

No. 183, S.]

[Published May 10, 1893.

CHAPTER 312.

AN ACT to amend chapter 326, of the general laws of 1889, entitled "An act dividing cities into classes, and providing for their incorporation and government."

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

Amends sec. 1,
ch. 326, laws of
1889.
Cities divided
into four
classes.

Population,
how
determined.

City jointly
indebted with
town, how
may elect to
fix proportion.

SECTION 1. Section 1, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 1. For the exercise of the corporate powers herein mentioned, the cities of the state of Wisconsin now existing, or that may be created under the provisions of this act, shall be divided into classes as follows: Cities containing a population of one hundred and fifty thousand or over, shall constitute the first class. Cities containing a population of forty thousand or over, and under one hundred and fifty thousand, shall constitute the second class. Cities containing ten thousand or over, and under forty thousand, shall constitute the third class. Cities containing less than ten thousand shall constitute the fourth class. The population, as affecting the class to which any city shall belong under this act, shall be determined by the last national or state census, unless a census is taken under the direction of the trustees of the village seeking to be incorporated as a city under the provisions of this act, or of the common council of any city, now incorporated, seeking to adopt the provisions of this act for its government. Any city incorporated under this act, shall pass from one class to another, when it has sufficient population, and the common council shall by ordinance or resolution make publication thereof, and make proper provisions for such change in the city government.

SECTION 1a. Whenever the common council of any city now incorporated under a special charter shall have adopted for its government, and a patent shall have been issued as hereinbefore provided, if said city, prior to such adoption of

this act, shall have been indebted jointly with the town in which said city is situated, the liabilities for its proportionate share of the indebtedness shall continue as heretofore; but the common council may, by ordinance of resolution, elect to fix the amount of said city's share of such indebtedness. Notice of such election shall be given by the mayor to the town board, and in case commissioners of such debt shall heretofore have been created, to said commissioners; said town board and common council, if any, shall meet with said common council at a time and place to be fixed by said notice, and shall proceed to apportion the amount of the share of such indebtedness which said cities and said towns shall pay their apportionment, and shall be based upon, and be in the same proportion, as the total assessed valuation of such city and town, for the year next preceding, and said city and said town shall thereafter provide separately for the payment of its share of said indebtedness. In like manner, said town and city may make an equitable division of such property owned by such town and city jointly; but until such division shall be made, such property may be used and maintained, jointly, by said city and town.

Notice of election, h.w given; apportionment, how made.

SECTION 2. Section 7, chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 7. Any district containing a population of two thousand or over, and not heretofore incorporated as a city, may become incorporated under this act in the manner heretofore specified.

Amends sec. 7. What districts may incorporate.

SECTION 3. Section 8, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 8. One hundred or more electors and taxpayers of any village, incorporated or unincorporated, under the laws of this state, may apply, by petition, to the trustees of such village or to the proper town board of supervisors, to have the question of incorporating said village, or the same and adjacent territory, containing a population of not less than two thousand, as a city, submitted to a vote of the electors of the territory described in such petition; provided, that in case it is proposed to include territory adjacent to such village, the consent, in writing,

Amends sec. 8. Petition for incorporation.

of a majority of the electors residing therein, and the owners of at least one-third of the taxable property in such territory, according to the last assessment roll, shall be presented with said petition.

Amends sec. 9.
Trustees may
provide for
submitting to
vote.

SECTION 4. Section 9, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 9. At any regular meeting after the filing of said petition, the trustees of such village or town board of supervisors of such town, may, by resolution, provide that the question of incorporating such city in accordance with such petition be submitted to a vote of the electors residing within the limits of said proposed city.

Resolutions of
trustees; what
to determine.

Such resolution shall determine the number and boundaries of wards into which said proposed city shall be divided; shall fix the time of voting on the proposition for incorporation, which time shall not be earlier than six weeks from the adoption of such resolution, and shall specify where the electors residing outside the limits of said village shall vote. Said resolution shall also provide for a census to be taken, unless it is proposed to have the city classified according to the last census taken under the laws of the United States, or the state of Wisconsin. Said census, if ordered, shall be taken as provided by law for taking the census in cases of the incorporation of villages under the laws of this state.

Amends sec. 12.
Result of elec-
tion, to whom
returned;
clerk to certify
to secretary of
state; protest.

SECTION 5. Section 12, chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 12. The result of the election as canvassed by the inspectors shall be returned to the clerk of such village, if it be incorporated, and otherwise to the clerk of such town. If a majority of the votes are cast in favor of the city charter, said clerk shall certify the fact to the secretary of state, together with the result of the census taken under the authority of the trustees, if any such has been taken, and thereupon a patent shall be issued as provided in section 5, of this act which shall specify the number and boundaries of such city.

Amends sec. 13
Patent to be re-
corded; city to
be body cor-
porate; powers

SECTION 6. Section 13, chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 13. Any patent issued under the provisions of this act, shall be recorded in the office of the secretary of state, in a book to

be kept for that purpose. Thereupon the city mentioned in such patent shall be a body corporate and politic, with perpetual succession, possessing the powers and privileges of a municipal corporation at common law, in addition to those conferred by this act; and shall have authority to contract and be contracted with, to sue and be sued, to plead and be impleaded, to purchase or otherwise acquire real and personal property, and to dispose of the same as the welfare and convenience of its inhabitants may require; and shall have a common seal and may alter the same at pleasure. Any patent issued and recorded in the manner herein provided, the record thereof, or a certified copy of such record, shall be conclusive evidence in all courts and places of the due corporation of the city mentioned in said patent, and of all the facts therein recited.

Incorporation,
what sufficient
evidence of

SECTION 7. Section 14, chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 14. The number and boundaries of wards of any city, organized under the provisions of this act, may be changed by ordinance when the same shall be adopted by a vote of at least three-fourths of all the members of the common council; provided, said ordinance must be introduced at a regular meeting of the council in May, and before final action is taken thereon, the same shall be published in the official paper of the city, once in each week, for four successive weeks, and when the boundaries of any wards are fixed by any ordinance, the number of wards in the city and boundaries thereof, or of any of said wards, shall not be again changed for a period of two years, except by adding thereto such territory, as may at any time be added to the city limits; and provided further, that the territory of the wards shall be contiguous and compact, and that no ward having a population of less than two thousand shall be created in the cities of the first class, or less than fifteen hundred in cities of the second class, or less than one thousand in cities of the third class, or less than five hundred in cities of the fourth class.

Amends sec. 1.

Wards, how
changed.

Territory to be
contiguous;
population re-
quired.

SECTION 8. Section 15, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 15. Such city shall be deemed fully in-

Amends sec. 15

Village or town board to act until meeting of common council.

Records, etc., to be delivered to city clerk.

Amends sec. 16

Municipal election, when and how held.

Notice of election, how given.

Ballots, counting and return of.

Canvass of returns.

incorporated from and after the issue of the patent as aforesaid, by the governor, but the village or town board, and all other officers of such village or town embracing the territory incorporated, within the limits of said city, shall continue to exercise the powers, and perform the duties of such officers, as defined by the general statutes relating to villages, until the first meeting of the common council at which a quorum is present. Until a city clerk shall have been chosen, and shall have qualified, all oaths of office and other papers shall be filed with the village or town clerk. When the city clerk shall have qualified, such village or town clerk shall deliver to the city clerk all proper records, papers and files in his office, belonging to the city clerk, who shall thereupon become the legal custodian of the same.

SECTION 9. Section 16, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 16. Within ten days after the incorporation of any city under this act, the village board of the village, or the town board of supervisors, having thus become incorporated, shall fix a time for the first municipal election, and designate the place or places where the same shall be held, and appoint three inspectors of election for each polling place. The polls of such election shall be opened at six o'clock, A. M., and closed at five o'clock, P. M.; ten days previous notice of the time and place of election, and of the officers to be elected, shall be given by the proper village or town clerk, by publication in some newspaper in the county, if there be one, and by posting written or printed notices in three public places in said proposed city. In all other respects, such elections shall be conducted as is prescribed by the general law, except that no registration of voters shall be required, provided; however, that the failure to give such notice shall in no way invalidate said election. At the close of such election, the inspectors shall count the ballots and make returns thereof, stating therein the number of votes for each office, and shall deliver such returns to the village or town clerk, who shall lay the same before the village or town board. The village or town board shall meet within one week after such election, and can-

vass said returns, and declare the result, and the village or town clerk shall notify the persons elected to the respective offices, and issue the proper certificates of such election. All officers chosen at such election, or appointed by the mayor elect, except justices of the peace and aldermen, shall hold for a term ending on the third Tuesday of April next following, and until their successors are elected and qualified; provided, however, that in case the first Tuesday in April shall be fixed as the time of the first election, the term of office of the several officers chosen shall commence on the third Tuesday of April succeeding, and continue as otherwise provided for in this act.

Terms of off
cers.

