street commissioner to proceed at once to construct, in conformity with said order, such part of said sidewalk as said report shows has not been so constructed, and the said street commissioner shall thereupon proceed at once to so construct such part of such sidewalk.

SECTION 9. Immediately upon completing his work the street commissioner shall make and file with the city clerk a statement in writing, subscribed and sworn to by him in which he shall state the total expense actually incurred by

him in so constructing that part of such sidewalk in front of each lot, or part of lot or land, opposite which it appears by his report, the owner or owners of such lot or part of lot, or land had failed as aforesaid to construct sidewalk.

Cost of construction by city to be raised by special tax on lot.

SECTION 10. At its next regular or special meeting after such statement shall have been so filed, the common council shall by resolution levy and assess upon each lot or part of lot, or lands, opposite which any sidewalk or part of sidewalk shall have been so constructed, by said street commissioner, as appears by his said statement, a special tax sufficient to pay the actual expenses incurred in so constructing the same as appears by said statement; and said resolution shall describe each of such lots, or parts of lots or lands, state the names of the owners thereof, when known, and give the amount of such tax so levied and assessed upon each such lot or parts of lots or lands. On or before the first day of December of each year, the city clerk of said city shall insert in a separate column in the tax list of his city next thereafter to be delivered to the city treasurer of said city for collection and opposite to the description therein of each of said lots, or parts of lots or lands, the amount of such special tax properly chargeable thereto as appears by the aforesaid resolutions adopted by the common council, and the said special taxes shall be collected or returned delinquent in the same manner as town, county and state taxes are collected or returned delinquent by law; and the lots, or parts of lots, or lands, upon which such special taxes may be so levied and assessed may be sold and conveyed for the non-payment thereof, in the same manner and with the same effect as if said special tax had been a general town, county or state tax.

May require sidewalks to be built at expense of owner.

SECTION 11. Whenever it shall be necessary in the opinion of the common council to repair or reconstruct any sidewalk, the common council may cause such sidewalk to be repaired or reconstructed at the expense of the owners of the lot or lots or lands abutting on such sidewalk, in the same manner as it is authorized to construct new sidewalks; provided, however, that when any sidewalk shall be in an immediately dangerous condition, and that the cost of repairing the same

opposite any lot or piece of land shall not exceed three dollars, the street commissioner shall forthwith notify the owner of the lot or land abutting on such dangerous sidewalk, if a resident of said city, to repair such sidewalk, and if such owners shall not at once proceed to repair the same, the street commissioner shall at once repair such dangerous sidewalk, and the cost of such repairs shall be levied upon and collected from the lots or lands abutting on such dangerous sidewalk, in the same manner as the cost of constructing new walks are levied and collected from the lots and lands abutting thereon.

SECTION 12. The city of Plymouth may sue for and recover any and all penalties, or forfeitures, under the charter of said city, or any amendment thereto, or the ordinances, by-laws, police or health regulations, made in pursuance thereof, in the corporate name of said city of Plymouth, any general law of the state to the contrary notwithstanding, and such action shall be commenced by complaint, substantially in the following form:

State of Wisconsin, City of Plymouth, County of Sheboygan	}	ss.	Form of complaint.
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..... being duly sworn, complains on oath to the police justice of said city, that did on the day of 18.., violate the th section of an ordinance, by-law or resolution, entitled (describing it by its title and number of section or other sufficiently clear description), and which is now in force, as this deponent verily believes; and he prays that said may be arrested and held to answer to the city of Plymouth therefor.

Sworn and subscribed to before me this day of, 18..

It shall be sufficient to give the number of the section or sections, and the chapter or title of the ordinance, by-law, regulation or resolution, or of the law violated, in such complaint. Upon the filing of such complaint with the police justice a

City may sue for and recover penalties, etc.

Form of complaint.

Allegations of complaint.

warrant shall issue thereon substantially as follows:

Form of warrant.

State of Wisconsin, }
City of Plymouth. } ss.
County of Sheboygan. }

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

Whereas.....has this day by a complaint duly filed with me, complained in writing on oath that did, on the .. day of, 18.., violate theth section of an ordinance, by law, regulation or law (describing it by its chapter or number, or otherwise sufficiently), which said ... is now in force and effect as said complainant verily believes; therefore, in the name of the state of Wisconsin, you are hereby commanded to arrest the body of the said and him forthwith bring before me to answer to said city of Plymouth on the complaint aforesaid.

