

## CHAPTER 59.

[Published March 4, 1873.]

AN ACT to revise the charter of the city of Prairie du Chien.

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

## CHAPTER I.

## CITY AND WARD BOUNDARIES.

City bound-  
aries.

SECTION 1. All that district of country situated in the county of Crawford, state of Wisconsin, and embraced in the following boundaries, to wit: Commencing at the northeast corner of farm lot number twenty-five of the private land claims at Prairie du Chien, running thence westerly on the north line of said farm lot to its intersection with the south line of Frederick street, as laid down on the Union plot of Prairie du Chien aforesaid; thence westerly on the south line of said street and the course of said south line to the east channel of the Mississippi river, thence southerly along the center of the east channel of the said Mississippi river, to a point that would intersect LaPointe street, if the same were continued to said east channel, thence easterly on the line of the centre of said LaPointe street to Sixteenth street, thence northerly on said Sixteenth street to Lessard street, thence easterly on said Lessard street to the east line of farm lot thirty-nine, thence northerly on the east line of farm lots to the place of beginning, shall be known and designated as the city of Prairie du Chien, and by that name shall be capable of contracting and being contracted with, pleading and being impleaded, answering and being answered unto, in all courts and places, and in all matters whatsoever, and shall be competent to exercise all the rights and privileges, and be subject to all the duties and obligations appertaining to municipal corporations.

Ward bound-  
aries.

SECTION 2. The said city shall be divided into four wards, called first, second, third and fourth, limited and bounded as follows: All that portion of said city lying south of the south line of farm lot thirty-four of the private land claims of Prairie du Chien, with said line extended to the east channel of the Mississippi river,

shall constitute the first ward; and all that portion of said city north of said north boundary of ward number one and east of the Marais de St. Feriole and south of the center of Bluff street, shall constitute the second ward; and all that portion of said city lying north of the north line of said ward number two and east of said Marais de St. Feriole, shall constitute the third ward; and all of that portion of said city lying west of the center of said Marais de St. Feriole, shall constitute the fourth ward.

SECTION 3. The corporate authority of said city shall be vested in one principal officer, styled the mayor, in one board of aldermen, consisting of three members from each ward, who, with the mayor, shall be denominated the common council, together with such other officers as are hereinafter mentioned or may be created under this act. Common council.

## CHAPTER II

SECTION 1. The annual elections for ward and city officers shall be held on the first Tuesday in April of each year, at such place in each ward as the common council shall designate. Ten days' notice shall be given of the time and places of holding such election, and of the officers to be elected, by publication in the official city paper. All elections under this charter shall be conducted in the same manner as the general elections for state and county officers. Said elections shall be held in the several wards for the officers herein designated, and shall be presided over by the aldermen in the respective wards, or in case of their absence or disability, the voters present at the hour of opening the polls shall elect *viva voce* a sufficient number of inspectors to make three with the alderman or aldermen present, who shall be sworn in accordance with the laws of this state. Such inspectors shall appoint two clerks of the election, who, before entering upon the discharge of their duties as such clerks, shall also be severally sworn in accordance with the laws of this state, and such inspectors shall see the names of the voters registered, and the ballots safely deposited in the ballot box, shall decide all questions that may arise as to the legality of the votes presented, shall count the ballots at the close of the polls, and shall certify and seal two returns, and the day following the election, shall direct and return one of the said returns to the city clerk of the city of Prairie du Chien, the other to the clerk of the board of Election of city and ward officers. Inspectors of election. Clerks.

Board of canvassers.

supervisors of the county of Crawford. The mayor of the city, and such members of the common council as shall hold over, shall constitute a board of canvassers, who shall, within five days after such election, meet at the common council chamber and canvass such returns, and after the aforesaid returns have been canvassed by said board, the mayor shall notify by a certificate the persons elected to the respective offices.

Elective officers.

SECTION 2. The elective officers of said city shall be a mayor, treasurer and assessor, all of which said officers shall be residents within and qualified voters of said city. Each ward shall elect three aldermen, one justice of the peace and one constable, who shall be residents within and qualified voters of the ward for which they may be elected. The terms of office shall

Term of office.

commence on the first Monday of May next after their election. Each of said officers shall continue in office for his respective term, as herein provided, and until his successor is elected and qualified, and shall have such powers and perform such duties as are prescribed in this act, not inconsistent with this act, or which may not be incompatible with the nature of their respective offices. All other officers necessary for the management of the affairs of said city shall be appointed by the common council. On the first Tuesday in April in each year, the qualified voters of said city shall elect one mayor, one treasurer and one assessor, who shall hold their respective offices for one year, and on the same day and at the same places of holding said election, the said qualified electors of each ward shall elect two aldermen and one constable. The senior alderman and justices of each ward who are now in office shall continue in office until the expiration of the terms for which they were respectively elected, and there shall be elected annually on the first Tuesday in April one alderman in each ward, who shall hold his office for two years, and one alderman who shall hold his office for one year. The ballot shall designate who shall be the alderman for two years, and one constable in each ward for one year. And on the first Tuesday in April, 1874, and every two years thereafter, there shall be elected one justice of the peace in each ward.

Day of election and officers to be elected.

Vacancy, how filled.

SECTION 3. In the event of a vacancy in the office of mayor, aldermen or justices of the peace, by death, removal or other disability, the common council shall order a new election, and shall give five days' notice thereof; any vacancy in other offices shall be filled by the common council; the person appointed or elected

to fill a vacancy shall hold his office and discharge the duties thereof for the unexpired term, with the same rights, and subject to the same liabilities as the person whose office he may be elected or appointed to fill.

SECTION 4. All elections by the people shall be by ballot, and each ballot shall contain all the names of the persons voted for, with a proper designation of the officers written or printed thereon, and a plurality of votes shall constitute an election; all elections of the common council may, at their option, be *viva voce*; when two or more candidates for an elective office by the people shall receive an equal number of votes for the same office, the election shall be determined by the casting of lots in the presence of the common council, at such time and in such manner as they may direct.

Election to be by ballot.

SECTION 5. All persons entitled to vote for state or county officers, and who shall have resided in the city thirty days preceding the election, and for ten days within the ward where they offer to vote, shall be entitled to vote for any officer to be elected under this charter, and to hold any office hereby created.

Who are voters.