SECTION 10. Section 20, chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 20. A vote of three-fourths of all the members of said council in favor of said ordinance taken by ayes and noes, and recorded, shall be necessary to its adoption. Any controversy that may arise between the city and the town or towns, from which such territory is detached, in respect to the division of property, or the adjustment of existing indebtedness, shall be determined by the circuit court in a proper proceeding brought for that purpose.

Amends sec. 20

Vote required
for adoption.

Controversy,
how deter-
mined.

SECTION 10a. Chapter 4, of chapter 326, of the laws of 1889, is hereby amended by adding after section 21, in said chapter, section 21a, which shall read as follows: Section 21a. Upon the petition of a majority of the electors and property owners, owning three-fourths of the taxable real estate, according to the last tax roll, within the corporate limits of a city of the first, second, third or fourth class, whether incorporated under the provisions of this act or by special charter, and which said taxable property is adjacent to the boundary lines of any such city, the common council may, by a vote of three-fourths of its members, submit to the electors of such city the question of detaching such real estate from such city, and in case a majority of the electors resident in such city vote in favor of such proposition, then and thereafter the said property shall be detached, and attached to the town or towns to which the same, by reason thereof, becomes, annexed and taxable therein.

Enacts sec. 21a.

Real estate,
how may be
detached from
city.

Amends sec. 23 SECTION 11. Section 23, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 23. The officers of cities of the second, third and fourth classes shall be a mayor, two aldermen and one supervisor from each ward, a city treasurer, city clerk, comptroller, city attorney, city assessor, city engineer, chief of police, two justices of the peace, a city physician, a street commissioner, a chief of the fire department, a board of public works, a board of school commissioners, one or more policemen, and such other officers or boards as the common council may deem necessary; provided, the common council, by a two-thirds vote, may dispense with the office of street commissioner, city engineer, comptroller, and board of public works, and provide that the duties of such officer or board be performed by other officers or boards of said city, or by the common council, or by a committee thereof.

Amends sec. 24 SECTION 12. Section 24, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 24. The annual municipal election in all cities shall be held on the first Tuesday in April of each year, at such place or places, as the common council shall designate. The polls at such election shall be opened at six o'clock, A. M., and close at five o'clock, P. M.; ten days previous notice of the time and place of such election and of the officers to be elected shall be given by the city clerk by publication in the official newspaper of such city, and by posting written or printed notices in three public places; but the failure to give such notice shall not invalidate such election. In all other respects such election shall be conducted as prescribed by the general law, except that no registration of voters shall be required, unless provided for by ordinance.

Amends sec. 25 SECTION 13. Section 25, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 25. The mayor, city treasurer, comptroller, assessor, aldermen, justices of the peace, and supervisors shall be elected by the people. The other officers may be appointed by the mayor, or elected by the common council, as shall be determined by ordinance; provided, that, in case any such officer, except policemen shall

Officers of cities of second, third and fourth classes.

Annual municipal election.

Notice of.

How conducted.

Officers; what to be elected and what appointed.

be appointed by the mayor, such appointment shall be subject to confirmation by the common council.

SECTION 14. Section 26, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 26. All officers shall hold their offices respectively for the term of one year, and until their successors are elected or appointed and qualified, unless the common council shall by ordinance provide a longer term for said officers, or any of them, or unless a different term of office is expressly provided in this act.

Amends sec. 26

Terms of office.

SECTION 15. Section 28, chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 28. The term of office of the mayor and aldermen shall commence upon the third Tuesday of April, succeeding their election and qualification. The terms of all other officers shall commence on the first day of May succeeding their election or appointment, unless otherwise provided by ordinance, and they shall hold for such term as has been provided for each respectively, and until their respective successors are elected or appointed and qualified.

Amends sec. 28

Terms of office, when to commence.

SECTION 16. Section 30, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 30. The common council shall by ordinance provide such salary or compensation for the officers and employes of the city, as it shall deem proper. It shall, at the first regular meeting in February, fix the amount of salary which shall be received by every city officer entitled to a salary, who may be elected or appointed in the city during the ensuing year, which salary shall not be increased or diminished during the term of office, for which such officer shall be elected or appointed; the salary shall be paid out of the city treasury monthly at the end of each month. All salaries, the amounts whereof have been heretofore fixed by the common council, or heretofore established by law, shall be and remain the salaries of such officers, until the common council shall otherwise provide; provided, however, that where any new city shall have been incorporated and officers thereof elected or appointed, the common council shall have power at any regular meeting of such common council, during the term of office of such officer,

Amends sec. 30

Salaries of officers, etc.; common council to fix.

so elected or appointed, to declare and fix the amount of compensation that such officer shall receive.

Amends sec. 31. SECTION 17. Section 31, of chapter 326, laws of 1889, is hereby amended so as to read as follows: SECTION 31. When any officer elected or appointed shall remove from the city, or when any officer elected or appointed in any ward of the city shall remove from such ward, or when any such officer shall refuse or neglect, for ten days after official notification of his election or appointment, to qualify and enter upon the discharge of the duties of his office, the office shall be deemed vacant; and whenever a vacancy shall occur in any office, where the officer was elected by the people, the vacancy shall be filled by appointment, by the mayor, such appointment to be confirmed by the common council; and whenever a vacancy shall occur in any office to be filled by appointment, the same proceedings shall be had to fill such vacancy as are provided for in case of an appointment in the first instance.

Office, when deemed vacant

How filled

Amends sec. 36. SECTION 18. Section 36, of chapter 326, laws of 1889, is hereby amended so as to read as follows: SECTION 36. Every officer elected or appointed to any office, may be removed from such office by a vote of three-fourths of all the members of the common council; but no such officer shall be removed except for cause, nor unless charges are preferred against him and an opportunity given him to be heard in his own defense. The common council shall have power to compel the attendance of witnesses and the production of papers when necessary for the purpose of such hearing, and shall proceed, within ten days to hear and determine the case upon the merits thereof. The mayor may suspend any officer against whom charges have been preferred, until the disposition of the same, and may appoint an officer to fill the vacancy temporarily, until the charges have been disposed of. Any officer appointed by the mayor without confirmation, under the provisions of this act, may be removed by the mayor when he deems it for the best interests of the city.

Removal of officers; procedure.

Mayor may suspend.

Amends sec. 38. SECTION 19. Section 38, of chapter 326, laws of 1889, is hereby amended so as to read as follows: SECTION 38. In cities of the second, third and fourth classes, the mayor shall be the chief ex-

ecutive officer, the head of the fire department, and of the police department of the city; he shall take care that the laws of the state and the ordinances of the city are observed and enforced, and that all of the officers of the city discharge their respective duties. He shall, from time to time, give the common council such information and recommend such measures as he may deem advantageous to the city. When present, he shall preside at the meetings of the common council; he shall sign all agreements, contracts, licenses and permits, granted by such common council, and approve or otherwise act upon all claims allowed by such council; he shall appoint all policemen, and may, in case of a riot and other emergency, appoint as many special policemen as may be necessary. He shall have the veto power. Should he refuse to approve any ordinance, rule, regulation, claim or resolution appropriating money, or creating a debt or liability, he shall file with the city clerk his objections in writing within five days after such ordinance, rule, regulation, claim or resolution is submitted to him for his approval; such objections to be presented to the common council at its next meeting. If, upon the return of such veto message, three-fourths of all the members of the common council vote for the passage of such ordinance, rule, regulation, claim or resolution, the same shall be considered legally passed, notwithstanding the objections of the mayor.

Powers and duties of mayor in cities of the second, third and fourth classes.

Veto power.

Passage notwithstanding veto.

SECTION 20. Section 41, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 41. The city clerk shall have the care and custody of the corporate seal and all papers and records of the city. It shall be his duty to attend all meetings of the common council, and to keep a full record of their proceedings; to record all ordinances and bonds in a book to be kept for that purpose; to keep a record of all licenses granted, which record shall, at all reasonable times, be open to inspection by the public, to carefully preserve all receipts filed with him, and to draw and sign all orders upon the treasury, except as otherwise herein provided, in pursuance of an order or resolution of the common council, and shall keep a full and correct account thereof in books provided for that pur-

Amends sec. 41.

City clerk, power and duties.

pose. He shall have such power and authority, and perform such duties, as clerks of cities and villages may be required to perform under the general laws of the state. He shall keep an accurate account with the treasurer, and charge him with all tax lists presented by him for collection, and all sums of money paid into the treasury. In cities of the second, third and fourth classes, he shall be *ex-officio* secretary of the board of public works and board of school commissioners, and shall perform such other duties as shall be required of him by the common council. Within thirty days after the close of each fiscal year, he shall make and cause to be published in the official papers of the city a financial statement showing the receipts and disbursements on account of each fund during the last preceding financial year. Copies of any and all books, papers, documents or instruments duly filed and kept in his office, and transcripts from the records of the proceedings of the common council, certified by him under the corporate seal of the city, shall be evidence in all courts and places, in like manner and with the same force and effect as if the originals were produced. He shall also have power to administer oaths and affirmations authorized to be taken by and under the laws of the state. Every such clerk may appoint a deputy, in writing, and shall file such appointment in his office, and such deputy clerk shall aid in the performance of the duties of such clerk, under his direction, and in case of his absence or disability, or of a vacancy in his office, shall perform all the duties of such clerk during such absence or of a vacancy in his office, shall perform all the duties of such clerk, during such absence or until such vacancy shall be filled; and every such clerk and his sureties shall be liable upon his official bond for the acts of such deputy.

