

moneys collected by him for such taxes shall be paid out and disbursed in the same manner and under the same regulations as though no question had been raised as to the validity of any of the proceedings for the collection of such taxes.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1897.

No. 107, S.]

[Published April 17, 1897.

## CHAPTER 247.

AN ACT to establish a board of police and fire commissioners in cities of the second and third class.

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

Boards of police and fire commissioners to be established in cities of the second and third class.

SECTION 1. In all cities in this state of the second and third class, according to the classification of cities made by chapter 326, of the laws of 1889, as amended by chapter 312, of the laws of 1893, whether such cities are incorporated by special charter or by the general laws of the state, there shall be a board of police and fire commissioners, consisting of four citizens, not more than two of whom shall belong to the same political party when appointed. No salary or other compensation for service shall be paid to any member of such board. Three members of the board shall constitute a quorum for the transaction of business. It shall be the duty of the mayor of any city, sub-

ject to the provisions of this act, before the first Monday of May, 1897, to appoint four members of said board, designating the term of office of each, one to hold one year, one to hold two years, one to hold three years, and one to hold four years, from the first Monday of May, 1897, and all until their respective successors shall be appointed and qualified. After the present year it shall be the duty of the mayor each year before the first Monday in May, to appoint one member of said board, whose term of office shall be four years from the first Monday in May in that year, and until his successor is appointed and qualified. Every person appointed a member of said board shall, before entering upon the duties of his office, take and subscribe the oath of office prescribed by the constitution of the state, and file the same, duly certified by the officer administering it, with the clerk of the city. Vacancies in the board arising from any cause shall be filled by the mayor for the unexpired term.

Duty of the mayor in making the appointment, terms of office; compensation etc.

SECTION 2. After this act goes into effect, no person shall be appointed to any position, either on the police force or in the fire department in any such city except with the approval of the board.

Board to approve all appointments after this act goes into effect.

SECTION 3. As soon as possible after the first members of said board shall enter upon their offices in any city, said board shall prepare and adopt such rules and regulations to govern the selection and appointment of persons to be thereafter employed in either the police or fire department of such city, as in the judgment of said board shall be adapted to secure the best service for the public in each department. Such rules and regulations shall provide for ascertaining, as far as possible, the physical qualifications, the educational qualifications, and habits, and the reputation and standing and experience of all applicants for positions, and they may provide for the competitive examination of all applicants, in such subjects as shall be deemed proper, for the

Board to formulate and adopt rules and regulations.

purpose of best determining their qualifications for the positions sought. Such rules and regulations may provide for the classifications of positions in the service and for a special course of inquiry and examination for candidates for each class. All rules and regulations adopted shall be subject to modifications or repeal by the board, at any time.

Rules and regulations to be printed and distributed.

SECTION 4. The board shall cause the rules and regulations so prepared and adopted and all changes therein, to be printed and distributed as they shall deem necessary, and the expense thereof shall be paid by the city on the certificate of the board. Such rules and regulations shall specify the date when they shall take effect, and thereafter all selections of persons for employment, or appointment or promotion, either in the police force or in the fire department of such city, shall be made in accordance with such rules and regulations.

Examinations to be free to all citizens of the United States. Their nature.

SECTION 5. The examination which the rules and regulations shall provide for, shall be public and free for all citizens of the United States over twenty-one years and under fifty-five years of age, with proper limitations as to residence, health, habits and moral character. The examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the candidates to discharge the duties of the positions in which they seek employment, or to which they seek to be appointed, and may include tests of manual skill or physical strength. The board shall control all examinations and may designate suitable persons, either in the official service of the city or not, to conduct such examinations, or any of them, and may change such examiners at any time as shall deem best, and fix the rate of their compensation to be paid by the city on the certificate of the board.

SECTION 6. Whenever the term of office of any chief of police or chief engineer of a fire department, or other officer performing the duties of chief of police or chief engineer, by

whatever name designated, heretofore appointed or elected in any city subject to the provisions of this act, shall expire after this act goes into effect and before the board of police and fire commissioners shall have adopted the necessary rules and regulations with reference to the appointment of police officers and members of fire departments herein referred to, or when any such officer is holding over at the time this act goes into effect, such chief of police or chief engineer, or other officer performing the duties of chief of police or chief engineer, by whatever name designated, shall hold his respective office until his successor shall have been duly appointed in accordance with the rules and regulations of said board of police and fire commissioners; and when the said chief of police or chief engineer of a fire department, or other officer performing the duties of chief of police or chief engineer, by whatever name designated, has been so appointed, he shall hold his said position during good behavior, subject to suspension and removal as herein provided.

Officers appointed before this act was passed shall hold office during good behavior subject to suspension as provided by the rules.