SECTION 6. If either of the inspectors of election or alderman shall suspect that any person offering to vote, does not possess the necessary qualifications of an elector, the inspectors or alderman, before receiving any such vote, shall, in addition to the oath required by law in reference to elections, require the voter offering to make oath that he has resided in the ward where he offers to vote, ten days next preceding the election, and in the city thirty days next preceding the election; and if the person offering to vote shall take such oath, his vote shall be received; and if such person shall take such oath falsely, he shall be deemed guilty of willful and corrupt perjury, and upon conviction thereof upon indictment or information, shall suffer the punishment provided by law for persons guilty of perjury. If any person who is not a qualified voter shall vote at any election, or if any person duly qualified shall vote in any other ward than the one in which he resides, or shall vote more than once at any one election, he shall be liable to indictment or presentment by information, and on conviction thereof shall forfeit and pay a sum not exceeding one hundred dollars, nor less than twenty-five dollars. It shall be the duty of the inspectors to keep a list of the names of all persons whose vote may be challenged as aforesaid, and who shall swear in their vote; and if any inspector or alderman shall knowingly and corruptly receive the

Additional oath.

Penalty for illegal voting.

Shall keep list of challenged voters.

vote of any person not authorized to vote, or shall make out false returns of any election, or if any clerk shall not write down the name of every voter as he votes, or shall willfully make untrue and incorrect counts and tallies of votes, each and every inspector or clerk so acting shall be liable to indictment or presentment by information thereof, and on conviction thereof shall severally forfeit and pay a sum not exceeding five hundred dollars.

Special elections.

SECTION 7. Special elections to fill vacancies, or for any other purpose, shall be held and conducted by the aldermen of each ward, in the same manner and the returns thereof shall be made in the same form and manner as general and annual elections, and within such time as may be prescribed by resolution.

When offices deemed vacant.

SECTION 8. Any officer removing from the city or ward for which he was elected, or any officer elected at the annual election, who shall neglect or refuse to qualify, on or before the first Monday in May next after his election, and any officer elected or appointed to fill any vacancy, who shall neglect or refuse for ten days after notice of his election to qualify, shall be deemed to have vacated his office, and the common council shall proceed to fill the vacancy as herein prescribed.

## CHAPTER III.

### OFFICERS—THEIR POWERS AND DUTIES.

Shall take oath and give bond.

SECTION 1. Every person elected or appointed to any office under this act shall, before he enters upon the duties of his office, take and subscribe an oath of office, and file the same, duly certified by the officer taking the same, with the clerk of the city, and the treasurer, clerk and such other officers as the common council may direct, shall severally, before they enter upon the duties of their respective offices, execute to said city a bond, with at least two sureties, who shall make affidavit that they are each worth the penalty specified in said bond, over and above all debts, exemptions or liabilities; and said bonds shall contain such penal sum and such conditions as the common council may direct, and the common council may, from time to time, require new or additional bonds, and remove from office any officer refusing or neglecting to give the same.

Duties of the mayor.

SECTION 2. The mayor, when present, shall preside over the meetings of the common council, and

shall take care that the laws of the state and ordinances of the city are duly enforced and observed, and that all officers of the city discharge their respective duties. He shall appoint no police force without the direction of the common council, by order, and only such number as the common council shall so direct; any police officer or watchman so appointed may be discharged by the mayor whenever, in his opinion, the welfare of the city may demand it. In case of riot or other disturbance, the mayor may appoint as many special constables as he may deem necessary. The mayor shall communicate in writing to the common council once a year, such information as he may deem necessary, and at all times give such information as the common council may require. He shall vote in the common council only in case of a tie vote.

SECTION 3. At the first meeting of the common council in each year, or as soon thereafter as may be, they shall proceed to elect by ballot, one of their number president, and in the absence of the mayor, the said president shall preside over the meetings of the common council, and during the absence of the mayor from the city, or his inability from any cause, to discharge the duties of his office, the president shall execute all the powers and discharge all the duties of the mayor. In case the mayor and president shall be absent from any meetings of the common council, they shall proceed to elect a temporary presiding officer who, for the time being, shall discharge the duties of mayor. The president, or temporary presiding officer, while presiding over the council, or performing the duties of mayor, shall be styled acting mayor, and acts performed by them shall have the same force and validity as if performed by the mayor. But the president of the council, as acting mayor, shall sign no order, warrant or other proceeding whatever, which the mayor has refused to sign, and communicated such refusal to the council.

Election of president and his duties.

SECTION 4. The common council shall elect a city clerk. He shall keep the corporate seal and all the papers and records of the city. He shall attend the meetings and keep a record of the proceedings of the common council. The records of the common council kept by him shall be evidence in all legal proceedings, and copies of all papers filed in his office and transcripts from the records certified by him, under the corporate seal, shall be evidence in like manner as if the original were produced. He shall keep a full and accurate account of all certificates of appropriations and orders

Duties of the clerk.

drawn on the city treasurer, in a book provided for that purpose, and shall also keep an accurate account with the treasurer, and charge him with all the tax lists delivered to him for collection, and all sums of money paid into the treasury. Whenever the clerk shall be absent from any meeting, the city council may appoint a clerk *pro tem*. The city clerk shall have power and authority to administer oaths and affirmations, and take acknowledgements of deeds and other instruments, and shall receive a salary which shall be fixed by the common council at their first meeting in each year, to be paid out of the city treasury.

Duties of the treasurer.

SECTION 5. The treasurer of said city shall perform such duties and exercise such powers as may be lawfully required of him by the ordinances of said city, or the laws of this state. All moneys raised, received, recovered or collected by means of any tax, license, penalty or fine, forfeiture or otherwise, under the authority of this act, or which may belong to the said city, shall be paid into the city treasury, and shall not be drawn therefrom except by an order issued by order of the common council, and signed by the mayor and countersigned or attested by the clerk. He shall keep an accurate account of all moneys or other things coming into his hands as treasurer, in a book to be provided for that purpose, which shall remain the property of the city, wherein he shall note the time when, and the person from whom the amount of the several sums was received, which books shall, at all reasonable times, be opened to the inspection of any person. He shall, every three months, and as often as the common council may require, render to such council a minute account of the receipts and expenditures of his office, and at the expiration of his office he shall hand over to his successor all moneys, books, papers and property in his possession belonging to said city. The said treasurer shall also be a collector of taxes, and for his services, receive the same compensation, except as herein otherwise provided, and he shall have the same power and be subject to the same liabilities and be governed by the same laws as treasurers of towns: *provided*, that he shall receive no other fees, except the compensation hereinafter provided.

Duties and jurisdiction of justices of the peace.

SECTION 6. The justices of the peace elected under this act shall have the same jurisdiction and perform all the duties of justices of the peace, and shall qualify in the same manner as provided by the general laws of this state, except that the official bonds or agreements

shall be approved by a majority of the common council ; all constables elected by virtue of this act shall have and exercise the same powers and duties, and be subject to the same liabilities as constables of towns.