Financial statement.

Deputy clerk.

Amends sec. 43.

City treasurer, powers and duties.

SECTION 21. Section 43, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 43. The city treasurer shall collect all city, county and state taxes, and shall receive all moneys belonging to the city, keep an accurate account of the same in suitable books prepared for that purpose, and shall pay over the money in his hands according to law. He shall keep a

detailed account of the money received and disbursed by him in such manner as the common council shall direct; his books shall, at all reasonable times, be open to inspection by any voter of the city. He shall make a report to the common council each month, and as much oftener as required, which report shall embrace a statement of the receipts and disbursements in his office, and ten days preceeding every annual election he shall make out and file in the city clerk's office a full and minute report of all the moneys received and disbursed by him, of all tax certificates, vouchers and other effects of pecuniary value in his possession, and of all other transactions relating to his office from the date of the like report of his predecessor to the date of the report required to be made out by him. He shall keep an accurate account of each of the separate funds in his custody. Except as herein and otherwise provided, he shall have such power and authority, and perform such duties, as treasurers in villages and towns are required to perform under the general laws of the state. He shall receive no fees or *per diem* except the salary fixed by the common council prior to his election, but all fees collected by him shall be paid into the city treasury at the end of each month.

Monthly
report.

To receive no
fee.

SECTION 22. Section 44, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 44. In cities of the first class the comptroller shall, on or before the first day of October of each year, make to the common council a detailed statement of the expenses of the city and the several wards thereof, during the last fiscal year, and such report shall also contain a statement of the estimated expenses of the current fiscal year, as the same has been prepared by the common council, and an estimate of the probable income of the city for that year from sources other than taxation. He shall examine all estimates of public work to be done, made by the board of public works, and all contracts made by them, and shall countersign the same if they are legal, and if the necessary funds shall have been provided for the proposed work, and no such contract shall be valid until so countersigned. He shall keep a list of all certificates,

Amends sec. 44.

Comptroller,
powers and
duties of, in
cities of first
class.

**Monthly
report.**

for the payment of which special taxes are to be levied, and shall make out and file with the city clerk a list of all the special taxes to be levied each year in time for its insertion in the tax roll, in the form of a schedule of special taxes, and shall certify the correctness of the same, and such certified schedule shall be *prima facie* evidence of the legality and regularity of the special taxes levied in pursuance thereof. He shall report monthly to the common council the condition of the several funds of the city, and a statement of all outstanding contracts and claims which will be payable out of each fund. All claims and demands against the city, founded on contract, shall be audited and adjusted by the comptroller, and he shall make a monthly statement to the common council of such claims so audited and adjusted by him, and no such claim shall be allowed by the council, until it shall have been so certified. He shall examine and countersign all city orders before the same shall be valid. He shall have power to administer oaths, and to take testimony as to any questions which it may be his duty to decide. He shall keep a record of all his acts and doings, which shall be open to the inspection of all parties. He may appoint a deputy, for whose action he shall be responsible, and such deputy may act for his principal during his sickness or absence.

Deputy.

Amends sec. 45.

**Powers and
duties of in
other cities.**

SECTION 23. Section 45, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 45. In all other cities the comptroller shall, on or before the first day of October in each year, file with the city clerk a detailed statement of the expenses of the city, and the wards thereof, during the last fiscal year, and such statement shall also contain a statement of the estimated expenses of the fiscal year, and the income of the city for that year from sources other than from taxation. He shall countersign all contracts made with the city, if the necessary funds shall have been provided to pay the liability that may be incurred against the city under such contracts, and no such contract shall be valid until so countersigned. He shall make a list of all certificates for the payment of which special taxes are to be levied in each year, in time for the

same to be inserted in the tax roll, in the form of a schedule of special taxes, and shall certify the correctness of the same, and such certified schedule shall be *prima facie* evidence of the legality and regularity of the special taxes levied in pursuance thereof; but no irregularity in the making of such list shall invalidate such special tax. He shall report monthly to the

Monthly
report.

Common council in writing, the condition of the several funds of the city, and of the condition of all outstanding contracts and claims which may be payable out of each fund. He shall examine and countersign all city orders before the same shall be valid, but shall not countersign such orders before the money is in the treasury to pay the same. He shall examine all claims presented against the city, whether founded on contract or otherwise, and determine as to each claim whether the same is properly itemized and sworn to; if on contract, whether the items charged are correct, whether such claim was incurred by proper authority, and generally determine the correctness of such claim. For the above purposes he shall have power to swear witnesses and take testimony. If he does not find any objection to the claim, he shall mark his approval thereon; if he disapproves, or approves in part and disapproves in part, he shall report his reasons therefor, and in all cases he shall report the evidence taken by him. No claim shall be considered by the council or reported to a committee, till it shall have been thus examined and reported on by the comptroller. He shall examine each month the treasurer's accounts as reported by him and kept by such treasurer, and report as to the correctness of the same, and also any violation of the treasurer of his duties in the manner of keeping his accounts or disbursing the moneys of the city. The comptroller shall procure a claim book at the expense of the city, in which all claims against the city shall be entered as fast as the same are filed. Said claim book shall be provided with an index and shall be in such form, as to provide for the entry of the name of the claimant, number of claim, when filed, amount claimed, date of the report of the comptroller, whether approved and for how much,

Claims. ¶

Treasurer's
accounts.

date of allowance or disallowance by the council, amount allowed, date of the order issued to pay the same, number of such order, and date of cancellation of the same. The comptroller shall perform the duties of a member of the board of public works, and such other duties as are required of him under the provisions of this act, or by the common council. In case the office of comptroller is dispensed with, the duties pertaining thereto shall be discharged by such officer or officers, or board, as the common council shall designate by resolution or ordinance.

Amends sec. 49.
Common
council; style
of ordinances.

SECTION 24. Section 49, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 49. The mayor and aldermen shall constitute the common council, and the style of all ordinances shall be: "The common council of the city of.....do ordain as follows:"

Amends sec. 52.

SECTION 25. Subdivision 56, of section 52, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: 56. Exclusively to erect and construct, or to permit, cause or procure to be erected and constructed, float, pivot or draw bridges over the navigable or other waters within the jurisdiction of the city, and to keep the same in repair, and regulate the use thereof; said bridges to have draws of suitable width when necessary for the purpose of navigation.

**Bridges, con-
struction of.**

Amends sec. 56.
Judgment, how
entered.

SECTION 26. Section 56, chapter 326, of the laws of 1889, is hereby amended as follows: Section 56. In case of convictions in actions, brought or prosecuted to recover a penalty under any of the provisions of this act, or to recover a penalty or forfeiture, or to impose a punishment for a violation of any of the ordinances, regulations or by-laws of such city, the court shall enter judgment for such fine, penalty or forfeiture, together with the costs of prosecution against the defendant; and shall also enter a judgment, that such defendant be imprisoned in the county jail, city jail, or house of correction, until such judgment be paid, not exceeding, however, the term of six months, and shall forthwith commit the defendant accordingly. In cases where the defendant is adjudged to be punished by imprisonment, the court shall also render judgment that such defendant pay the costs of

prosecution, and that he be held in imprisonment until such costs are paid; but the court shall limit such additional term of imprisonment in its discretion, in no case, however, to exceed six months.

SECTION 27. Section 58, of chapter 326, laws of 1889, is hereby amended so as to read as follows; Section 58. No action shall be maintained by any person against any city organized under the provisions of this act, upon any claim or demand of any kind or character whatsoever, until such person shall have first presented his claim or demand to the common council for allowance, and the same shall have been disallowed in whole or in part; provided, that the failure of such common council to pass upon such claim within sixty days after the presentation of such claim shall be deemed a disallowance thereof.

Amends sec. 58.

Action against city; claims to be first presented.

SECTION 28. Section 78, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 78. There shall be a department known as the board of public works, to consist of three commissioners. In cities of the first and second classes the commissioners shall be appointed by the mayor, and confirmed by the council at their first regular meeting, or as soon thereafter as may be; and the members of the first board shall hold their offices one, two and three years, respectively, and thereafter they shall hold their offices for three years, or until their successors are appointed and qualified; in all other cities, the board shall consist of the city attorney, and the city comptroller, and the city engineer or surveyor. Provided, that the city council, by a two-thirds vote, may determine that the board of public works shall consist of other public officers or persons, and provide for the election or appointment of the members thereof; or it may, by a like vote, dispense with such board of public works, in which case its duties and powers shall be exercised by the common council or a committee thereof, or by such officers or boards as the common council shall designate.

Amends sec. 78.

Board of public works.

In cities of first and second class.

In other cities.

May dispense with.