Given under my hand this day of 18..

.....,
Police Justice.

Witnesses and jurors must attend without the payment of fees in advance.

SECTION 13. Witnesses and jurors shall attend in all city prosecutions without the payment of fees in advance, upon subpoena duly served, and in default thereof, their attendance may be enforced by attachment. In case the jury, after being kept a reasonable time should disagree, they shall be discharged, and thereupon the court shall adjourn the cause to a day certain, and issue a new venire as aforesaid.

Form of finding.

SECTION 14 In city prosecutions the finding of the court or jury shall be "guilty," or "not guilty." If guilty, the court shall render judgment thereon against the defendant for the fine, penalty or forfeiture, and where the same is not to exceed a certain sum, and not less than a certain other sum, shall fix the amount of such fine, penalty or forfeiture as he shall deem best, within the provisions of such ordinance, by law or resolution, for the violation of which the person or persons shall have been adjudged guilty, and for the costs of suit. If not guilty, the costs, as in actions in justices' courts, shall be taxed against the city; but no attorney's fees shall be taxed for

or against the defendant in any such suit. Execution shall issue forthwith upon the rendition of the judgment, unless the same be stayed or appealed as hereinafter provided, and the fine or penalty imposed by the court may be enforced and collected by levy and sale, on execution, of the property of the defendant, as provided by law in civil actions before a justice of the peace. Execution.

SECTION 15. The execution upon any judgment recovered in any such action, may require that in case nothing shall be found from which the amount can be collected, the defendant shall be taken and imprisoned in the jail of Sheboygan county, for a term not exceeding six months, unless the judgment be sooner paid, and the term of such imprisonment shall be inserted in the execution and commitment. And said execution and commitment may require the defendant to perform hard labor, during the term of such imprisonment. In case nothing be found from which the amount can be collected, the defendant shall be imprisoned in the jail of Sheboygan county, according to the terms of the execution. Such execution may be in the following form: Execution against body when.

State of Wisconsin, }
 City of Plymouth, } ss.
 County of Sheboygan. }

The state of Wisconsin, to the sheriff or constable of said county of Sheboygan, the city marshal of said city, or the keeper of the common jail of said county: Form of execution.

Whereas, the said city of Plymouth, on the day of, 18. . . . , recovered a judgment before the of said, against, for the sum of dollars, together with dollars, costs of suit, for the violation of (here insert the number of section, chapter or title of the ordinance and offense, as set forth in the complaint). These are, therefore in the name of the state of Wisconsin, to command you to levy distress on the goods and chattels of the said (excepting such as the law exempts), and make sale thereof according to law in such case made and provided, to the amount of said sums together with your fees, and twenty-five cents for the execution; and the same return to me within thirty days; to be rendered to the said for said judgment and costs, and for want of

said goods and chattels whereon to levy, to take the body of said , and him convey and deliver unto the keeper of the common jail of said county, who is hereby commanded to receive and keep the, in safe custody in said jail, and at hard labor for the term of, unless the aforesaid sum and all legal expenses be sooner paid and satisfied, or until he be discharged thence by the due course of law.

Given under my hand this day of, 18

Police Justice.

Penalties to be paid to city treasurer.

SECTION 16. All penalties, forfeitures, fines or claims due to said city, when paid to the magistrate authorized to receive the same, shall be paid by him to the city treasurer, within one month after the judgment thereof, by him. Whenever execution shall be issued upon any judgment in favor of the city, the same shall be returned by the officer receiving the same, to the judge or justice who issued it, on or before the return day thereof, and if such officer neglect to return the same for five days after the return day thereof, the judge or justice, shall report the fact to the city treasurer, who shall cause an action to be brought in the name of the city, against the officer and his sureties for the default.

Appeals.