SECTION 7. A police justice shall be designated and appointed by the common council from one of the four justices of the peace elected in said city, at their first annual meeting after the election of officers, and shall have the power at any time to annul such appointment, and to appoint one of the other justices of said city a police justice. The justices shall hold their offices in the ward where they are elected, except the police justice. The police justice shall have and possess all the authority, powers and rights of a justice of the peace in civil proceedings, and shall have sole and exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal cases arising within the city, and shall have exclusive jurisdiction in all cases to which the city shall be a party, and shall have the same power and authority in cases of contempt as a court of record : *provided*, that nothing herein contained shall be deemed to divest the judges of the circuit or county courts of their authority as conservators of the public peace, nor to affect in any manner the jurisdiction of the circuit court. The police justice shall be entitled to receive for his services the same compensation in fees as is allowed by law to justices of the peace for similar services, and no other ; but the city shall not be liable to said police justice for his said fees, except such as shall accrue on prosecutions for the violation of the charter or ordinances of the city, wherein the offender shall have been discharged from imprisonment or custody by the authority of the common council or mayor. In case of the absence, sickness or other inability of the police justice, the mayor, by warrant, may authorize any justice of the peace within said city to perform the duties of police justice, and it shall thereupon be the duty of the mayor to inform the city marshal of such substitution, and make a report thereof to the common council, and they may confirm or set aside such appointment, but in all cases of complaint, suits or actions brought or commenced before such justice after his appointment, and before action thereon by the council, the same shall not abate by reason of his non-confirmation by the council, but such complaints, suits or actions shall proceed to final judgment before such justice, and the justice so appointed shall, for the time

May appoint police justice; his duties and jurisdiction.

His compensation.

May appoint substitute.



being, possess all authority, powers and rights of the police justice. Appeals and writs of *certiorari* may be taken from the police justice in the same manner as from justices of the peace.

Shall make quarterly report.

SECTION 8. The police justice shall quarterly report to the common council a list of all proceedings instituted before him in behalf of the city, and the disposition thereof, and shall at the same time account and pay over to the treasurer the amount of all penalties and fines collected which may by law accrue to the city. The city shall not be liable to pay any cost for violation of any law of this state.

The marshal—his powers and duties.

SECTION 9. A marshal shall be appointed by the council. He shall attend all the meetings of the common council, and shall perform such duties as shall be prescribed by the common council for the preservation of the public peace and collection of license moneys and fines. He shall possess all the powers of constables of towns and be subject to the same liabilities. It shall be his duty to execute and retain all writs and processes to him directed, and when necessary in criminal cases or for the violation of any ordinance of said city or law of this state, may pursue and serve the same in any part of the state. It shall be his duty to suppress all riots, disturbances and breaches of the peace, and to remove all obstructions in the streets and alleys in said city, and to abate all nuisances in said city; to apprehend any person in the act of committing any offense against any ordinance of said city or laws of this state, and within reasonable time, bring such persons before competent authority for examination and trial; and for such services he shall receive such fees as are allowed to constables for like services. He shall have power to appoint one or more deputies to be approved by the city council, but for whose official acts he shall be responsible, and of whom he may require bonds for the faithful discharge of their duties.

May require other and further duties.

SECTION 10. The common council shall have power from time to time to require other and further duties to be performed by any officer whose duties are herein prescribed, and to appoint such other officers as may be necessary to carry into effect the provisions of this act, and to prescribe their duties; and to fix the compensation of all officers elected or appointed by them. Such compensation shall be fixed by resolution at the time the office is created, or at the commencement of the year, and shall not be increased or diminished during the term such officer shall remain in office, or for which he was elected or appointed.

SECTION 11. There may be elected by the common council a city surveyor, who shall be a practical surveyor and engineer. He shall keep his office at some convenient place within said city, and the common council shall prescribe his duties; and fix the fees and compensation for any services performed by him. All surveys, profiles, plans or estimates made by him for the city or either of the wards shall be the property of said city, and shall be carefully preserved in the office of the surveyor, open to the inspection of parties interested, and the same together with all books and papers appertaining to said office shall be delivered over by the surveyor at the expiration of his term of office to his successor or the common council.

City surveyor—  
his duties and  
compensation.

SECTION 12. It shall be the duty of the council to elect a street commissioner for the whole city, who shall render his personal service, and perform labor in repairing the streets of said city, and to superintend all local improvements throughout the city under the direction of the common council, and to carry into effect all orders of the common council in relation thereto, and to perform such other duties as may be herein prescribed to be performed by street commissioner, or ordered by the common council. Said street commissioner shall receive a compensation to be fixed by the common council, not exceeding two dollars per day for the time actually engaged in the discharge of his duties; and shall keep accurate account of all expenditures incurred in the discharge of his duties, and render quarterly accounts thereof to the common council, or oftener if required.

Shall elect  
street com-  
missioner—his  
duties and com-  
pensation.

SECTION 13. The common council shall annually provide that all printing authorized and required by them to be done for their use or for the city, shall be let by contract to the lowest bidder for the term of one year, but no bid therefor shall be considered unless made by the publisher of a newspaper printed and published in the city of Prairie du Chien, unless the bids of such publishers shall be higher than the rates of legal advertising as fixed by law, or unless such publisher should fail to bid. All ordinances and other proceedings required by this act, or by the by-laws or ordinances of the common council to be published, shall be published in the newspaper selected under the provisions of this section, and the printer of said newspaper shall, either in person or by his foreman, file with the clerk of the city, his or their affidavit of the length of time said ordinance, by-law or proceeding had been published, and such affidavits shall be

Printing to be  
let to lowest  
bidder.

Publication of  
ordinances, &c.

conclusive evidence of the publication of such notice, ordinance, proceeding or by-law.

Shall hand over books, etc., to successor.

SECTION 14. If any person, having been an officer in said city, shall not, within ten days after notification and request, deliver to his successor in office all property, moneys, books, papers and all effects of every description in his possession, belonging to said city or pertaining to the office he may have held, he shall forfeit and pay to the use of the city one hundred dollars, besides all damages caused by his neglect or refusal to deliver; and such successor may recover the possession of such books, papers and effects in the manner prescribed by the laws of this state.

Who are peace officers,—their duties.

SECTION 15. The mayor, sheriff of Crawford county, each and every alderman, justice of the peace and marshal, shall be officers of the peace, and suppress in a summary manner all rioting and disorderly behavior within the limits of the city; and for such purpose may command the assistance of all bystanders, and if need be, of all citizens and military companies. If any person, bystander, military officer or private citizen shall refuse to aid in maintaining the peace when so required, every such person shall forfeit and pay a fine of fifty dollars; and in cases where the civil power may be required to suppress riots or disorderly behavior, the superior or senior officer present, in the order mentioned in this section, shall direct the proceedings.

## CHAPTER IV.

### THE COMMON COUNCIL—ITS GENERAL DUTIES AND POWERS.

The common council.