SECTION 29. Section 90, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 90. All public works, the estimated cost of which shall exceed two hundred dollars, shall

Amends sec. 90

Public works, when to be let by contract.

Proposals to be advertised for.

Bid to be accompanied with bond, etc.

Amends sec. 94.

Part payments, how may be made.

to be let by contract to the lowest responsible bidder; and all other public work shall be let as the common council may direct. When the work is directed to be let to the lowest responsible bidder, or when such work is required to be so let under the provisions of this section, the board of public works, or such officers as shall be designated to discharge its duties, shall advertise for proposals by publishing a notice in the official newspaper, at least once in each week, for at least two successive weeks. Before such proposals are advertised for, a profile of the work to be done, together with the specifications, shall be placed on file for the inspection of bidders, and a form of contract, with sureties, as the same will be required to be executed by bidders, shall be prepared and a copy of the same furnished to any person desiring to bid on the work. No bids shall be received when not accompanied by a bond with sureties, executed on the part of the bidder and such sureties, which sureties shall justify as to their responsibility, and by their several affidavits show that they are worth in the aggregate at least the amount mentioned in the contract, in property not by law exempt from execution, provided, a certified check in amount five per cent. of the bid, and a provision for the retention of twenty per cent. of the estimates made from time to time, may be accepted in place of sureties. The power to reject any and all bids shall be deemed to exist, unless expressly waived. When no proper bids shall be received for any such work, the common council, by a two-thirds vote, may direct that such work be done under the supervision of such officer or officers of the city, as it shall designate.

SECTION 30. Section 94, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 94. As the work of any contract progresses, the board of public works, or such officers as shall be designated to discharge its duties, may, from time to time, at their discretion, grant to the contractor an estimate of the amount and proportionate value of the work already done, withholding in all cases twenty per cent. of said estimate, which shall entitle the holder to receive the amount thereof, less such twenty per cent., from the proper fund. But all

contracts shall contain a provision authorizing the board of public works, in case the work under such contract is not completed within the time therein required, to take charge of the work and finish it at the expense of the contractor and his sureties. In no case shall the deposit required by this act be returned to a successful bidder, until the contract is performed. This deposit, together with the twenty per cent. retained as aforesaid, shall be used in whole or in part to complete the work. If any of the deposit of the retained twenty per cent. then remains, it shall be paid to such defaulting contractor.

Contract to contain provision authorizing completion

SECTION 31. Section 98, chapter 326, of the laws of 1889, is hereby amended as follows: Section 98. When cities own the water works, the water rates shall be collected by the city treasurer, and shall be first devoted to the expenses of maintaining and operating the works, and paying the principal and interest of any indebtedness created in the construction thereof, and the balance, if any, shall be paid into the general fund.

Amends sec. 98.

Water rates, how collected and used.

SECTION 32. Section 106, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 106. The preceding provisions relating to the construction of water mains in whole or in part at the expense of abutting owners, shall not apply except in cases where the city owns the works; and in cases where the water works are now owned or may hereafter be purchased by the city, and the amount of such purchase is fifty thousand dollars or more, the extension of mains after such purchase shall be made at the expense of the city at large, or at the expense of abutting property, as the common council shall determine.

Amends sec. 106.

When provisions not to apply.

SECTION 33. Chapter 13, entitled "The Health Commissioner," of chapter 326, laws of 1889, is hereby amended so as to read as follows:

Amends ch. 13.

CHAPTER XIII.

THE HEALTH COMMISSIONER.

Section 107. In every city, governed by this act, it shall be the duty of the mayor, once in

Health commissioner, mayor to appoint.

two years, to nominate a regularly licensed physician as commissioner of public health, and who shall hold his office for the term of two years, and until his successor shall be appointed and qualified.

Powers and duties.

Section 108. The commissioner of public health shall have all the power and authority heretofore given, or which may hereafter be given to boards of health, by any general law of the state, and it shall be his duty to provide such additional rules and regulations as shall be requisite and necessary for the preservation of the health of the people of the city, to prevent the spread of contagious diseases and to cause the removal of all objects detrimental to the health of the people of the city, and to enforce such rules and regulations as hereinafter provided.

To report rules and regulations to council.

Section 109. All rules and regulations, prepared by the commissioner of public health, shall be by him reported to the common council, and if the common council shall confirm the same by a vote of a majority of the members thereof, such rules and regulations shall have the force and effect of ordinances, and the violation thereof may be prosecuted and punished as in the case of ordinances.

May recommend sanitary measures.

Section 110. The commissioner of public health shall also, from time to time, recommend to the common council such sanitary measures, to be executed at the public expense, as shall seem to him to be necessary for the preservation of the public health.

Salaries, council to fix.

Section 111. It shall be the duty of the common council, to fix the salary of the commissioner of public health, which shall be paid out of the city treasury; and the commissioner of public health shall have power to appoint, subject to confirmation by the mayor, such assistants as may be necessary, and all such appointees shall receive such salary or compensation as the common council may fix.

Assistants.

May enter buildings, etc.

Section 111a. The commissioner of public health, or any person acting under him, shall have authority to enter into and examine at any time, all buildings, lots and places of all descriptions within the city, for the purpose of ascertaining the condition thereof, so far as the public health may be affected thereby, and any

person refusing to allow entrance into or upon his premises at reasonable hours, for the purpose named, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars, nor more than one hundred dollars; and in all cases in which the commissioner of public health shall deem it necessary, for the protection of the health of the city, to abate or remove any nuisance, source of filth or cause of sickness, which shall be found on private property, he shall cause a notice to be served on the owner or occupant thereof, requiring him to remove the same at his own expense, within a reasonable time, not less than twenty-four hours; and if said owner or occupant shall refuse or neglect to comply with such notice, or if such nuisance, source of filth or cause of sickness, exist on the property of non-resident owners, or upon property the owners of which cannot be found, the commissioner of public health shall cause the removal of such nuisance, source of filth, or cause of sickness, under his direction, at the expense of the city, and the cost of such work shall be charged against the lots, pieces or parcels of land, upon which said work was done, and shall be assessed against said property in the same manner as is provided for the assessment of other special taxes. The commissioner of public health shall, in each year, certify to the tax commissioner, or city clerk, in time for insertion in the assessment roll, a certified list of all special taxes to be levied by reason of work done as herein required, and such certified list of special taxes shall be *prima facie* evidence of the legality and regularity of said special taxes, and they shall be included in the list of special taxes in the tax roll of the city before delivery of the same to the city treasurer.

Refusal to allow entrance a misdemeanor
Penalty.

Nuisances, et c.
how abated.

To certify special taxes.

Section 111b. It shall be the duty of every physician practicing in any city, which has adopted this act, to report in writing to the commissioner of public health every patient he shall have, who is sick with smallpox, scarlet fever, diphtheria, typhoid fever, Asiatic cholera, or any other dangerous contagious disease, within twenty-four hours after he shall ascertain or suspect the nature of such disease. These reports shall be in such form as may be directed by the

Physicians to report to commissioner cases of dangerous contagious disease.

Report, form of.

state board of health, and shall state the name, sex, age, nature of disease, and place of residence of the person whose sickness is reported, together with such additional facts as the state board of health may direct. Any practicing physician who shall refuse or neglect to perform the duties required of him in this section, or who shall make a false return of the facts required, shall be considered guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than twenty-five dollars, nor more than one hundred dollars, for each offense, or by imprisonment in the county jail for a period not exceeding sixty days, or by both fine and imprisonment, in the discretion of the court.

Penalty for neglect, etc.

Council may impose additional duties.

Section 112. The commissioner of public health shall also discharge such duties not herein enumerated, as may from time to time be imposed upon him by the common council by ordinance or resolution, and he shall make such reports to the state board of health, and generally perform such duties as are or may be required of health officers by the general laws of the state.

Commissioner to have assistance of police force.

Section 112a. It shall be the duty of the members of the police force of the city, and of all magistrates and civil officers and all citizens of the state, to aid to the utmost of their power the commissioner of public health in the discharge of his duties; and on requisition of the commissioner of public health it shall be the duty of the chief of police or the city marshal to serve or to detail one or more of the policemen of the city, to serve the notices of the said commissioner, and to perform such other duties as such commissioner may require.

Amends sec. 113, not to effect existing school government.

Board of education, how constituted.

SECTION 34. Section 113, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 113. In every city which shall adopt this act for its government, if there shall be at the time of such adoption a board of education or school board, elected by the people under the provisions of its charter, or where the school district system is in force, the election and organization, powers and duties of such board shall not be affected by this chapter, but such system shall continue as the law of such place, until changed by a vote of the electors of the city. In all other cities governed by this act, the board

of education shall consist of one commissioner from each ward and three from the city at large, to be appointed by the mayor and confirmed by the common council. The mayor, in appointing the first board under this act, shall divide the members into three classes, as nearly equal as may be, one of the commissioners at large being in each class, and shall appoint those of one class for one year, those of another class for two years, and those of the remaining class for three years. Each commissioner shall hold his office for the term designated in such classification, and until his successor shall have been appointed and qualified. After that, all commissioners shall be appointed, and shall hold their offices for the term of three years, and until their successors shall have been appointed and qualified.