SECTION 7. All other members of the force in either department named in any city subject to the provisions of this act, at the time the act goes into effect, shall hold their respective positions and employments for six months from the date when the rules and regulations adopted by the board shall go into effect; and thereafter, if, in the meantime, the said members shall have submitted to and satisfactorily passed the examination herein provided for, but in the event of the failure of any of them to pass the required examination, the connection of such member of either force shall cease and determine at the expiration of said six months. When vacancies in old offices or newly created offices, can, with safety to the department, be filled by promotion of officers, and men already in the service pursuant to the provisions of this act, and who have proved their fitness for the promotion, the vacancies and

Six months allowed present members to hold office after this act goes into effect.

newly created offices shall be so filled by the respective chiefs with the approval of the board. In every other case vacancies in either department shall be filled and all appointments shall be made by the respective chiefs from the list of persons who have previously passed the examination herein required, with the approval of the board.

Common council to fix salaries.

SECTION 8. The common councils of cities subject to the provisions of this act, as soon as may be, after the passage and publication of the same, shall, by general ordinance, fix the salaries of officers, and men in the police and fire departments, and when so fixed the same shall be in lieu of all fees, percentages and commissions, and all fees and percentages and commissions of every name and nature whatsoever, and arising from any source, other than rewards offered for the apprehending of criminals, shall be paid into the city treasury, and the chiefs of the different departments shall make verified reports quarterly to the common council of the said fees, percentages and commissions collected by him and his subordinates during the quarter. When the salaries of officers and men of the police and fire departments of the cities subject to the provisions of this act shall be so fixed by ordinance as aforesaid, the same shall not be decreased, except upon the previous recommendation of such change, made in writing, by the board of police and fire commissioners to the common council; but nothing in this act shall be construed as preventing the common council of said cities from increasing by ordinance from time to time, the salaries of the officers and men of the said police and fire departments, or either of them. Provision may be made by the common council of cities subject to the provisions of this act, by general ordinance, that the salaries of officers and men in the police and fire departments shall increase with the length of time of service, and it shall have power to provide, by general ordinance, for an annual pension for life for such members of

Salaries may be increased and an annual pension given after 20 years.

either department as have served continuously in one or both departments twenty years, or who have been discharged from either department on account of disabilities incurred in the discharge of their duties, while in the service of the city.

**SECTION 9.** The chief of police or chief engineer of a fire department, or other officer performing the duties of chief of police or chief engineer, under whatever name designated, shall be subject to suspension from office, for cause, by the board at any time. Every other officer or member of either department shall be subject to suspension, for cause, by the chief of the department, who shall certify the cause for such suspension to the board. Any officer or member so suspended shall thereupon cease to exercise the functions of his office until he shall be reinstated. In case of such suspension the board shall at once consider and examine the charge or charges against the officer or member suspended, giving the suspended officer or member opportunity to meet the charges and to be heard in his own defense. After hearing the matter the board shall determine whether the charges are sustained; if not, the officer or member shall be immediately reinstated; and if the charges are sustained, such board shall at once determine whether the good of the service requires that the suspended officer or member shall be removed from the office or employment, or shall be suspended temporarily, without pay. The decision of the board shall be final and conclusive in all cases.

May be suspended by the board at any time for cause.

**SECTION 10.** The board shall have the power and it shall be the duty of the board, when a majority of the members thereof concur in the opinion that the good of the service, of either of the departments aforesaid, will be subserved by the removal from place of either of the officers or members named in section 9, to remove such officer or member. In such cases the removal shall be made by a notice to the officer or member signed by a majority of the board, and it

May be removed by a majority of the board for good of the service.

shall not be necessary to state any cause for such removal.

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

Approved April 16, 1897.

No. 350, S.]

[Published April 19, 1897.

## CHAPTER 248.

AN ACT to regulate the transportation and burial of bodies of persons dead of contagious disease.

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

Transportation of bodies dead of contagious disease prohibited.

SECTION 1. The transportation of bodies of persons dead of diphtheria, scarlet fever, small pox, Asiatic cholera (cholerae), leprosy, typhus or ship fever, or yellow fever, is absolutely forbidden. For all sanitary purposes, membranous croup must be considered and treated as diphtheria.

How bodies must be prepared and wrapped for shipment.

SECTION 2. The bodies of those who have died of anthrax, puerperal fever, typhoid fever, erysipelas, measles, and other contagious, infectious, or communicable diseases, must be wrapped in a sheet thoroughly saturated with a strong solution of bi-chloride of mercury, in the proportion of one ounce of bi-chloride of mercury to a gallon of water, and incased in an air-tight zinc, tin, copper or lead (lined) coffin, or in an air-tight (iron) casket, hermetically sealed, and all enclosed, in a strong, tight, wooden box; or the body must be prepared for shipment by being wrapped in a sheet and disinfected by a solu-