

eral law, be made pursuant to its articles of association, if they contain any provisions on the subject; and *provided, further*, that such alterations or amendments shall be made only at a meeting of the members specially called for that purpose, and that the charter or articles of association of any corporation, which provides that its trustees, directors or managing officers shall be elected by stockholders, shall be altered or amended only by the stockholders at a meeting of such stockholders, specially called for that purpose, at which votes on a majority of at least two-thirds of its stock shall be cast in favor of such alterations or amendments.

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

Approved March 13, 1878.

[No. 326, A.]

[Published March 20, 1878.]

CHAPTER 154.

AN ACT to amend section fifteen, chapter VI. of chapter one hundred and fifty-one of the laws of Wisconsin for 1873, and section seven of chapter two hundred and nineteen of the laws of Wisconsin for 1874, an act to amend chapter one hundred and fifty-one, laws of Wisconsin for 1874, entitled, "An act to incorporate the city of Neenah."

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

Amended.

**Highway tax—
when levied.**

**Streets, bridges
etc., to be kept
in repair by
city.**

SECTION 1. Section fifteen of chapter VI. of chapter one hundred and fifty-one of the laws of Wisconsin for 1873, is hereby amended so as to read as follows: Section 15. The common council of the city of Neenah shall, on the first day of September, each year, on which day, or within twenty days thereafter, or at the same time as the general city tax is to be levied, determine and levy the amount of street, highway and bridge tax in said city, as an addition to the general fund for the ensuing year, for the purpose of repairing bridges and graveling streets and highways in said city of Neenah; which amount shall not be less than one nor more than four mills on the dollar upon all taxable property of said city, as the same shall appear upon the assessment roll of property in that year. *And it is further provided*, that all streets, alleys, highways, bridges and culverts within the city limits of Neenah shall be constructed,

repaired and maintained at the expense of the whole city, and paid out of the general fund. The aldermen of each ward shall have the special care and control of all streets, alleys, highways, bridges, culverts and sidewalks in their respective wards, and the common council shall, from time to time, appropriate from said general fund, such sums to be expended by the direction of the aldermen of each ward, as may be deemed necessary by the common council.

SECTION 2. Section seven, chapter two hundred and nineteen of the laws of Wisconsin for 1874, is hereby amended so as to read as follows: Amended. Every male inhabitant of the city of Neenah over twenty-one years of age, and under fifty years, except active members of the fire department in the city, and persons receiving pensions from the United States, paupers, idiots and lunatics, shall pay into the city treasury, annually, the sum of one dollar and twenty-five cents each as a poll tax. Poll tax. It shall be the duty of each of the assessors of the city of Neenah, during the month of May each year, to make out duplicate lists of all persons liable to pay said tax, and said assessors shall, on the first Monday of June, each year, deliver one of said duplicate lists to the city clerk, and one to the superintendent of streets of the city of Neenah. Poll tax—how collected. The superintendent of streets shall thereupon immediately proceed to collect the same; and all persons liable to pay such tax, who shall not have paid the same after demand, either personal or by written notice left at their usual place of abode, on or before the first day of August, shall be liable to and shall pay a penalty of two dollars, together with the costs of prosecution, to be prosecuted for by said superintendent of streets, in the name of the city of Neenah. The process in such case shall be by warrant, and in case judgment shall be rendered against the defendant in such action, and he shall refuse or neglect to pay such judgment, he shall be imprisoned in the county jail not to exceed ten days. The assessors shall also, at the time of assessing the annual taxes in each year after the year 1873, make out such duplicate lists of all persons liable to pay such tax as aforesaid, and deliver one of the said lists to the city clerk and one to the superintendent of streets, at the time he returns to the city clerk his assessment roll of real and personal property of the city of Neenah; and the superintendent of streets of said city shall proceed to collect the same in the same manner as hereinbefore in this section.

provided, and in case said taxes are not paid to said superintendent, he shall prosecute for them in the manner hereinbefore provided. The said assessors, in making such lists, shall designate the ward in which such person on said lists resides, and the superintendent of streets shall account for the tax of each ward of the city, with the amount thus collected from the inhabitants of such ward; and all money collected by said superintendent as above specified, shall be paid over to the city treasurer on or before the thirty-first day of August, each year. The mayor, city clerk and treasurer shall constitute a board to determine the liability of persons to pay such tax; and all persons claiming to be exempt from poll tax shall apply to said board within twenty days from the time when said lists shall be delivered to the superintendent of streets for collection. The superintendent of streets shall receive three per cent. on the dollar, as fees for collecting said poll tax: *provided*, that if any person shall desire to, he shall be permitted to perform ten hours' work upon the streets of the city, in the ward in which he resides, under the direction of said superintendent of streets, and at such time as he shall direct, within the month of July, in each year, and the certificate of the superintendent of streets that such person has performed one full day's labor upon a street or highway within the ward in which said person resides, shall be received by the city treasurer in full discharge of such poll tax. And it is further provided that said superintendent shall have power to add on said lists the names of all such persons by him known to be liable to pay said tax, that may have been omitted by said assessors.

**Chief engineer
— powers and
duties of.**

SECTION 3. The chief engineer of the fire department of the city shall, in all cases, have the exclusive control of the different fire companies of the city, their engines, steamers and fire apparatus, and also the direction and control thereof when called out on duty, subject only to the control of the common council; he shall see that the engines, steamers and apparatus of the fire department are kept in perfect order and readiness for immediate use, and cause all necessary repairs to be made, without letting the same by contract, and report the same to the common council for approval and allowance; he shall use his utmost endeavors in preventing and subduing fires, and controlling the firemen thereat. He shall perform such other and further duties as are prescribed in other provisions of this act, and by the ordinances of the common council.