Terms
of office.

SECTION 35. Section 115, chapter 326, of the laws of 1889, is hereby amended as follows: Section 115. In cities of the first class the board of education shall annually at its first meeting, or as soon thereafter as may be, elect a secretary, who shall not be a member of the board. In cities of the second, third and fourth classes, the city clerk shall be *ex-officio* secretary of the board. In cities not under the supervision of a county superintendent, the board shall, in like manner, annually at its first meeting, or as soon thereafter as may be, elect a superintendent of schools for the city, who shall not be a member of the board. These officers shall hold their respective offices for one year and until their successors shall have been elected, unless sooner removed by a resolution adopted by the board by a vote of two-thirds of its members.

Amends sec.
115.
Secretary
of board.

School
superin-
tendent,
when to be
elected.

SECTION 36. Section 119, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 119. The board of education shall as early as the first day of October each year, make an estimate of the expense of the public schools in the city for the ensuing year, including all necessary incidental expenses, and the amount thereof which it will be necessary to raise by city taxation, and to certify the same to the city clerk, who shall lay the same before the common council, who shall include the same, or so much thereof as they shall approve, in the annual budget to be raised by a tax called the city

Amends
sec. 119.
Board of
education to
make estimate
of annual ex-
pense of
school.

Duty of
city clerk
thereon.

School fund. school tax, which shall be collected the same as other taxes. It shall be the duty of the city treasurer to set aside and keep all moneys raised in any way for school purposes, whether by the state, the county, or the city, coming into his hands, in a separate fund, to be called the school fund, and to pay out the same upon the orders of the board of education, signed by the president and certified by the secretary of that board; provided, that in any city adopting this act, if at the time of such adoption the board of education or school board shall have power to levy the city school tax, or the district school taxes, such power shall continue unaffected by this chapter, and this section shall not apply to such city, nor be in force therein, until specially adopted by a vote of three-fourths of the members of the council; provided, that teachers' and janitors' salaries may be included in a single order each month in the form of a pay roll, to be signed by the president and certified by the secretary of the board of education.

When chapter not to apply.

Amends sec. 120. Fiscal year.

SECTION 37. Section 120, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 120. The fiscal year shall commence on the first day of September in each year, and close on the thirty-first day of August next succeeding.

Amends sec. 121.

Funds, council to control.

SECTION 38. Section 121, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 121. All funds in the city treasury, except school funds, funds created and set apart for the payment of interest and principal of the debt of the city, and funds collected on special assessments, shall be under the control of the common council, and shall be drawn out upon the order of the mayor and clerk, duly countersigned by the comptroller, if there be one, when authorized by a vote of the common council. All orders drawn upon the treasurer shall specify the purposes for which they are drawn, and shall be payable out of any funds in the city treasury, not otherwise appropriated. All orders shall be payable to the persons in whose favor they may be drawn and may be transferred by endorsement.

How drawn.

Orders, what to specify.

SECTION 39. Section 126, of chapter 326, of laws of 1889, is hereby amended so as to read as

follows: Section 126. The common council may borrow money to pay the ordinary expenses of the city, not exceeding twenty per cent. of the tax levy for the same purposes the preceding year. Certificates of indebtedness may be issued therefor, signed by the mayor and clerk, bearing interest not exceeding the legal rate *per annum* and payable not later than the first day of March after the same are issued; provided, however, that no such loan shall be made, unless authorized by a vote of at least three-fourths of all members of the common council at a regular meeting thereof.

Amends
sec. 126.
Council may
borrow money;
limit; certifi-
cate of in-
debtedness.

SECTION 40. Section 127, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 127. The city council may designate, by resolution, the bank or banks where the money belonging to the city shall be deposited, and the security, to be approved by the mayor and comptroller, to be given by such bank or banks, and when the money is so deposited, the treasurer and his bondsmen shall not be liable for the loss of such money, by reason of the failure of such bank or banks, and the interest arising therefrom shall be paid into the treasury; provided, such money shall not be deposited in any bank without this state.

Amends
sec. 127.
Council may
designate
depository.

SECTION 41. Section 132, chapter 326, of the laws of 1889, is hereby amended as follows: Section 132. All moneys received for licenses of all kinds shall be paid into the treasury, and may be used in paying the bonded indebtedness of the city, or otherwise, as the common council shall direct. If any of said bonds are due, and there is money available to pay the same, the treasurer shall call in such bonds in their order. If no bonds are then due, the treasurer may advertise for proposals to sell bonds to the city in such manner as the common council may direct, and shall take up of the lowest offers, sufficient to exhaust the money available for such purpose.

Amends
sec. 132.
License
moneys;
payment of
bonds.

SECTION 42. Section 133, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 133. The common council shall have authority to issue bonds for the following purposes only:

Amends sec.
133.

Bonds, for
what council
may issue.

First. Building school houses and for public libraries.

School houses
and libraries.

- Bridges.** Second. Building bridges.
- Public build-** Third. Building public buildings for the use
of the city.
- Fire apparatus.** Fourth. Purchase of apparatus for fire protec-
tion.
- Street improve-** Fifth. Street improvements which are to be
ments. paid for by the city.
- Water works,** Sixth. Water works, sewers and drains.
sewers, drains.
- Public parks,** Seventh. Public parks, public drives, boulevards,
cemeteries, etc. lighting works for streets and public
buildings, cemeteries, garbage grounds, and public
hospitals, and purchasing sites for public
buildings.
- Toll bridges.** Eighth. Purchase of toll bridges and approach-
es.
- Refunding** Ninth. Refunding municipal indebtedness.
indebtedness. Provided, that no such bonds shall be issued
Ordinance au- unless authorized by ordinance adopted by a vote
thorizing in favor of the same of at least three-fourths
bonds. of all the members of the common council elect,
said vote to be at a regular meeting not less
than one week after the proposed ordinance
shall have been published in the official paper of
the city, and in cities with a population of less
than five thousand shall be ratified by a majority
of the electors of said city, at a special election
called for that purpose; and provided, that no
such bonds shall be issued so that the amount
thereof, together with all the other indebtedness
of the city, shall exceed five per cent. of the as-
sessed valuation of such city at the last assess-
ment for state and county taxes previous to the
incurring of such indebtedness; and provided fur-
ther, that all such bonds issued shall be payable
at the option of the city in annual installments,
the last installment being payable not more than
twenty years after their date, and shall bear in-
terest not exceeding six per cent. *per annum*, pay-
able semi-annually.
- Notice.**
- Limitation of** SECTION 43. Section 139, of chapter 326, laws
indebtedness. of 1899, is hereby amended so as to read as fol-
lows: Section 139. In the cities of the first class,
the mayor, city clerk, tax commissioner and as-
sessor or assessors shall constitute the board of
review, and in all other cities the mayor, asses-
sor or assessors, city clerk and one or more members
of the city council, not exceeding four, to be
elected by the council, shall constitute such
board.
- How bonds**
payable.
- Amends**
sec. 139.
- Board of re-**
view, how
constituted.

SECTION 44. Section 142, of chapter 426, laws of 1889, is hereby amended so as to read as follows:

Section 142. On or before the first day of October in each year the board of public works, if there be one, and the board of education, shall each file with the city clerk a detailed statement of the amount of money that will be required for the ensuing fiscal year in their respective departments. And the city comptroller, or the officer, or officers, performing his duties, shall likewise file a statement of the amount required by the police department, fire department, the general fund and for the purposes of paying interest for the ensuing year on public debt, and five per cent. of the principal thereof. The city clerk shall place such estimates before the city council, at its next regular meeting, for their consideration; and the council shall thereupon, by resolution, levy such sums of money as may be sufficient for the several purposes, for which taxes are authorized, and in making such levy they shall take into consideration, the estimated amount that will be received by the city during the fiscal year from licenses or from any other source. A tax levied for any one year, for municipal purposes, together with the tax required to be levied for state, county and county school purposes, and for delinquent taxes for the preceding year, shall not exceed the amount of three per cent. of the assessed value of real and personal property of the city in that year.

Amends
sec. 142.

Boards of public works and education to file statements of money required.

City comptroller to do same.

Council to make levy.

Limitation of taxation.

SECTION 45. Section 170, chapter 326, of the laws of 1889, is hereby amended as follows: Section 170. Cities of the second, third and fourth classes may, at their option, condemn lands for any of the purposes mentioned in the first section of this chapter, either under the provisions of section 927, and sections 895 to 904, inclusive, of the Revised Statutes of 1878, and the acts amendatory thereof, or under the foregoing provisions of this chapter.

Amends
sec. 170.

Cities of second, third and fourth classes may condemn lands.

SECTION 46. Section 175, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 175. The city may cause streets and alleys to be opened, leveled, graded, regraded, graveled, regravelled, macadamized, paved and repaved with stone, wood or other material, or improved in any other manner; and

Amends
sec. 175.

Streets and alleys.