SECTION 1. The mayor and aldermen shall constitute the common council, and the style of all ordinances shall be, "the common council of the city of Prairie du Chien, do ordain," etc. The common council shall meet at such time and place as they by resolution shall direct. A majority of the aldermen shall constitute a quorum.

Their meeting rules, etc.

SECTION 2. The common council shall hold stated meetings, and the mayor may call special meetings, by notice to each of the members, to be served personally or left at their usual places of abode. The common council shall determine the rules of its own proceedings, and be judge of the election and qualification of its own members, and have power to compel the attendance of absent members, and to enforce its rules, to punish by

fine and imprisonment, by a vote of two-thirds of its members, any member for disorderly or contemptuous conduct, and by a vote of two thirds of its members may expel any member for cause.

SECTION 3. The common council shall have the control and management of the finances, and of all property of the city; and shall likewise, in addition to the powers herein vested in them, have full power to make, enact, ordain, establish, publish, enforce, alter, modify, amend and repeal all such ordinances, rules and by-laws for the government and good order of the city, for the suppression of vice and immorality, for the prevention of crime, and for the benefit of trade, commerce and health, as they shall deem expedient, declaring and imposing penalties, and to enforce the same against any person or persons who may violate any of the provisions of such ordinance, rule or by-law, and such ordinances, rules and by-laws are hereby declared to be and have the force of law: *provided*, they are not repugnant to the constitution and laws of the United States or of this state; and for these purposes shall have authority by ordinances, resolutions, or by-laws:

General and special powers.

1st. To license and regulate the exhibition of common showmen or shows of any kind, or the exhibition of caravans, circuses and theatrical performances, billiard tables and bowling saloons, and to provide for the abatement and removal of all nuisances, under the ordinances or at common law; and to grant licenses for selling spirituous, vinous or fermented liquors, and regulate groceries, taverns, victualing houses, and all persons vending or dealing in spirituous, vinous or fermented liquors, and to revoke the same for a violation thereof: *provided*, that the sum to be paid for any such license shall not be less than the amount fixed and provided by the laws of this state, and that no license shall be granted for a less time than one year; *and provided further*, that no person thus licensed shall sell or give away any spirituous, fermented or vinous liquors on election days.

Licenses.

2d. To restrain and prohibit all descriptions of gaming and fraudulent devices and practices, and all playing of cards, dice or other games of chance, for the purpose of gaming in said city, and to restrain any person from vending, giving or dealing in spirituous or vinous liquors, unless duly licensed by the common council.

Gaming.

3d. To prevent any riots, noise, disturbance or disorderly assemblages, suppress and restrain disorderly

Riots, etc.

houses or groceries, and houses of ill-fame, and to authorize the destruction of all instruments used for purposes of gaming.

Nauseous places.

4th. To compel the owner or occupant of any grocery, cellar, tallow-chandler's shop, soap factory, tannery, stable, barn, privy, sewer or other unwholesome or nauseous house or place, to clean, remove or abate the same from time to time, as often as it may be deemed necessary for the health, comfort and convenience of the inhabitants of said city.

Slaughter houses and markets.

5th. To direct the location and management of slaughter houses and markets, and to prevent the erection, use or occupation of the same when the offal or filth therefrom shall discharge into the waters adjoining or in said city, and to establish rates for and license venders of gunpowder, and regulate the storage, keeping and conveying of the same or other combustible material.

Incumbering streets.

6th. To prevent the incumbering of the streets, sidewalks, lanes and alleys with carriages, sleighs, boxes, lumber, fire-wood or other materials or substances whatever.

Immoderate driving.

7th. To prevent horse racing, immoderate riding or driving in the streets, and to regulate the places of bathing and swimming in the waters within the limits of said city.

Running at large of cattle.

8th. To restrain the running at large of horses, cattle, swine, sheep, poultry and geese, and to authorize the distraining, impounding and sale of the same.

Of dogs.

9th. To prevent the running at large of dogs, and to authorize the destruction of the same in a summary manner, when at large contrary to the ordinance.

Putrid carcasses.

10th. To prevent persons from bringing, depositing or having within said city, or placing in the waters adjacent to said city, any putrid carcass or any other unwholesome substance, and to require the removal of the same, by any person who shall have upon his premises any such substance, or putrid or unsound beef, pork, fish, hides or skins of any kind, or on default to authorize the removal thereof, by some competent officer, at the expense of such person or persons.

Board of health and cemetery.

11th. To establish and regulate boards of health, provide hospitals and cemetery grounds, regulate the burial of the dead and the return of the bills of mortality, and to exempt burial grounds, set apart for public use, from taxation.

Weight of bread.

12th. To establish the assize and weight of bread, and to provide for the seizure and forfeiture of bread baked contrary thereto.

13th. To prevent all persons riding or driving any horse, mule, cattle or any other animal on the sidewalks in said city, or in any way doing any damage to said sidewalks. Driving on sidewalks.

14th. To prevent shooting off firearms or crackers, and to prevent the exhibition of fireworks in any situation which may be considered by the council dangerous to the city or any property therein, or annoying to the citizens thereof. Shooting off firearms.

15th. To restrain drunkards, immoderate drinking or obscenity in the streets or public places, and to provide for arresting, removing and punishing any person or persons who may be guilty of the same. Restraining drunkards.

16th. To restrain and regulate runners and solicitors for boats, vessels, cars, public houses and other establishments. Runners, etc.

17th. To make rules and ordinances for the government and regulation of the police of the city. Rules for police court.

18th. To regulate the place and manner of weighing and selling hay and measuring and selling fuel, lime and other gross commodities, and to appoint suitable persons to superintend and conduct the same. Weighing hay, etc.

19th. To compel the owners of buildings or grounds, or the occupants where the same are occupied, to remove snow, dirt or rubbish from the sidewalks, street or alley opposite thereto, and to compel such owner or occupant to remove from the lot owned or occupied by him, all such substances, the common council shall by order direct, and in default, to authorize the removal or destruction of the objectionable substance by some officer of the city, at the expense of such owner or occupant. Removal of snow, etc. from sidewalks.

20th. To make such regulations and provisions for the support of paupers which the city shall be required by law to support, as they may deem expedient, and may charge the county of Crawford with the expenses of keeping, supporting, maintaining and relieving all poor persons for the support and relief of which said county is now chargeable, and said county shall pay the city therefor; but this provision shall not in any manner prevent the proper authorities from abolishing the distinction between town and county paupers, and said city shall be considered a town in relation to town and county paupers. Support of the poor.

21st. To regulate, prevent and control the landing of persons from boats, cars and stages, wherein are contagious and infectious diseases or disorders, and to make such disposition of such persons as to preserve the Contagious diseases.

health of the city, and to adopt such other measures at the expense of the city to prevent the spread of contagious diseases as they may deem proper.

