

such ward, to make by laws, rules and regulations, by ordinances, in relation to such water works, for the preservation and protection thereof, fixing uniform water rates to be paid for the use of water furnished by the ward, the same to be enforced and collected, in the name of the city of Oshkosh, of parties using said water, and fixing the manner of distributing and supplying water for use and consumption, and for withholding or shutting off the same for cause, and impose proper fines and penalties for violation of such ordinance. All penalties and fines shall be collected in the same manner as penalties for the violation of the city ordinances, and shall be paid to the treasurer of the city, and credited to the ward fund of such ward for the benefit of said ward. All expenses incurred in and about such ward water works, wells and reservoirs shall be paid for out of the ward fund, and all income therefrom shall be paid into the fund of such ward.

Expenses paid from ward fund.

SECTION 4. Whenever any of the improvements herein authorized, the cost of which shall exceed two thousand dollars in any one year, the aldermen of such ward are required to have their action approved by the common council before the ward can be made liable to payment therefor, under no circumstances shall be liable for any of the costs or expenses thereof, and all costs, charges and expenses accruing or arising in any suits or litigation arising or growing out of the same or otherwise, the same shall be chargeable and paid out of the fund of said first ward.

When action of aldermen to be approved by the common council.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1874.

CHAPTER 333.

[Published March 27, 1874.]

AN ACT to amend chapter 285, general laws of 1873, being an act entitled "an act to regulate the sale of mineral oils and other substances for illuminating purposes," approved March 17, 1873.

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

SECTION 1. Section one of chapter 285, general laws of 1873, is hereby amended to read as follows: Section .

1. That it shall be unlawful for any person to offer for sale, for illuminating purposes, as agent or otherwise, any mineral or petroleum oil, fluid or substance which is a product of petroleum, [or into which petroleum or any product of petroleum] enters, or is found as a constituent element, unless the same shall have previously been tested by some competent person, by an instrument known as Tagliabues' open fire tester, in the way and manner used by the inspectors of New York, Cleveland, Chicago, etc., being such a manner as will ascertain the exact temperature at which such oil, fluid or substance will emit a gas or vapor that will ignite; and if it emit a gas or vapor that will ignite at any temperature below one hundred and ten degrees Fahrenheit, then it is hereby declared to be dangerous, and it shall be unlawful to sell or offer the same for sale.

Testing mineral oils.

How tested.

When declared to be dangerous.

The sale of dangerous oils prohibited.

Penalty for selling same.

SECTION 2. Section two of said chapter is hereby amended so as to read as follows: That any person of persons who shall offer for sale, for illuminating purposes, any oil, fluid or substance mentioned in the first section of this act, unless the same shall have been tested, as prescribed in this act, or who shall offer for sale, for illuminating purposes, any of said articles, that will emit a gas or vapor that will ignite at any temperature below one hundred and ten degrees Fahrenheit, under the test prescribed in this act, he or they shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than one hundred dollars, or imprisoned in the jail of the county not exceeding twenty days or both in the discretion of the court, and shall pay the costs of prosecution.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1874.