Grading, paving, etc.

may cause such streets and alleys to be swept, sprinkled and cleaned; but no street shall be graded, graveled, paved, macadamized or improved, where the expense would exceed five hundred dollars, except upon the vote of two-thirds of the members of the common council elect. The expense of such work or improvement may be paid in whole, or in part, by the city or by the property to be benefited thereby, as the common council shall provide and direct, but in no case shall the amount assessed to any parcel of real estate exceed the benefit accruing to such real estate by such improvement, except in case of sidewalks; provided, that where work is ordered to be done, chargeable to particular property, the city shall in no case be responsible for the payment therefor, except in cases where the cost of the improvement exceeds the benefits.

Expenses,
how paid.

Amends
sec. 176.

Petition for
improvement
of street.

SECTION 47. Section 176, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 176. In any city, whenever the owners of more than one-half of the frontage of the lots upon that part of any street proposed to be improved shall petition the common council to improve such street, or part of street, by stone paving, macadam or otherwise as set forth, to be made in such manner as shall be fully specified by the city surveyor, and approved by the mayor, and upon advertisement, setting forth clearly such specifications, may contract for such work to be done by the lowest responsible bidder, if deemed reasonable in cost; provided, that such improvement, unless made to connect with streets somewhat similarly improved, shall be made to extend upon such street, not less than the length or width of three blocks of lots, and the street crossings between. The cost of such improvement, when made, shall be assessed to the respective owners of the lots fronting on such street, in the ratio of each owner's number of feet front, to the entire length of such improvement, exclusive of street crossings, which shall be chargeable to the city, as its proportion of expense, and such crossings shall be made to conform with the street so improved. The word street as herein used may be construed to mean two or more streets when the whole taken together would form one continuous drive.

Cost to be as-
sessed against
lots.

SECTION 48. Section 178, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 178. Before the council shall change or alter any established grade, or shall order any work to be done on any street, in whole or in part, at the expense of the real estate to be benefited thereby, it shall order the board of public works, or if there be no such board, the officer or officers designated to discharge its duties, to view the premises, and determine the damages and benefits which will accrue to each parcel of real estate by such change or alteration of grade; the entire cost of the contemplated work or improvement upon the street, the benefits and damages that will accrue to the several parcels of real estate by such work or improvement, and the amount that should be assessed under the provisions of this chapter, to each parcel of such real estate, as benefits accruing thereto by such contemplated work or improvement.

Amends
sec. 178.
Altering grade,
council to have
premises
viewed and
damages, etc.,
determined.

SECTION 49. Section 182, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 182. Subject to the limitations hereinbefore mentioned, the common council may determine the amount to be paid by the real estate as benefits, on account of the improvement of a street, and the amount that shall be paid by the city at large, or the ward fund of the wards in which said improvement is made.

Amends
sec. 182.
Council may
determine
amount to be
paid as
benefits.

SECTION 50. Section 183, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 183. When a final determination shall have been reached by the council, the city clerk shall publish notice in the official paper of the city, once in each week, for two successive weeks, that a final determination has been made as to the damages that will accrue to the real estate, in case of the change of an established grade, or the benefits to be assessed to the real estate in case of a proposed improvement.

Amends
sec. 183.
Notice to be
published.

SECTION 51. Section 184, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 184. If the owner of any parcel of land mentioned in said notice, feels himself aggrieved by reason of the determination made by the common council, he may, within twenty days after the date of such determination, appeal therefrom to the circuit court, and such appeal

Amends
sec. 184.
Appeal to cir-
cuit court
from deter-
mination of
council.

Certificate for amount of benefits to be issued.

shall be taken, tried and determined, and bonds for costs shall be given and costs awarded in like manner as in case of appeals from the disallowance of claims under this act; provided, that in case any contract shall have been made for making the improvements, said appeal shall not affect said contract; but a certificate against the lot in question for the amount of benefits assessed to such lot shall be issued, notwithstanding such appeal; and in case the appellant shall succeed, the difference between the amount charged in the certificate, so issued, and the amount adjudged to be paid as benefits accruing to the parcel of real estate described in such certificate, shall be paid by the city at large or out of the ward fund as the council may direct.

Amends sec. 190.

Payments, how contract may provide for.

SECTION 52. Section 190, or chapter 326, laws 1889, is hereby amended so as to read as follows: Section 190. When a contract is let for doing any work specified herein, chargeable to the real estate to be benefited, it may provide that the amount so chargeable may be paid with certificates against the lots or in special improvement bonds, or the proceeds of the sale of such bonds, or that payment may be in part made in certificates, part in cash, and part in special improvement bonds, or the proceeds thereof.

Amends sec. 191.

Improvement notice.

SECTION 53. Section 191, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 191. As soon as the amount chargeable to the real estate is finally determined, the council may cause a notice to be published in the official paper, substantially in the following form:

CITY IMPROVEMENT NOTICE.

Form.

Notice is hereby given, that a contract has been (or is about to be) let for (————— describe the work and street) and that the expense of said improvement, chargeable to the real estate, has been determined as to each parcel of said real estate, and a statement of the same is on file with the city clerk. It is proposed to issue bonds chargeable only to the real estate to pay the special assessments, and such bonds will be issued covering all of said assess-

ments, except in cases where the owners of the property file with the city clerk, within thirty days after the date hereof, a written notice that they elect to pay the special assessments, or a part thereof, on their property, describing the same on presentation of the certificates.

SECTION 54. Section 192, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 192. After the expiration of said thirty days, the council may issue special improvement bonds covering all of the assessments except such as the owners have filed notices of election to pay as provided in the preceding section. Said bonds shall be signed by the mayor and clerk, be sealed with the corporate seal of the city, and contain such recitals as may be necessary to show that they are chargeable only to particular property, specifying the same, and the number and amount of said bonds, and such other provisions as the council shall think proper to insert; such special improvement bonds shall in no event be a general city liability.

Amends
sec. 192.

Special im-
provement
bonds, council
may issue.

SECTION 55. Section 193, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 193. Said bonds shall be semi-annual interest coupon bonds, payable in annual installments, the last of which installments shall be payable at such time, as the common council may determine, not exceeding ten years from the first day of March next ensuing, and shall draw interest at a rate not exceeding six per cent. *per annum*, payable semi-annually. Any portion or annual installment of said bonds may be sold by the common council at not less than par, and the proceeds collected by the city treasurer shall be credited to the special fund, and may be paid to the contractor for such work when due him, and the common council shall so direct, or the contractor may take such bonds as payment for work done under his contract at their par value, with accrued interest, with the permission of the common council.

Amends sec.
193.

Bonds, how
payable.

Sale of bonds.

SECTION 55a. Section 195, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 195. The city treasurer shall out of the special fund hereby created for that purpose, pay the interest on and the principal of

Amends sec.
195.

Treasurer to
pay interest.

said bonds as the same become due, and charge the same to said fund.

Amends sec. 196.

Special assessment, how extended on tax roll.

SECTION 56. Section 196, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 196. In each year after the issuing of said bonds until all of them are paid, when the tax roll for the year is prepared, sufficient of the special assessment on each parcel of land covered by said bonds to pay the annual installment of the principal, and the interest on the amount of said special assessment then unpaid, shall be extended on the tax roll as a special tax on said property, and thereafter this tax shall be treated in all respects as any other city taxes, and when collected the same shall be a special fund for the payment of such bonds and interest, and shall be used for no other purpose.

Enacts sec. 197a.

Bonds to be lien on land assessed.

SECTION 56a. Chapter 326, of the laws of 1889, is hereby amended by inserting, after section 197, the following section. Section 197a. The special improvement bonds herein mentioned shall be a lien against all lots, parts of lots or parcels of land, against which special assessments have been made, which lien shall take precedence of all claims or liens thereon, and when issued shall transfer to the holders thereof all the right, title and interest of such city, in and to the assessment made for the purpose of improvement mentioned therein, and the liens thereby created, with full power to enforce the collection thereof by foreclosure, in the same manner as mortgages on real estate are foreclosed; but the time of redemption therefrom shall be fixed by the court, and a copy of the bond foreclosed may be filed as a part of the judgement roll in said action in lieu of the original thereof. If within ninety days after the commencement of the annual sale of lands for taxes, the amount to pay any installment of principal or interest shall not have been collected by the city, the owner or owners of at least one-third in par value of bonds issued on any single improvement may proceed in his or their own names to collect the same by foreclosure thereof in any court of competent jurisdiction, and shall recover in addition to the amount of said bonds and interest all costs against the property of the party or

When owners of bonds may foreclose.

parties in default; provided, however, that the owner of any property covered by such bonds may redeem the same at any time before judgment, by payment to the county clerk of the amount due against such property, together with ten per cent. additional thereon, which shall be in full for all costs chargeable to such property in such action. Any number of the holders of such bonds for any single improvement may join as plaintiffs in any such action, and any number of the owners of, or other persons interested in the property, covered by the assessment, upon which such bonds are issued, and on which the said bonds are a lien, may be joined as defendants in any such action; and in case more than one action of foreclosure shall be commenced upon a single improvement, such actions may be consolidated. Any holders of bonds for the same improvement, who do not join as plaintiffs, may be made defendants in the action, and their rights adjudicated therein. Such bonds shall be equal liens upon the property for the assessments represented by such bonds, without priority one over another, to the extent of the several assessments against the lots and parcels of land, against which the special assessments shall have been made. Upon the commencement of any such action, the plaintiff shall cause a notice thereof to be filed in the offices of the county clerk and county treasurer, designating the particular property affected by such foreclosure, and thereafter no redemption of any such property from such assessments shall be had without payment of all costs theretofore accrued in such action, except as hereinbefore provided.