Public auctions.

22d. To regulate the time, place and manner of holding public auctions and vendues, and to license the same.

Standard of weights and measures.

23d. To provide by ordinance for a standard of weights and measures, and for the punishment of false weights and measures.

Jurisdiction over waters.

24th. The common council shall have jurisdiction over the entire waters bordering on the city, so as to prevent any deterioration of the waters, or any nuisance being cast therein, by which the health of the inhabitants of the city or the purity of the water shall be impaired.

Shrubbery.

25th. To regulate the setting out of ornamental trees in the streets.

How appropriations to be made.

SECTION 4. No appropriation shall be made, nor shall any debt be created, or liability incurred against the city, except by a vote of a majority of all the members of the council; and all laws, ordinances, rules and resolutions shall be passed by an affirmative vote of a majority of all the members of the common council; and all ordinances, before the same shall be in force, shall be signed by the mayor; and all resolutions, or measures for the appropriation of money, whereby a debt shall be created against or a liability incurred by the city, shall be approved by the mayor before the same be in force: *provided*, that in case the mayor shall refuse to sign any ordinance, or any certificate of the appropriation of money, or shall refuse to approve any resolution or by-law creating a debt or establishing a liability against the city, it shall be his duty to file his objections thereto with the clerk within ten days after its passage, who shall forthwith call a special meeting of the common council; eight aldermen voting in the affirmative shall have power to re-pass such ordinance, resolution, by-law or certificate, notwithstanding the objections of the mayor; and all ordinances shall be published in a public newspaper printed in said city before the same shall be in force; and within fifteen days thereafter they shall be recorded by the city clerk in a book to be provided for that purpose; but before any of said laws, ordinances, regulations or by-laws shall be recorded, the publication thereof respectively, within the same time, shall be proved by the affidavit of the foreman or publisher of such newspaper, and the said affidavit

Mayor's veto.

Publication and recording of ordinances.

shall be recorded therewith, and at all times shall be deemed and taken as sufficient evidence of the time and manner of such publication.

SECTION 5. The power conferred upon the said council to provide for the abatement or removal of nuisances, shall not bar or hinder suits, prosecutions or proceedings in the courts according to law; gambling houses, houses of ill fame, disorderly taverns and houses or places where spirituous, vinous or fermented liquors are sold without the license required thereof, houses or buildings of any kind wherein more than ten pounds of gunpowder are deposited, stored or kept at any one time, are hereby declared and shall be deemed public or common nuisances. Abatement of nuisances.

SECTION 6. The common council shall examine, audit and adjust the accounts of the clerk, treasurer, street commissioner, and all other officers and agents of the city, entitled to the same, at such time as they may deem proper, and also at the end of each year and before the term for which the officers of said city are elected or appointed shall have expired; and the common council shall require each and every such officer and agent to exhibit his books, accounts and vouchers for such examination and settlement, and if any such officer or agent shall refuse to comply with the orders of the council in the discharge of their said duties, in pursuance of this section, and shall neglect or refuse to render his accounts or present his books and vouchers to said council, it shall be the duty of the common council to declare the office of such person vacant; and the common council shall order suits and proceedings at law against any officer or agent of said city who may be delinquent or defaulting in his accounts or in the discharge of his official duties, and shall make a full record of all such settlements and adjustments. Examination of accounts.

## CHAPTER V.

### OPENING OF STREETS, HIGHWAYS AND ALLEYS, AND OF ALTERING AND VACATING THE SAME.

SECTION 1. The common council of the city of Prairie du Chien shall, by virtue of their office, be the commissioners of highways, streets and alleys therein, and shall have the care and superintendence of the same, and there is hereby conferred upon the said council the same power in the same manner and under the restrictions as is now conferred upon the town Ex officio street commissioners.



board of supervisors of the several towns in this state as provided for in the revised statutes of the state, chapter 19, and the amendatory acts thereto in the general statutes of Wisconsin, to open lay out and establish upon actual survey, such new streets, highways and alleys as the said common council may deem necessary and proper, and to alter, discontinue and vacate such streets or alleys as said common council may deem proper.

## CHAPTER VI.

### IMPROVEMENT OF STREETS AND SIDEWALKS.

Changing of grades.

SECTION 1. Upon application in writing of the resident owners of two-thirds of the lots upon any street, or upon that part of any street in which the grade is proposed to be changed, the common council shall have power to cause a new survey to be made, and to alter such grade or establish a new one in such street or part of street set out in such application, as the public good may seem to require.

Action for damages.

SECTION 2. Any person not being a signer of such application, who shall claim to have sustained damage by such change of grade, shall have his right of action against the city for the recovery of the same. The signing of such application shall be taken and construed as a release of all claims for damages of every such signer.

Highway and poll tax.

SECTION 3. The common council shall have power to levy a highway tax or tax for streets and bridges of not exceeding seven mills on the dollar in each and every year, which with other taxes shall be extended upon the assessment roll by the clerk of said city, as hereinafter provided. And the assessor shall, at the time of assessing the property of said city, make out a complete list of all persons who are by the general laws of the state required to pay a poll tax; which poll tax shall be extended on the assessment roll against such person so liable to pay the same, and collected in the same manner as other taxes.

Duty of senior aldermen in relation to streets

SECTION 4. It shall be the duty of the senior alderman in office of each ward to see that all the ordinances of the city relating to the obstruction and cleansing of sidewalks, streets, alleys, public grounds, reservoirs, gutters, sewers, waters and water courses within their respective wards are duly observed and kept, and direct and control the persons employed therein. The aldermen in each ward shall have a general supervision over

all work let by contract for the improvement of streets or sidewalks in their respective wards, unless the common council shall otherwise provide.

SECTION 5. Upon a petition to the common council of two-thirds of the owners of lots in front of which any sidewalk or gutter is proposed to be built, such sidewalk or gutter not less than a block in lineal frontage shall by the common council be ordered to be constructed upon the proper established grades of any street in said city, of such width, in such manner, of such materials and in such time as the common council, by ordinance, resolution or order shall direct, by the owner or owners of any lot or piece of ground in front of which such sidewalk or gutter shall be ordered. If the owner or owners of any such lot or piece of ground shall not construct such sidewalk or gutter as aforesaid, the common council may cause the same to be constructed at the expense of the owner or owners. The contract for the construction of any sidewalk or gutter shall be let to the lowest bidder, and notice shall be given by publication in the official paper of the city, for at least ten days prior to the time, of the place and manner of opening such bids. The common council shall levy a special tax upon such lot or piece of ground in front of which any sidewalk or gutter shall be constructed by contract, sufficient to pay the cost of constructing the same: *provided*, that no such contract shall be let until thirty days after notice shall have been given to such owner or owners of the ordinance, resolution or order requiring the construction of such sidewalk or gutter by the publication of the same.