SECTION 17. Appeals shall be allowed in all said cases to the circuit court, and taken in the same manner as appeals from justices of the peace. The defendant in all city prosecutions, may appeal to the circuit court of Sheboygan county by filing an affidavit and bond and complying with the requirements of appeals in civil cases before justices of the peace; provided, however, that such appeals should be taken and perfected within forty-eight hours from the time judgment is rendered in the suit. Upon any appeal being taken and allowed, the same proceedings shall be had as to the hearing, judgment, dismissal of appeals, transmission of papers and execution as prescribed by law in case of appeals in civil cases from justices' courts.

Jail fees and officer's fees.

SECTION 18. The jail fees and officers' fees, if any, for commitment on prosecution in behalf of the city, shall be audited and allowed by the common council when the same cannot be collected

of the defendant before his discharge; and said common council may by resolution direct the judge or justice to discharge from the jail any person confined for a judgment due said city, but such discharge shall not operate as a release of the judgment, unless said common council shall so direct in their resolution. Upon filing a certified copy of such resolution, attested by the city clerk, the judge or justice shall order such defendant discharged from custody, and make an entry of such discharge on his docket; an execution may issue or be renewed by indorsement from time to time, before or after the return day thereof; and before or after the commitment of the defendant, until the judgment is satisfied or released; but after the defendant shall have been once committed no execution shall be issued against the body of the defendant in the same action.

SECTION 19. Section 25, of said chapter 193, is hereby amended by adding thereto the following:

To compel all persons to remove the dirt, snow and ice from the sidewalk in front of the premises occupied or owned by them, and to keep the streets swept in front of such premises, and to prevent the encumbering of the streets, sidewalks and crosswalks with carriages, wagons, carts, sleds, sleighs, wheelbarrows, boxes, wood, lumber, timber or other substances or materials whatsoever, and to prohibit excavating on streets, or the raising or lowering the surface of streets, crosswalks or sidewalks, above or below the established grade, or the interference in any manner with the established grade of the streets, and to prohibit the raising of any portion of a sidewalk to a higher grade than the portion adjoining, unless with the consent of the common council, and to prohibit injury to sidewalks.

To compel
cleaning of
sidewalks.

To maintain
established
grade.

To regulate, restrain and prohibit the ringing of bells and the crying of goods, wares and merchandise or other commodities in the streets of said city.

To compel railroad companies and other corporations and persons, to do all needful and proper draining, grading and filling upon the lands owned or occupied by them, within the limits of said city; to compel railroad companies to con-

struct and keep in repair suitable street crossings and carriage-ways over their several tracks, and place flagmen at such street crossings in said city as said common council may designate; to regulate and restrain the speed of cars in passing through said city, and to prevent such cars from passing at a greater rate of speed than six miles per hour through said city, and to prevent the obstructions of streets, lanes and highways, by the cars of said companies, and to regulate the putting up of all necessary signs to beware of the cars, at railroad and street crossings.

Shade trees.

To protect shade trees and direct and compel and regulate the planting, rearing and preservation of shade or ornamental trees in the streets and public grounds in said city.

To purchase and lay out public parks, squares or grounds, and improve the same.

To establish, construct and build all necessary drains, sewers and gutters, and maintain the same.

To fix up, widen, straighten, deepen, drain, dress, or otherwise improve or abate any and all sloughs, ravines, water courses and wet places in the limits of said city.

Ashes.

To prevent the deposit of ashes in unsafe places, and to cause all buildings and enclosures, that may be in a dangerous state, to be put in a safe condition.

Chimneys, fire places, etc.

To regulate and prevent the improper construction and unsafe condition of chimneys, fire places, hearths, stoves, stove pipes, ovens, boilers and apparatus now in and about any buildings or manufactory, and to cause the same to be removed or put in a safe condition.

To authorize the mayor, aldermen, police, firemen and other officers of the city to keep away from the vicinity of any fire, all idle and suspicious persons, and to compel all persons in said city to aid in the extinguishment of fires and the protection and preservation of property thereat.

To authorize and require any person appointed for that purpose to enter all buildings and enclosures at proper times, to ascertain whether the arrangements for fire, or the preservation of ashes are dangerous, and to cause such as are dangerous to be put into a safe condition.

