

whenever necessary; said horse or horses to be fed, and said horse, wagon and apparatus to be housed by said city; provided, that if at any time such company shall fail to comply with any of the provisions of this section, in regard to furnishing and keeping in repair such apparatus, the common council may supply such deficiency and direct the city treasurer to withhold the amount of the expense thereof from said fire police company.

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

Approved March 7, 1889.

[No. 220, A.]

[Published March 14, 1889.]

## CHAPTER 80.

AN ACT to amend sections 67, 68 and 90 of the charter of the city of Richland Center.

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

Amendment to chapter 74, laws of 1887, relating to penalties.

SECTION 1. Section 67, of chapter 74, of the laws of Wisconsin, passed at the biennial session of the legislature of 1887, relating to city charters and their amendments, is hereby amended by striking out the words, "six months," where they occur in the last line thereof and inserting in lieu thereof the words, "ninety days," so that said section when so amended, shall read as follows: Section 67. In prosecution before the police justice to recover any penalty or forfeiture under this act or ordinances, by-laws or police or health regulations made in pursuance thereof, a jury shall be allowed and trial had as in criminal cases before a justice of the peace. If guilty, the court shall render judgment thereon against the defendant for the fine, penalty or forfeiture provided in this act, or in the ordinance, by-law or regulation for the violation of which the person or persons shall have been adjudged guilty, and for costs of suit; and that in default of payment the defend-

ant be imprisoned in the county jail of Richland county for such time as may be prescribed by this act or the ordinance, by-law or regulation violated, not exceeding ninety days.

SECTION 2. Section 68, of said chapter, is hereby amended by adding after the words, "the court," where they occur in the first and fourth lines of said section, the words, "or jury," so that said section, when so amended, shall read as follows: Section 68. In case the finding of the court or jury be guilty, as provided in the preceding section, the judgment of the court shall be substantially in the following form: The court or jury having found the defendant, A. B., guilty as charged in the complaint, it is now here adjudged by the court that the defendant, A. B., pay a fine of — dollars and the cost of this suit, taxed at — dollars and — cents; in all, the sum of — dollars and — cents fine and costs; and that in default of payment of the said sum of — dollars and — cents fine and costs, the said defendant, A. B., be imprisoned in the county jail of Richland county for the term of — days from the — day of —, 18—, to the — day of —, 18—, until such fine and costs are paid, or discharged by due course of law.

Amendment to section 68, chapter 74, relating to form of judgment.

SECTION 3. Section 90, of said chapter, is hereby amended by adding the words, "and costs of suit," after the words, "two hundred dollars," where it occurs in the fifth line of said section, so that said section, when so amended, shall read as follows: Section 90. The common council shall have power to prescribe and fix penalties for the violation of any ordinance, by-law, resolution or regulation of said city, to be not less than three dollars nor more than two hundred dollars and costs of suit, in any case, and in default of payment to provide for committing the person convicted to the watch-house or place of confinement in the city, or to the county jail until payment be made, not exceeding ninety days in all, and to modify, amend, repeal any ordinance, resolution, by-law or other determination of the council.

Amendment section 90.

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

Approved March 11, 1889.