SECTION 6. The proceedings for ordering the repair of sidewalks and gutters, and collecting special taxes on the respective lots to pay for the same shall be the same as herein provided, as in the case of constructing a new sidewalk or gutter. No contractor for building or repairing sidewalks shall receive any pay therefor from the city, under any circumstances until the tax levied for that purpose shall have been paid to the city or county. Whenever a sidewalk or gutter shall be out of repair, and so remain for the space of twenty-four hours, which in the opinion of the senior alderman of the ward or street commissioner will not cost to exceed the amount of five dollars in front of any one lot, to repair the same, he shall be authorized, and it is hereby made his duty to cause the same to be immediately repaired, and when the same is completed, he shall make out an itemized bill of the cost of such re-

Construction  
of sidewalks.

Levy of special  
tax.

Repair of  
sidewalks, etc.

pair, specifying the lot and block or piece or parcel of land in front of which said work was done, verified by his oath, and shall deliver the same to the city clerk, and said clerk shall forthwith present the same to the owner of such lot, piece or parcel of land, if a resident of the city of Prairie du Chien, for payment, and if the owner of such lot, piece or parcel of land shall refuse or neglect to pay the same for ten days, then the clerk shall report the fact to the council, and the council shall thereupon levy a special tax upon said lot, piece or parcel of land, to pay the same, in the same manner as special taxes are levied for the construction of sidewalks. In case the owner of such lot, piece, or parcel of land does not reside in the city of Prairie du Chien, the said senior alderman or street commissioner shall return said account to the common council with his certificate stating that fact, and the council shall thereupon levy a special tax to pay the same.

## CHAPTER VII,

### FINANCE AND TAXATION.

How funds to be drawn from treasury.

SECTION 1. All funds in the city treasury, except school, state and county funds, shall be under the control of the common council, and shall be drawn out upon the certificate of the mayor, countersigned by the clerk, duly authorized by a vote of the common council, and in no other manner; and all certificates drawn upon the treasurer shall specify the purpose for which they were drawn, and shall be payable generally out of any funds in the treasury belonging to the city.

Contracting debt—how authorized.

SECTION 2. No debt shall be contracted against the city, or certificates of indebtedness drawn upon the city treasury, unless the same shall be authorized by a majority of all the members of the common council, and the vote authorizing the same shall be entered by ayes and noes upon the journal of the council, and no money shall be appropriated for any purpose whatever, except such as is expressly authorized by this act.

Fires and license moneys to be paid in to general fund.

SECTION 3. All forfeitures and penalties accruing to the city for a violation of this act, or of any of the ordinances, by-laws, rules and regulations of the city, and all moneys received for licenses, shall be paid into the city treasury and become part of the general fund, except as otherwise provided by this act.

Taxation—duties of assessors

SECTION 4. All property, real or personal, within the city, except such as may be exempt by the laws of

the state, shall be subject to annual taxation, for the support of the city government and the payment of its debts and liabilities, and the same shall be assessed in the manner hereinafter provided. The assessors elected under this act shall have and possess the same powers that are or may hereafter be conferred upon township assessors, except so far as they may be altered by this act: *provided, however*, that the common council may prescribe the form of assessment rolls, and more fully define the duties of assessors, and make such rules and regulations in relation to revising, altering or perfecting such rolls as they may, from time to time, deem advisable.

SECTION 5. The fiscal year of the city of Prairie du Chien shall commence on the first day of September, on which day, or within twenty days thereafter, the common council shall, by resolution, determine what amount of money, including the estimated resources of the city not derived from direct taxation for the year then next ensuing, will be required for general city purposes during that year; and the council shall thereupon be empowered to levy, and shall, by resolution, levy a tax for general city purposes, not exceeding in amount one per centum of the assessed value of real and personal property of the city for that year; all resolutions for the purpose of levying a tax shall require for their passage, an affirmative vote of two-thirds of the members elect, which shall appear in the proceedings of the common council.

Fiscal year and determination of amount of taxes.

SECTION 6. All taxes or assessments, general or special, levied under this act, shall be and remain a lien upon the lands and tenements upon which they may be assessed, and upon all personal property of any person or body politic assessed for personal taxes, from the date of the warrant for the collection thereof until such taxes shall be paid, and no sale or transfer of such real or personal property shall affect such lien; any personal property belonging to the person taxed may be taken and sold for the payment of taxes upon personal property.

All taxes to be a lien upon land.

SECTION 7. Before the annual meeting of the board of supervisors of the county of Crawford, and by the time required by the laws of the state for the return of assessments from the several towns, the city clerk shall transmit a copy of the assessment roll to the county clerk of said county, who shall lay the same before said board at their annual meeting.

City clerk to send copy to county clerk.

SECTION 8. The board of supervisors shall have the

City regarded as town.

right to regard the city of Prairie du Chien as a town, in equalizing the assessment rolls of the several towns in said county, as provided by law.

Not to regard ward divisions, in levy of tax.

SECTION 9. The board of supervisors may levy a tax or taxes, as now is or may hereafter be provided by law in relation to towns, but shall proceed therein without regard to the division of the city into wards, and shall cause the amount of taxes so levied to be certified to the city clerk, in the manner provided by law in relation to towns or town clerks; and in all transactions with the board of supervisors of said county, said city shall be regarded as a town, except as herein otherwise provided.

Making out assessment roll

SECTION 10. Upon receiving the statement of the amount of taxes so levied, the city clerk shall make out upon the assessment roll, in a column left for that purpose, or upon a copy thereof, a complete statement of the several amounts of the taxes levied for the state, county, city or other purposes, and all special taxes levied by the common council since the making out of the last annual tax list, in such separate columns as may be necessary with the total footing carried out opposite each tract or lot of land or person named therein; which statement shall be preserved by said clerk as a record in his office, and shall have the same legal force and effect as the records of the common council. The said city clerk may calculate the state, county and city taxes together, and carry the amount thereof into one column, but in such case he shall specify the per centum upon one dollar of valuation of state tax, county tax and city tax, separately in his warrant to the treasurer for the collection of such taxes.

Tax list to be evidence.

SECTION 11. The tax list made out and preserved as aforesaid, shall be *prima facie* evidence in every court of record of this state, that every act or thing required by law to be done, relating to assessing or levying taxes, from the election of the officers to the completion of the tax list inclusive, has been done regularly, correctly, and as required by law.

Shall make duplicate copy.

