

they shall be recorded by the said clerk in books to be provided for that purpose; but before any ordinance, regulation or by-law shall be recorded, the publication thereof, respectively, within the said time, shall be proved by the affidavit of the foreman or publisher of such newspaper, and said affidavit shall be recorded therewith, and at all times shall be deemed and taken as sufficient evidence of the time and manner of such publication; and the record of such ordinance, regulation, and by-law, and the proof of such record certified by the clerk under the seal of the city, or any printed book containing the same, purporting to have been published under the sanction of the mayor and common council, shall be conclusive evidence of the due passage and publication of such ordinance, regulation or by-law, in all courts and places.

SECTION 3. Section 10, of chapter 6, of said chapter 107 is hereby amended so as to read as follows: Section 10. Said appeal shall stand for trial by jury, unless waived in the manner provided by law, in said circuit court, at the next term thereof, after the date of the judgment rendered by the justice of the peace.

Amends chapter 107, laws of 1880.

Appeals.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.
Approved April 3, 1891.

No. 466, A.]

[Published April 9, 1891.]

CHAPTER 147.

AN ACT to amend the charter of the city of Prescott.

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

SECTION 1. Section 11, of chapter 3, of chapter 148, of the private and local laws of 1887, is here-

Amends chapter 148, laws of 1887.

Board of canvassers, how constituted; vacancies; elections, etc.

by amended so as to read as follows: Section 11. The mayor, and clerk, and senior aldermen of said city shall be the board of canvassers, and they, or a majority of them, shall meet at the council rooms on the Monday following each municipal or special election, and canvass the returns, and the clerk shall immediately notify by certificate, the persons elected to the various offices. In the event of a vacancy by death, resignation, removal or other disability of any justice of the peace, the council shall order a special election and shall give five days' notice thereof. Any vacancy in other offices shall be filled by the council, and the person elected or appointed to fill a vacancy shall hold his office for the residue of the unexpired term, except as hereinbefore provided as to the appointive officers. All elections by the people shall be by ballot and a plurality of votes shall constitute an election. All elections by the council shall be *viva voce*. When two or more candidates shall receive an equal number of votes for the same office, the election shall be determined by the casting of lots in the presence of the council, at such time and in such manner as it may direct.

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

Approved April 3, 1891.