Redemption of
Property.

Parties.

Bonds to be
equal liens.

Notice of com-
mencement of
action to be
filed.

SECTION 57. Section 198, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 198. The common council shall have authority to establish a board of park commissioners, to prescribe their powers and duties, and to fix their compensation; and it shall have the power, upon a two-thirds vote of the members elect of the common council, to receive by gift, or to purchase, or to condemn, for the use of the city, lands for parks, boulevards, drives, cemeteries, drainage, sewerage, or garbage grounds, outside of the city limits, and

Amends sec.
198.

Board of park
commissioners,
council may
establish.

may exercise police supervision over the same.

Condemnation of lands. Lands for the purpose herein specified, or for other necessary city purposes, when no other provision is expressly made therefor, may be condemned under the provisions of section 92 and sections 895 to 904, inclusive, of the Revised Statutes, and the acts amendatory thereof. The common council may, by a two-thirds vote of the members elect, make it a condition of the acceptance by gift of any such lands for parks, boulevards and drives, that such parks, boulevards and drives shall be constructed and maintained at the expense of private parties, until by a like vote provision shall be made by the common council for maintaining such parks, boulevards and drives, at the expense of the city; provided that the city shall not be liable for the construction or maintenance of such parks, boulevards or drives, or for any want of repair, or insufficiency therein, or on account of any neglect in such construction or maintenance during the time the same shall be maintained by private parties, or until the city shall have assumed the burden and expense of maintaining the same as herein provided.

City not to be liable when park, etc., maintained by private parties.

Amends sec. 216. SECTION 58. Section 216, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 216. After any contract for work under this act, to be paid for, in whole or in part, by such assessment, shall have been entered into, the board of public works, or, if there be no such board, the officer or officers designated to discharge its duties, shall make or cause to be made, an assessment against all lots, parts of lots and parcels of land, fronting or abutting on the work so contracted to be done, on each side of the same for its whole length, and which have not been before so assessed for sewerage purposes, at an even rate not exceeding two dollars, nor less than twenty-five cents, per linear foot on each side of the street of the whole frontage of each lot, part of lot or lots, or parcel of land, fronting or abutting on each side of said sewer, except corner lots, which shall be assessed therefor as follows: Corner lots not subdivided in ownership, and subdivisions of corner lots constituting the actual corner of corner lots, subdivided in ownership, shall be entitled to a de-

Maintenance of parks, etc.

Assessment against lots, how made.

Rate.

Corner lots to have deduction.

duction in making sub-assessments, of one-third from the aggregate of the T street lines of such corner lot or corner subdivisions thereof, on all the streets in front thereof; such deduction to be made in the assessment of the longest street line of such corner lots or corner subdivisions thereof, or in case of equal street lines thereof, in the assessment for the second sewer to which they are liable. Whenever any lot which, as originally platted, fronts or abuts on any sewer, is subdivided, and the subdivisions thereof are owned by different persons, no subdivisions of such lots, not fronting or abutting on such sewer, and not owned by the same person who owns the subdivision fronting or abutting on such sewer, shall be assessed for the cost of such sewer.

SECTION 59. Section 218, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 218. The costs of all sewers in street and alley crossings, and of all sewers in excess of two dollars per linear foot, chargeable to lots and lands as provided in section 216, of this chapter, of all catch basins for receiving the water from the gutters, and of the overflow pipes connecting them with the sewers, of all temporary catch basins, and of the repairing and cleaning of sewers, and all expenditures for temporary work necessary to carry on the system of sewerage herein provided, and all costs for constructing sewers not provided for by special assessment, shall be paid out of the fund of the proper sewerage district, and all cleaning and repairing of sewers and catch basins, and all temporary work necessary to be done as above stated, shall be done by the authority of the board of public works, as may be necessary, or by the officer or officers discharging the duties of such board.

Amends sec.
218.

Cost of sewers,
how paid.

SECTION 60. Section 219, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 219. The board of public works, or the officer or officers designated to discharge its duties, shall report to the common council on or before the first day of October of each year, as accurately as may be, the amount of money required for sewerage purposes for that year in each district, in addition to the special assessments made; and the common council is hereby

Amends sec.
219.

Money
required for
sewerage pur-
poses, report of
to council.

Council to levy tax. authorized to direct the levy and collection of a tax for sewerage purposes in each district for such amount as may be necessary, not, however, to exceed in any one year the sum of five mills on the dollar on all property, real and personal, subject to taxation in any such sewerage district; which tax, so levied, shall, when collected, be placed in the fund of the sewerage district in which the same has been collected, and the city treasurer is hereby directed and required to keep a separate and distinct account of each sewerage district.

Amends sec. 223. Council may require water and gas service pipes and house drains to be laid to curb lines.

SECTION 61. Section 223, of chapter 326, laws 1889, is hereby amended so as to read as follows: **Section 223.** Whenever the common council shall order the paving or repairing of any street in the city in which water, gas mains and sewers, or either of them, shall have been previously laid and constructed, they may also by resolution, require water and gas service pipes and house drains to be first laid in such a street at the cost of the property fronting on such street from the main sewer, water and gas mains in such street, to the curb line on either side of the street at such intervals as the common council shall direct, along the whole length of such paved street, except at street and alley crossings, and notice shall thereupon be given to the owners or occupants of the property adjoining such paved street, by publication thereof for six days in the official paper, requiring them to do such work opposite their respective lots according to plans and specifications to be before prepared and on file in the office of the board of public works, city clerk, or city surveyor, as the common council shall prescribe, showing the location and size and the kind and quality of material of such lateral sewers or drains, and water and gas service pipes; and if such owners or occupants shall refuse or neglect to do the same, before the paving or preparing of said street so ordered, and within ten days after the publication of such notice, the said board of public works or the officer or officers discharging its duties may procure the same to be done, and charge and assess the expenses thereof to the lots or parts of lots fronting upon such work in the manner provided in and by chapter 18, of this act, and the

Notice to be given.

Expense how charged.

LAWS OF WISCONSIN—CH. 312.

same shall be levied and collected as other special assessments are levied and collected in said city; provided, that no street shall be paved or repaved by order of the common council, unless the water and gas mains and service pipes, and necessary sewers and their connections shall, as required by the common council, be first laid and constructed in that portion of such street so to be paved or repaved.

SECTION 62. Section 228, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 228. No private drain shall be connected with any public sewer without a permit therefor having first been issued in such manner as the common council shall have provided.

Amends sec.
228.

Permit
required to con-
nect private
drain.

SECTION 63. Section 229, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 229. No person is required to make connection until building, and no person shall break open or make connection with any public sewer, except by the consent and by the direction of the board of public works, or the officer or officers discharging its duties, and any person who shall do so, or who shall willfully or maliciously obstruct, damage, or injure any public or private sewer or drain in said city, or wilfully injure any of the material employed or used in said city for the purposes of sewerage, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five hundred dollars, or imprisoned in the county jail not to exceed three months.

Amends sec.
229.

Connections
with public
sewer, consent
to be had.

Penalty for in-
jury, etc.

SECTION 64. Section 234, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 234. Whenever a contract shall have been let for the construction of any sewer, and the amounts have been determined that are chargeable to the lots or parcels of land abutting on the streets or alleys through which said sewer is to be constructed, if the common council deems it for the best interest of the property owners affected by the special assessment for the construction of said sewer, it may cause a notice to be published in the official paper of the city once in each week, for two successive weeks, substantially in the following form:

Amends sec.
234.

Notice of
letting
contract.

IMPROVEMENT BONDS FOR SEWERAGE ASSESSMENTS.

Form.

Notice is hereby given, that a contract has been let for the construction of a sewer as follows: (Describe the street or alley) that a statement showing the amount of the special assessment chargeable to the lots and parcels of real estate benefited by said sewer, or abutting on the street (or alley), through which said sewer is to be constructed, is now on file with the city clerk. That all parties who desire to pay the special assessment on presentation of the proper certificate, are hereby required to file their notice to that effect with the said clerk, before the expiration of thirty days from the date of this notice; that the city will issue its per cent. semi-annual interest coupon bonds, payable in annual installments, for an amount sufficient to cover the special assessments, which the parties owning the property do not elect to pay on the presentation of certificates in the manner stated; that said bonds will be a charge upon the particular lots only, against which said special assessments are levied.