SECTION 12. Immediately after making out the tax list aforesaid, the clerk shall make out a duplicate copy thereof, to which shall be appended a warrant signed by the mayor and clerk, and sealed with the corporate seal of said city, directed to the treasurer, requiring and commanding him to collect the taxes and assessments specified in said duplicate copy of the tax list, in the manner provided by law; and the said clerk shall, on or before the second Monday of December of the said year, or as soon thereafter as practicable, de-

liver the same to the city treasurer for collection, and make a record of said delivery on the tax list preserved in his office.

SECTION 13. The city treasurer, upon the receipt of such duplicate copy of the tax list, shall proceed to collect the same in like manner, and shall have like powers and be subject to like requirements, liabilities and restrictions as town treasurers, except as otherwise provided in this act. The city treasurer shall receive one per centum fees upon all taxes paid to him before the first day of January, and three per centum fees upon all taxes collected after that time, to be added to the amount of taxes, and collected with the same, and two per centum upon all other moneys paid into the treasury, and disbursed by him, which shall be in full for all services performed by said treasurer under this act or the ordinances of the city.

Treasurer to collect tax.

SECTION 14. On or before the fifteenth day of February, of each year, unless the time be extended as provided by law, the city treasurer shall make out and return to the treasurer of Crawford county, a list of all lands, lots and personal property upon which taxes have not been paid, and shall also settle with and pay over all moneys properly payable to said county treasurer in like manner as now is or may hereafter be required of town treasurer; and all the provisions of sections eighty-one to eighty-seven inclusive of chapter eighteen of revised statutes as modified by acts amendatory thereof, shall extend to, and may be enforced to collect any delinquent personal property tax, of whatever year, due to said city.

Return of city tax list.

SECTION 15. The county treasurer shall sell all delinquent lands and lots returned from the city of Prairie du Chien, at the same time and in the same manner as other delinquent lands are sold in said county.

Delinquent lands to be sold

SECTION 16. All real estate exempt from taxation by the laws of this state shall be subject to all special taxes as other real estate under this act.

Subject to special taxes.

SECTION 17. All lands lying within the city limits not divided and laid out into lots, or lots and blocks, and all out lots not subdivided and numbered by such subdivision, which may be used, occupied, reserved or held for agricultural purposes, shall be assessed as farming land, and shall not be subject to any special taxes, except for the purchase of fire engines, cemetery grounds and public squares.

Assessment of farming lands.

SECTION 18. No error or informality in the proceedings of any of the officers in assessing property, levying

Errors not to vitiate levy.

or collecting taxes, or making return of unpaid taxes, not affecting the substantial justice of the tax itself shall invalidate, or vitiate, or anywise affect the validity of the assessment or tax: *provided*, that this section shall not be so construed as to dispense with the requisite two-thirds vote of all the members of the council in the levying of a tax.

Special taxes for public improvements.

SECTION 19. In addition to the amount herein limited for taxes for general city purposes, special taxes may be levied for the purchase of fire engines, cemetery grounds, public squares, and other objects of public utility; but no such tax shall be levied unless the same shall first be recommended by the common council, and afterwards submitted to a vote of the people, and approved by them. Whenever the council shall recommend such a tax, they shall specify the amount to be raised, and the object thereof, and cause notice thereof, and of the time and place of voting thereon to be published in the same manner as in the case of the annual city election.

City orders to be promptly paid.

SECTION 20. It shall be the duty of the council to always provide for the prompt payment of all orders drawn on the city treasury, and it shall have power to negotiate temporary loans at the legal rate of interest for the supplying of funds to meet any deficiency in the treasury.

Treasurer to report deficiency in treasury.

SECTION 21. When the treasurer shall be unable to pay any order drawn on the treasury, it shall be his duty to report the fact to the first regular meeting of the council; thereupon the council shall direct its finance committee to examine the accounts of the treasurer, and if all funds in his hands have been paid out, then the council shall take such action as will enable the city to preserve its credit.

## CHAPTER VIII.

May authorize fire companies, etc.

SECTION 1. The common council shall have power to authorize the formation of hook and ladder and hose companies and fire companies, and to provide for the due and proper support and regulation of the same, and to order such companies to be disbanded, and their meetings to be prohibited and their apparatus to be delivered up.

## CHAPTER IX.

May change boundaries of school districts.

SECTION 1. The common council shall have the power to change the boundaries of school districts situated within the limits of the city of Prairie du Chien;

to form new districts, and to do all things in relation to the alteration, formation or consolidation of school districts that the town board of supervisors can by law now do; and whenever any territory lying within the limits of the city of Prairie du Chien forms part of a school district, with territory outside of the limits of the city of Prairie du Chien, the common council shall have the power, with the concurrence of the town board of supervisors of the town in which part of such school district may be situated, to annex such territory lying within the limits of the city of Prairie du Chien to some district already existing in said city, or with such territory forming parts of school districts already organized within the city limits, to form a new school district. All and any laws of the state in reference to the alteration or formation of school districts in conflict with the provisions of this chapter are hereby repealed, so far as they may be applicable to defeat the provisions of this chapter.

## CHAPTER X.

### MISCELLANEOUS PROVISIONS.

SECTION 1. All work for the city shall be let by contract to the lowest responsible bidder, and due notice shall be given of the time and place of letting such contract. All work to be let by contract.

SECTION 2. All actions brought to recover any property or forfeiture under this act, or the ordinances, by-laws, police or health regulations, made in pursuance thereof, shall be brought in the corporate name of the city. All prosecutions may be commenced by summons or by a warrant, as the exigencies of the case may seem to require: *provided*, that nothing herein contained shall be so construed as to prevent any peace officer from arresting, without process, any person found in a state of intoxication or guilty of immoderate drinking, improper reveling, obscenity or noisy, boisterous or disorderly conduct in the streets or public places, and taking such person or persons forthwith before the police justice, or keeping them in confinement until such time as such justice can reasonably hear and dispose of such offender. Prosecutions for fire, etc.

SECTION 3. Execution shall issue forthwith on the rendition of judgment, unless the same be stayed or appealed according to the laws of this state. The execution, except in cases ex-contractu, shall require the Issuing of executions.



defendant in any such action, in case no goods or chattels, lands or tenements whereof the judgment can be found, to be imprisoned in the jail of Crawford county for a term not exceeding three months, in the discretion of the justice or judge rendering judgment, unless the same be sooner paid or discharged by the common council or otherwise, according to law.

Not to work incompetency.

SECTION 4. No person shall be an incompetent judge, justice, witness or juror, by reason of his being an inhabitant of said city, on any proceeding or action in which the city shall be a party in interest.

Failure of election not to dissolve corporation.

SECTION 5. If any election by the people or common council shall not, for any cause, be held at the time or in the manner herein prescribed, or if the common council shall fail to organize as herein provided, it shall not be considered reason for arresting, suspending or absolving said corporation, but such election or organization may be had on any subsequent day, by order of the mayor; and if any of the duties enjoined by this act or the ordinances or by-laws of the city to be done by any officer, at any time specified, and the same are not done and performed, the common council may appoint another time at which said acts may be done or performed.

