

ed with said unpaid taxes, out of which to collect the taxes, shall be called the delinquent list, and it shall be his duty to deliver such delinquent list to the treasurer of the county of Sheboygan, at such time as is required by law, and he shall at the same time pay over to said county treasurer all moneys collected by him belonging to the county of Sheboygan, and all taxes belonging to the state of Wisconsin in the same manner as required by law of town treasurers.

SECTION 16. All directions hereby given for the assessment of lands and the levying and collection of taxes and assessments shall be deemed only directory, and no error or informality in the proceedings of any of the officers intrusted with the same not affecting the substantial justice of the tax itself shall vitiate or in any way affect the validity of the tax so assessed. Directions for
assessment of
lands.

SECTION 17. This act shall take effect and be in force from and after its passage.

Approved March 2, 1875.

CHAPTER 112.

[Published March 9, 1875.]

AN ACT to amend chapter 57, of the general laws for the year 1874, entitled "An act to incorporate the city of Columbus."

The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two, of chapter three, of the act to incorporate the city of Columbus, is hereby amended so as to read as follows: Section two. The elective officers of said city shall be a mayor, a treasurer, and police justice, elected by and for the city at large; and three aldermen, one supervisor to represent his ward in the board of supervisors of Columbia county, one justice of the peace and one constable, to be elected by and for each ward. The mayor, treasurer and police justice, shall be qualified voters in the said city, and the ward officers aforesaid shall be qualified voters in the ward for which they were elected. The city clerk, attorney, assessor, marshal, and all other officers necessary for the proper management of the affairs of said city, shall be appointed by the Amended.

Officers to hold office one year.

common council. All elective officers, except justices of the peace, shall, unless otherwise provided, hold their respective offices for one year and until their successors are elected and qualified; *provided, however*, the common council shall have power, for due cause, to expel any of their own number, and to remove from office any officer or agent under the city government, due notice being first given to the officer complained of. The justices of the peace shall hold their offices for two years, and until their successors are elected and qualified. The mayor shall have power to suspend any police officer or watchman appointed by the council, when complained of, for cause, until the council shall take up his case and dispose of it. He shall also have power to fill any vacancy thus created for the time being.

Justices of peace to hold office two years.

Amended.

SECTION 2. Section three of said chapter three, is hereby amended so as to read as follows: Section three. Any vacancy happening in any office shall be filled by the common council. The person so elected or appointed to fill any vacancy shall hold his office and discharge the duties thereof until the next annual election, and until his successor is elected and qualified, and with the same rights, and subject to the same liabilities as the person whose office he may be elected or appointed to fill.

Vacancies—how filled.

Amended.

SECTION 3. Section three, of chapter four, of said act, is hereby amended by inserting the word "assessor" after the word "clerk," in the twenty-first line of said section.

Amended.

SECTION 4. Section four, of said chapter four, is hereby amended by adding thereto the following: He may appoint a deputy, in writing, under his hand, and file such appointment in his office, under [and] such deputy in case of the absence or disability of said clerk, shall have full power and authority to perform all the acts and duties pertaining to said office.

Amended.

SECTION 5. Section seventeen, of said chapter four, is hereby amended so as to read as follows: Section seventeen. The city assessor shall assess the real and personal property of said city at the time and in the manner provided for assessing towns; and his compensation therefor shall be fixed by the common council.

Amended.

SECTION 6. Part seventh, of section three, of chapter five, of said act, is hereby amended so as to read as follows: Seventh. To prevent horse-racing, immoderate driving or riding in the streets, to regulate

the use and exhibition of stallions and jacks, and the places and times of bathing and swimming in the waters within the limits of said city.

SECTION 7. Section eleven, of chapter eight, of said act is hereby amended so as to read as follows: Section eleven. To each assessment roll so delivered, a warrant, under the hand of the mayor, and city clerk, with the corporate seal of the city, shall be annexed, substantially in the following form: Amended.

The State of Wisconsin, —

Form of war-
rant.