The common council may cause all streets, highways, alleys, lanes, side and crosswalks, culverts, drains, sewers, public places in the said city, to be surveyed and described, and the established height of all grades of streets or sidewalks, to be recorded in books to be kept by the city clerk for that purpose, and to cause maps to be made and filed with the city clerk. Such records and maps, when so filed, shall be *prima facie* evidence of the facts therein described and portrayed, in all actions and places between the city and other persons, touching their location and the facts therein or thereon represented.

To fix grade of streets.

So that said section when so amended shall read as follows:

SECTION 25. The common council shall have the control and management of finances and all property belonging to the city, and shall likewise, in addition to the power herein vested in them, have full power to make, enact, ordain, establish, publish, enforce, alter, amend, modify 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, commerce and health, as they shall deem expedient; declaring and enforcing penalties, and to enforce the same against any person or persons who may violate any of the provisions of such ordinances, rules or by-laws, and such ordinances, rules and by-laws are hereby declared to be and have the force of law; provided, they are not repugnant to the constitution and laws of the United States or of this state, and for these purposes shall have authority by ordinances, resolutions or by-laws:

Shall manage city's finances.

To license and regulate the exhibition of common showmen, or shows of any kind, or the exhibitions of caravans, circuses, theatrical performances, billiard tables or bowling saloons.

Showmen's licenses.

To provide for the abatement and removal of all nuisances under the ordinances or at common law.

To grant licenses for selling spirituous, vinous or fermented liquors, and to regulate groceries, taverns, victualling houses, and all persons vending or dealing in spirituous, vinous or fermented liquors, and to repeal the same for violation

Licenses to sell liquors, etc.

thereof provided, that the sum to be paid for any such license shall not be less than the amount fixed and provided by the laws of the state, and that no license shall be granted for a less time than one year; and provided, further, that no person thus licensed shall sell or give away spirituous, fermented or vinous liquors on election days.

Gaming. To restrain and prohibit all descriptions of gaming and fraudulent devices and practices, and all playing of cards, dice or other games of chance for the purpose of gaming in said city.

To restrain any person from vending, giving or dealing in spirituous, vinous or fermented liquors, unless duly licensed by said common council.

Riots. To prevent any riot, noise, disturbance or disorderly assemblages, suppress and restrain disorderly houses, or groceries, and houses of ill-fame.

To authorize the destruction of all instruments used for the purpose of gaming.

To abate nuisances.

To compel the owners or occupants of any grocery, cellar, tallow chandler shop, soap factory, tannery, stable, barn, privy, sewer or other unwholesome, nauseous house or place, to cleanse, remove or abate the same from time to time, as often as it may be deemed necessary for the health, comfort or convenience of the inhabitants of said city.

To pass by-laws, ordinances, etc.

And the said common council shall have power at any regular meeting, to enact or ordain, publish and provide for necessary and suitable by-laws, which said by-laws, so provided for, enacted and ordained, shall be the law, rule and regulation until the same shall be abrogated and repealed by the said board, in the following cases:

To regulate slaughter houses, etc.

To regulate the location of slaughter houses; to prevent the obstruction of streets; to prevent horse racing, fast riding or driving in the streets, and to regulate the places of bathing or swimming; to restrain horses and other domestic animals from running at large, and to provide rules for impounding and sale of the same; to prevent the running at large of dogs and geese; to establish public pounds, pumps, wells, cisterns and reservoirs; to regulate and license hacks, cabs, drays carts, and the charges of hackmen draymen and

cartmen; to erect lamps and to provide for lighting streets, public grounds and public buildings; to authorize the building and protecting of sidewalks in the city as hereinbefore provided; to restrain drunkards and imoderate drinking or obscenity in the streets or public places; to compel the owner or occupants of grounds or buildings, where the same are occupied, to remove all obstruction from the sidewalks; to regulate auctions; to appoint watchmen and prescribe their duties.

To compel all persons to remove the dirt, snow and ice from the sidewalk in front of the premises occupied or owned by them, and to keep the streets swept in front of such premises, and to prevent the incumbering of the streets, sidewalks and crosswalks with carriages, wagons, carts, sleds, sleighs, wheelbarrows, boxes, wood, lumber, timber or other substances or materials whatsoever, and to prohibit excavating on streets, or the raising or lowering the surface of streets, crosswalks or sidewalks, above or below the established grade, or the interference in any manner with the established grade of the streets, and to prohibit the raising of any portion of a sidewalk to a higher grade than the portion adjoining, unless with the consent of the common council and to prohibit injury to sidewalks.