How process to be served upon city.

SECTION 6. Whenever any suit or action shall be commenced against said city, the service thereof may be made by leaving a copy of the process with the mayor, and it shall be the duty of the mayor forthwith to inform the common council thereof, to take such other proceedings as the ordinances and resolutions of said council may provide.

May lease or hold real estate.

SECTION 7. Said city may lease, purchase or hold real or personal property sufficient for the convenience of the inhabitants thereof, and may sell and convey the same, and the same shall be free from taxation.

Not repealed by general laws.

SECTION 8. No general law contravening the provisions of this act shall be considered as repealing, amending or modifying the same, unless such purpose is expressly set forth in such law.

Representation in county boards.

SECTION 9. The city of Prairie du Chien shall be represented in the board of supervisors of the county of Crawford, by one supervisor from each ward, and the senior alderman in office shall be the supervisor from his respective ward. The alderman acting as supervisor shall have power to substitute any other alderman in his ward to act in his stead.

Misceasance in office and its penalty.

SECTION 10. Every member of the common council of the city of Prairie du Chien, who shall directly or indirectly vote to himself, or knowingly to any other

person, any sum of money for any purpose whatever, in violation of the city charter or any amendment thereto, or shall ask or receive any compensation for doing any official act, except as an inspector of elections, member of the board of registry, and as a member of the board of equalization, any member of the common council or other city officer, who shall be directly or indirectly interested in any contract made with or in behalf of the city, and any member of said council, or other city officer, who shall directly or indirectly purchase or be interested in the purchase of any city order or city indebtedness for less than the full amount thereof, shall be deemed guilty of a misdemeanor in office, and may be prosecuted either by information or complaint before the police justice or any justice of the peace having jurisdiction, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars nor less than twenty dollars, or by imprisonment in the county jail not more than thirty days nor less than ten days, or both, at the discretion of the court; and any contract made in violation of the provisions of this section shall be void.

SECTION 11. The paupers of said city shall be cared for in such manner as shall be provided by the common council of said city. Provisions for paupers.

SECTION 12. Every license issued by the authority of this act, or the ordinances of the city, shall be signed by the mayor and city clerk, and sealed with the corporate seal, but no such license shall be issued by said mayor and clerk until the person applying for the same shall have deposited with the said clerk the receipt of the city treasurer for the amount required to be paid therefor, nor shall any license be issued for dealing in, selling or vending spirituous, vinous or malt liquors, until the applicant shall have filed his receipt as aforesaid, together with bonds, as required by the laws of this state, which bonds shall be approved by the mayor, and a sum not less than the minimum sum, nor greater than the maximum sum fixed by the laws of this state to be paid for such license, shall be paid to the city treasurer in money. It shall be the duty of the mayor and city clerk to report to the council, at each regular meeting thereof, the licenses theretofore issued by them and not before reported, and the council shall by vote approve or disapprove of the same. If the council disapprove thereof, it shall be the duty of the city clerk forthwith to notify the person holding such license that the same has been re- The issuing of

voked by action of the common council, and such license shall thereafter be void, and the council shall refund the license money paid therefor, except a fair proportion thereof for the time said license was in force.

County jail to be used by city.

SECTION 13. The use of the jail of Crawford county, until otherwise provided, shall be granted to said city for the confinement of offenders, and every such offender shall be delivered to the sheriff of said county, for whose custody, safe keeping and delivery, the said sheriff shall be responsible as in other cases; but the said county shall not incur or pay any liability or expense on account of any person committed to said jail, for a violation of any ordinance, by-law, rule or regulation of said city, but such expenses shall be paid by the city.

Private property not liable for public debts.

SECTION 14. No real or personal property of any inhabitant of said city or town, individual or corporation shall be levied upon or sold by virtue of any execution issued to satisfy or collect any debt, obligation or contract of said city.

How judgments against city officers collected.

SECTION 15. When a judgment shall be recovered against any officer of said city in any action prosecuted by or against him, in his name of office, where the same should be paid by the city, no execution shall be issued or awarded upon such judgment, except as hereafter provided; but the same, unless reversed, shall be levied and collected as other city charges, and when so collected, shall be paid by the city treasurer to the person to whom the same shall be adjudged, upon the delivery of a proper voucher therefor; but if the payment thereof be not made within sixty days after the city treasurer is required to make his return of city or ward taxes, next after the rendition of such judgment, execution may be issued thereon, upon the order of the court authorized to issue such execution on special application therefor.

Aldermen not eligible to other city offices—orders not to be discounted.

SECTION 16. No member of the common council shall be elected or appointed to any office, agency or place of public trust or profit by the council, except as provided by this act; neither shall the common council sell or authorize the sale of any city order or certificate of indebtedness for the purpose of raising money for the payment of any debt for less than the amount expressed upon the face thereof.

May grant pardons.

SECTION 17. The mayor shall have power to grant pardons or commutations, after conviction, for all offenses against the ordinances of the city, upon such conditions as he may deem proper; he shall commu-

nicate any such action to the council at its next meeting, with his reasons therefor.

SECTION 18. The common council shall have power to appropriate a sum not exceeding five hundred dollars annually, for the purpose of repairing and maintaining highways leading into the city, which shall be expended under the direction of the common council.

Appropriation  
to repair  
bridges.

SECTION 19. This act is hereby declared a public act, and shall be liberally construed in all courts of this state.

Public act.

SECTION 20. All acts or parts of acts inconsistent and conflicting with the provisions of this act are hereby repealed; but the repeal of said acts or parts of acts shall not in any manner affect, injure or invalidate any contract, acts or suits, claims, penalties or demands that may have been entered into, performed, commenced, or that may exist under or by virtue in or pursuance of the said acts, or any former act incorporating said city, or any of them, but the same shall exist, and be enforced and carried out, and be completed as fully and effectually to all intents and purposes as if this act had not been passed.

Not to affect  
contracts, etc.

SECTION 21. This act shall take effect and be in force from and after its passage.

Approved February 26, 1873.

## CHAPTER 60.

[Published February 28, 1878.]

AN ACT to facilitate the collection of money owing from school districts to the trust funds of this state.

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

SECTION 1. In addition to the statements now required by law of a school district applying for a loan from any or the trust funds of this state, there shall be furnished, if the application be from a joint district, a statement showing the assessed valuation of such district in its several parts, so that the valuation of so much of it as lies in any town of which it is a part may be readily known. And such statement, together with the statement in aggregate now required by law, shall be

How joint districts  
to make  
application for  
loan of trust  
funds.