SECTION 4. Whenever any person shall refuse to obey any lawful order of the chief engineer of the fire department, or assistant engineer, the mayor or aldermen, at any fire, it shall be lawful for the officer giving such order, to arrest, or to direct orally any policeman, constable, watchman, or any citizen, to arrest such person, or to confine such person or persons temporarily in any safe place until such fire shall be extinguished; and in the same manner such officers, or any of them, may arrest or direct the arrest or confinement of any person at such fire who shall be intoxicated or disorderly; and any such person who shall refuse to obey any such lawful order, or who shall refuse to arrest or aid in arresting any person so refusing, shall be liable to such penalty as the common council may prescribe, not exceeding ten dollars.

Penalty for refusal to obey.

SECTION 5. Section five of chapter VIII. of chapter one hundred and fifty-one of the laws of Wisconsin for 1873, is hereby amended and to read as follows: The several fire wardens of the city shall examine as to the construction of all chimneys, fire places, hearths, stoves, stove pipes, ovens, smokestacks, boilers and fire apparatus used in and about any building, and shall have power to prevent the improper construction thereof, and may cause them to be removed and placed in a safe and secure position. They shall prevent the depositing or keeping of ashes, or any combustible material, in any place except such as is safe; and they shall perform other and such further duties as may be ordered or prescribed by the common council.

Amended.

Fire wardens.

SECTION 6. Section six of chapter VIII. of chapter one hundred and fifty-one of the laws of Wisconsin for 1873, is hereby amended and to read as follows:

Amended.

1. There shall be paid to the treasurer of the city of Neenah for the benefit of the fire department of the city, on or before the first day of February in each year, by every person who shall act in said city as agent for or on behalf of any individual or association, or association of individuals, whether incorporated by the laws of this state or by the laws of any other state, territory or country, to effect insurance against loss or injury by fire, the sum of two dollars upon each hundred dollars, and at that rate upon the amount of all premiums which, during the year or part of year ending on the next preceding first day of January, shall have been received by such agent or person or company, or by any other person or persons for him or it, or which shall have been agreed to be paid for any insurance effected or

Fee required of insurance agents.

agreed to be effected or promised by him or such agent or otherwise, or by such company, against loss or injury by fire in said city of Neenah.

**Bond required
of agent.**

2. No person shall in said city of Neenah, as the agent or otherwise for any individual or individuals, association or corporation, agree to effect or effect any insurance upon which the duty mentioned in the next preceding article is required to be paid, or as an agent or otherwise procure such insurance to be effected, unless he shall have first executed to said city of Neenah, and deposited with the clerk of said city a bond, to be approved by the mayor of said city, in the penal sum of one thousand dollars, with sureties thus approved by said mayor, conditioned that he will render to said clerk of the city on or before the first day of February the next succeeding year, a just and true account, verified by oath that the same is just and true, of all premiums which, during the year ending on the first day of January preceding such report, shall have been received by him or by any other person for him, or agreed to be paid for any insurance against loss or injury by fire in said city, which shall have been effected or promised by him, or agreed or promised by him to be effected for any individual, individuals, association or corporation, and that he will, on such first day of February, pay to the treasurer of said city of Neenah, for the use and benefit of the fire department, "two dollars" upon every hundred dollars, and at that rate upon the amount of all such premises.

**Penalty for neg-
lect of agent.**

3. Each and every such agent shall file such bond with said city clerk annually, on the first secular day of January in each year: and any person who shall in said city effect, agree to effect, promise or procure any insurance specified in the preceding articles of this chapter without having given such bond, shall forfeit and pay to the city of Neenah for each offense, and for each insurance so effected or agreed, or promised to be effected, the sum of one hundred dollars; and such sum shall be recovered by said city in a civil action, and said city may maintain an action on such bond or against such agent, to recover all moneys required by section six of this chapter, to be paid into the city treasury.

Repealed.

SECTION 7. Sections fifteen, sixteen, seventeen, eighteen, nineteen, twenty and twenty-one, of chapter six of chapter one hundred and fifty-one of the laws of Wisconsin for 1873, and sections five and seven, chapter two hundred and nineteen of the laws of Wisconsin

for 1874, and all acts and parts and acts inconsistent or conflicting with the provisions of this act, are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 13, 1878.

[No. 65, A.]

[Published March 22, 1878.]

CHAPTER 155.

AN ACT to authorize the commissioners of school and university lands to loan a portion of the trust funds of the state to the county of Burnett, in this state.

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

SECTION 1. The commissioners of school and university lands are hereby authorized to loan a portion of the trust funds of this state, not exceeding twenty thousand dollars, to the county board of supervisors of the county of Burnett, in this state, and the said board of supervisors is hereby authorized to borrow a sum not exceeding the amount above named of said commissioners, and to issue certificates of the indebtedness so contracted; said indebtedness shall bear interest at the rate of seven per centum per annum, and said interest, together with one-fifteenth of the principal, shall be paid annually, until the whole of the same is paid.

Commissioners to loan money.

When payable.

SECTION 2. Each and every year, until the whole loan be so paid, the secretary of state shall, when he apportions the state taxes among the several counties of this state, add to the state tax of Burnett county the annual interest due the state on said loan, together with one-fifteenth of the principal sum so loaned, and the said sum so added as aforesaid, shall be levied and collected out of the taxable property of said county and paid over to the state in the same way as other state taxes are collected and paid.

Secretary of state to apportion amount due in apportioning state tax.

SECTION 3. At the time and in the manner provided for levying taxes for state and county purposes, the board of supervisors of said county of Burnett shall each and every year, after the date of said loan, levy the amount of money required for the payment of the annual interest on said loan, together with one-fifteenth of the principal sum so loaned by the said commis-

Board of supervisors to levy tax.