Dated the.....day of.....18....
City clerk of the city of

**Amends sec.
 235.**

**Sewerage
 bonds.**

SECTION 65. Section 235, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 235. The city council shall then have the power to issue semi-annual interest coupon, annual installment bonds, for an amount sufficient to cover all special assessments which the parties do not elect to pay in accordance with said notice. Said bonds shall be semi-annual interest coupon bonds, payable in annual installments, the last of which installments shall be payable at such time as the council may determine, not exceeding ten years from the first day of March next ensuing, and shall draw interest at a rate not exceeding six per cent. *per annum*. They shall specify on their face that they were sewerage bonds, and shall contain such recitals as may be necessary to show that they are chargeable only to particular property, speci-

Recitals.

fyng the same, and the number and amount of said bonds, and such other provisions as the common council may think proper to be inserted. Such bonds shall be signed by the mayor and clerk, and sealed with the corporate seal of the city. Such sewer improvement bonds shall in no event be a general city liability.

SECTION 66. Section 236, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 236. Any portion or any installment or installments of said bonds may be sold by the common council, at not less than par value, and the proceeds collected by the city treasurer shall be paid to the sewerage contractor, when due to him; or the contract may provide that the contractor shall take the bonds as payment on his contract, at their par value, but he shall be charged with accrued interest.

Amends sec.
236.

Sale of bonds.

SECTION 67. Section 237, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 237. The city treasurer shall pay the interest on and principal of said bonds as the same become due, and charge the amount to the proper fund.

Amends sec.
237.

Treasurer to
PAY.

SECTION 68. Section 238, of chapter 326, of the laws of 1889, is hereby amended so as to read as follows: Section 238. In each year after the issuing of said bonds, until all of them are paid, when the tax roll for the year is prepared, sufficient of the special assessment on each parcel of land covered by said bonds, to pay the annual installment of principal, with the interest on amount of said special assessment, then unpaid, shall be extended on the tax roll as a special tax against the property, and thereafter this tax shall be treated in all respects as any other city taxes, and when collected shall constitute a special fund for the payment of such bonds and interest, and shall be used for no other purpose. After the issue of said bonds no action shall be maintained to avoid the tax provided for in this section.

Amends sec.
238.

Special assess-
ment, how ex-
tended on tax
roll.

SECTION 69. Section 239, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 239. Whenever any city shall have adopted a system of sewerage, and in the opinion of the common council such system has proved insufficient or inadequate, or dangerous

Amends sec.
239.

Council may
alter system of
sewerage.

to the public health, such common council shall have full power to alter or to amend its system of sewerage, and adopt more approved methods, and to so change the system as to obviate the objections to the existing system, either by altering or modifying the same, or by abandoning it, and adopting an entirely new system. In case any city council shall so decide to amend its system of drainage, or to adopt a new system, it may proceed in the mode prescribed in this act or by the law, in pursuance of which such sewer or sewers were constructed, to make the necessary plans and surveys and specifications, and to make estimates and to let contracts, and assess the expense of such work upon the lots, buildings and property thereby benefited; or in the discretion of the common council it may cause the whole cost of such construction, alteration or change of system to be borne by the city; or it shall be lawful for the common council to cause such portion of the estimated cost of construction, alteration or amending of sewers, as it shall designate, to be born by the city, and the balance to be assessed upon the buildings and lots which may be benefited. It shall be lawful for any such city to issue its coupon bonds for an amount sufficient to cover the cost of construction of any such sewers, at a rate of interest not exceeding six per cent. *per annum*, and becoming due at such time as the common council shall determine, as provided in this act.

Procedure.

Coupon bonds may be issued.

Amends ch. 21. SECTION 70. Chapter 21, of chapter 326, laws of 1889, is hereby amended by adding thereto the following sections, number 248a, and number 248b, which sections shall read as follows: Section 248a. Any city may, at its option, in lieu of sections 240 to 248, inclusive, of chapter 326, of the laws of 1889, have the power to construct, repair, improve and maintain any harbor within or of the city, so as to make such harbor navigable and available for the largest class of vessels, by dredging channels and slips, building docks, dykes, wharves, piers and breakwaters, or by such other plan of improvement as the city council may prescribe and adopt; and when any such improvement shall have been ordered, the board of public works shall make an assessment of the benefits accruing to the lands benefited thereby.

Power of city in lieu of secs. 240 to 248 inclusive.

Improvement of harbor.

Assessment of benefits.

In order to facilitate the improvement of any harbor or any portion thereof, the city council may, by ordinance, establish harbor districts, to be numbered from one upwards, along the bays, rivers, creeks, sloughs, slips and pockets, lying wholly or in part within the city, each of which harbor district shall contain such area, and embrace such lands and territory to be improved and benefitted as the council may by such ordinance prescribe and determine; and after the formation of any harbor district, the cost of improvement made within such district shall be assessed to the property within the same, according to the benefits accruing to such property by reason of such improvement. The city council may, at any time, by a vote of three-fourths of all its members elect, vacate or alter any harbor district, or change the boundaries of the same, or consolidate or rearrange the harbor districts; provided, however, that before any harbor district shall be established, altered or vacated, as herein provided, the notice required to be given in the establishment of sewerage districts under section 210, of chapter 326, of laws of 1889, shall first be given, and sections 209, 210, 211 and 212, of chapter 326, of laws of 1889, are hereby made applicable for the establishment, alteration and vacation of harbor districts. In case it shall be necessary to dredge any channel or make any other improvement outside of any dock lines or harbor districts, the cost of such improvement shall be assessed as benefits against the platted property or subdivisions of land nearest to or benefited by such improvement. Assessments for harbor improvements shall be made, corrected and reported to the city council the same as assessments for street improvements, and certificates or improvement bonds may be issued thereon and collected in the same manner, and with like effect, as in the case of street improvements, and all provisions contained in chapter 326, of the laws of 1889, and all laws amendatory thereof, relating to special assessments and proceedings, and special improvement bonds, in the case of street improvements, are hereby made applicable. The city council may provide that a sum not exceeding ten per cent. of the amount of any assessment for the benefits shall be added,

Harbor districts, council may establish.

May vacate or alter.

Notice to be given.

Dredging.

Bonds may be issued.

Additional assessment.

as an additional assessment for benefits, to cover the cost of engineering, superintending and all other necessary charges upon the city, by reason of such improvements; they may also provide that any portion, or the entire amount, of any sum, assessed as benefits, shall be collected and in the treasury before any work shall be done or improvement made under this chapter. An appeal may be taken from any such assessment upon like notice and security, within the same time and with like effect, as in the case of street improvements, and like proceedings shall be had thereon.

Appeal.

Lands may be condemned.

SECTION 248b. Any city shall have, and may exercise the right and power to condemn any lands, whether submerged or not, that may be necessary for the improvement of any harbor, and to that end may exercise all the powers of eminent domain, granted by chapter 17, of chapter 326, of the laws of 1889, and in the manner therein stated.

Amends sec. 255.

City official not to be interested in contract, etc.

SECTION 71. Section 255, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 255. No city official shall be interested, directly or indirectly, in any improvement or contract to which the city is a party, and whenever it shall appear that such is the case, such contract shall be absolutely void and the city incur no liability thereon whatever. No city officer shall be accepted as surety on any bond, contract or other obligation made to the city.

Amends sec. 267.

City organized under a special charter may adopt provisions of this act adoption of ordinance, etc.

SECTION 72. Section 267, of chapter 326, laws of 1889, is hereby amended so as to read as follows: Section 267. Any city now organized under a special charter, may adopt the provisions of any special chapter, section or subdivision of any section of this act, and may exercise any power or franchise hereby conferred upon cities organized under this act, in addition to, or in lieu of, the provisions of its special charter, and the powers and franchises therein specified by an ordinance adopted for that purpose by a three-fourths vote of all the members of the common council elect, and when adopted as herein prescribed, such ordinance shall operate to that extent as an amendment of such special charter. No such ordinance shall be introduced, except at

a regular meeting of the common council, and no action shall be taken thereon before the next regular meeting of the common council, and before action shall be taken thereon, it shall be published at least once in each week for three successive weeks in the official city paper, if there be one, and if there be none, in some newspaper to be designated by the common council, together with a notice of the time said ordinance will be considered. No city, however, shall be deemed to have surrendered its special charter and organized under this act, until it shall have adopted all its provisions in full, as hereinbefore provided.

Ordinance to be published.

Special charter, when deemed surrendered.

SECTION 73. Section 262, chapter 326, laws of 1889, is hereby repealed, and all other provisions of said chapter 326, whether embraced in separate sections or subdivisions of sections, in so far as they conflict with the provisions of this act, are hereby repealed or amended and modified, so that the provisions of said chapter 326, shall conform to this act.

Repeals sec. 262.

SECTION 74. The secretary of state is hereby directed to cause to be published five thousand copies, in pamphlet form, of chapter 326, of the laws of 1889, as amended by this chapter, for distribution among the cities of this state.

Law to be published in pamphlet form.

SECTION 75. This act shall take effect and be in force from and after its passage and publication.

Approved April 20, 1893.