To compel removal of snow from sidewalks.

To regulate, restrain and prohibit the ringing of bells and the crying of goods, wares and merchandise or other commodities in the streets of said city.

Ringling of bells, etc.

To compel railroad companies and other corporations and persons to do all needful and proper draining, grading and filling upon the lands owned or occupied by them within the limits of said city; to compel railroad companies to construct and keep in repair suitable street crossings and carriage-ways over their several tracks, and place flagmen at such street crossings, in said city, as said common council may designate; to regulate and restrain the speed of cars in passing through said city, and to prevent such cars from passing at a greater rate of speed than six miles per hour through said city, and to prevent the obstruction of streets, lanes and highways by the cars of said companies and to regulate the

Flagmen at railroad crossings.

putting up of all necessary signs to beware of the cars, at railroad and street crossings.

Shade trees.

To protect shade trees and direct and compel and regulate the planting, rearing and preservation of shade or ornamental trees in the streets and public grounds in said city.

Parks.

To purchase and lay out public parks, squares or grounds and improve the same.

Sewers.

To establish, construct and build all necessary drains, sewers and gutters, and maintain the same.

Ravines, sloughs, etc.

To fix up, widen, straighten, deepen, drain, dress, or otherwise improve or abate any and all sloughs, ravines, water courses and wet places in the limits of said city.

Ashes.

To prevent the deposit of ashes in unsafe places, and to cause all buildings and enclosures, as may be in a dangerous state, to be put in a safe condition.

Chimneys, fire places, etc.

To regulate and prevent the improper construction and unsafe condition of chimneys, fire-places, hearths, stoves, stove-pipes, ovens, boilers and apparatus now in and about any buildings or manufactory, and to cause the same to be removed or put in a safe condition.

Fires, idle persons.

To authorize the mayor, alderman, police, firemen and other officers of the city to keep away from the vicinity of any fire all idle and suspicious persons, and to compel all persons in said city to aid in the extinguishment of fires, and the protection and preservation of property thereat.

Inspector of buildings.

To authorize and require any person appointed for that purpose to enter all buildings and enclosures at proper times, to ascertain whether the arrangements for fire, or the preservation of ashes are dangerous, and to cause such as are dangerous to be put into a safe condition.

Establish grade of streets.

The common council may cause all streets, highways, alleys, lanes, side and crosswalks, culverts, drains, sewers, public places in the said city, to be surveyed and described, and the established height of all grades of the streets or sidewalks, to be recorded in books to be kept by the city clerk for that purpose, and to cause maps to be made and filed with the city clerk. Such records and maps, when so filed, shall be *prima facie* evidence of the facts therein described and portrayed, in all actions and places between the city and other per-

sons, touching their location and the facts therein or thereon represented.

SECTION 20. A printed copy of an ordinance passed by the common council and published in a newspaper, or in a pamphlet, or book form purporting to be published by authority of the common council of said city, as certified by the clerk of said city to have been published, shall be *prima facie* evidence of its passage and publication, and shall be received in evidence of the trial of all cases cognizable before any court in the state. Publication of ordinances.

SECTION 21. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 22. This act shall take effect and be in force from and after its passage and publication.

Approved March 2, 1891.

No. 332, S.]

[Published March 3, 1891.

CHAPTER 14.

AN ACT to amend Chapter 409, of the laws of 1887, as amended by the several acts amendatory thereof relating to the city of Berlin.

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

SECTION 1. Section 33, of Chapter 409, of the laws of 1887, is hereby amended so as to read as follows: "Section 33. Every member of the common council who shall directly or indirectly vote to himself, or knowingly to any other person, any sum of money, for any purpose whatever, in violation of this act, or any amendment hereto, or shall ask or receive any compensation for doing any official act, except as inspector of election, member of the board of registry, member of the board of equalization or member of the county board of supervisors, and every member Member of council not to vote money to himself.