

killing or taking of the same is prohibited by the said first section, shall, upon conviction thereof, suffer a penalty of not less than five dollars nor more than twenty-five dollars, in the discretion of the justice who shall try the case.

SECTION 3. It shall be the duty of any justice of the peace, residing in the county in which any of the provisions of this act shall be violated, on the filing in his office of a complaint of any person, verified by oath, stating facts which show a violation of this act, and the person or persons who violated the same, to cause such person or persons to be arrested and brought before him or some other justice of the county, to be tried for such offense; and upon conviction, such person or persons shall be fined as prescribed in the second section of this act, which fine, when collected, shall be paid, one-fourth to the person making the complaint, the balance to the county treasurer of the county in which the conviction takes place.

Duty of Justice.

To whom fine to be paid.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved April 1, 1864.

CHAPTER 306.

[Published April 20, 1864.]

AN ACT to amend chapter ninety-seven of the private and local [general] laws of 1861, entitled "an act to consolidate and amend the act to incorporate the city of Berlin, and the several acts amendatory thereof."

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

SECTION 1. The city council shall have power to order any street or alley graded or improved, as provided in the act to which this is amendatory, upon petition of a majority of the property owners on that part of the street or alley improved: *providing*, that no petition shall be required for constructing or repairing any sidewalk.

Improving streets, &c.

Shade trees.

SECTION 2. Upon petition of a majority of property owners of any street or part of a street, the city council shall have power to cause suitable shade trees to be set out along both sides of such street or part of a street. The expense of furnishing and setting said trees, shall be chargeable to the lots opposite to which said trees are set, and if not paid by the owner of any lot at the time of the annual levy of taxes, the amount due upon any lot shall be levied thereon and collected the same as any other taxes for that year.

Vacation of plats

SECTION 3. The city council shall have power to vacate any plat or part of a plat, upon petition of all the property holders interested therein: *provided*, that notice of application for vacating said plat or part of a plat, shall have been published for three successive weeks prior thereto, in a newspaper published in said city.

Deputy clerk.

SECTION 4. The city clerk shall appoint a deputy clerk, to be approved by the council, for whose acts the clerk shall be responsible. The deputy thus appointed shall perform the duties of the clerk, in his absence.

Repeal.

SECTION 5. That portion of section one of chapter two of the act of which this is amendatory, requiring the city treasurer's securities [sureties] to justify, is hereby repealed.

SECTION 6. This act shall take effect from and after its passage.

Approved April 1, 1864.

CHAPTER 307.

[Published April 20, 1864.]

AN ACT to authorize certain counties therein named, to aid in the construction of a railroad from Tomah to Lake St. Croix, by the Tomah and Lake St. Croix railroad company.

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

Towns of certain counties may on proposition to aid T. & L. St. C. R. R.

SECTION 1. At the annual town meeting for the election of town officers, to be held in and for the different towns comprising the counties of St. Croix,