To the city treasurer of the city of Columbus, in the county of Columbia:

You are hereby commanded to collect from each of the persons and corporations named in the annexed tax roll, and of the owners of the real estate described therein, the taxes set down in such roll opposite to their respective names and to the several parcels of land therein described; and in case any person or corporation, upon whom any such sum or tax is imposed, shall refuse or neglect to pay the same, you are to levy and collect the same by distress and sale of the goods and chattels of the persons or corporations so taxed; and out of the money so to be collected, after deducting your fees, you are first to pay to the treasurer of said county on or before the last Monday in January next the sum of _____ for state taxes; you are to retain and pay out as city treasurer, according to law, the sum of _____ and the balance of said money you are required to pay to said treasurer for county purposes on or before the day above specified; by which day you are further required to make return to said treasurer of this warrant, with said roll annexed, together with your doing thereon, as required by law.

Given under my hand and the corporate seal of the city, this _____ day of _____, 18____.

_____, City Clerk.

SECTION 8. Section three, of chapter ten, of said act is hereby amended so as to read as follows: Section three. When the action is commenced by summons, such summons may be substantially in the following form: Amended.

County of Columbia— City of Columbus—ss.

Form of sum-
mons.

The state of Wisconsin, to the sheriff or any constable of said county, or to the marshal of the city of Columbus, greeting:

You are hereby commanded to summons A. B., if he shall be found within your county, to appear before the undersigned _____, justice in and for said city, at my office in said city, on the _____ day of _____, 18—, at _____ o'clock in the _____ noon, to answer to the city of Columbus in a plea of debt to the damage of said city, two hundred dollars or under.

Given under my hand, at the said city, this _____ day of _____, 18—.

C. D., Justice.

Amended. SECTION 9. Section five of said chapter is hereby amended so as to read as follows: Section five. When action is commenced by summons, the complaint may be substantially in the following form:

Form of complaint. State of Wisconsin, Columbia County.

The city of Columbus against A. B.—In justice court, before C. D., justice.

The plaintiff complains against the defendant, for that the defendant, on the _____ day of _____, 18—, at said city, did violate section _____, of chapter _____, of this act, or section _____, of chapter _____, of an ordinance, or by-law, or regulation of said city, describing it by its title, which said _____ is now in force. By reason of such violation an action has accrued to the city of Columbus, to recover of the defendant the sum of _____ dollars debt. Wherefore the plaintiff demands judgment against the defendant for the sum aforesaid, besides the costs of this action.

Amended. SECTION 10. Section six of said chapter is hereby amended by striking out all after the seventh line of said section down to and including the words "C. D., justice of the peace," when they last occur therein, and inserting in lieu thereof the following:

Form of complaint. State of Wisconsin, Columbia County—ss:

_____, being duly sworn, complains on oath to C. D., _____, justice _____ in and for the city of Columbus, in said county, that A. B., on the _____ day of _____, 18—, at said city, did violate (section _____, of chapter _____, of this act, or section _____, of chapter _____, or an ordinance or by-law, or regulation of said city, describing it by its title,) which said _____ is now in force, as this complainant verily believes; and prays that the said A. B. may be arrested and held to answer to said city of Columbus therefor.

Subscribed and sworn to before me this — day of
—, 18—.

It shall be sufficient to give the number of the section of this act or the act of which this is amendatory, or the section and chapter of the ordinance, by-law or regulation violated in the foregoing forms of complaint, and said complaint may be sworn to before any officer authorized to administer oaths. Upon the filing of said complaint with the justice, he shall issue a warrant substantially in the following form:

Justice to issue warrant.

County of Columbia, City of Columbus—ss.

Form of warrant.

The state of Wisconsin to the sheriff or any constable of said county, and to the marshal of the city of Columbus, greeting:

WHEREAS, ———— has this day complained to me in writing, on oath, that A. B., on the— day of —, 18—, at said city, did violate (section —, of chapter —, of this act, or section —, of chapter —, of an ordinance, or by-law, or regulation of said city, describing it by its title), which said — is now in force, as the complainant verily believes; therefore, you are hereby commanded to arrest the said A. B., and bring him before me forthwith to answer to the city of Columbus on the complaint aforesaid.

C. D., Justice of the Peace.

SECTION 11. Section nine of said chapter is hereby amended by striking out the form for execution therein contained, and inserting in lieu thereof the following:

Amended.

County of Columbia, City of Columbus—ss.

The State of Wisconsin, to the sheriff or any constable of said county, or to the marshal of the city of Columbus, and to the keeper of the common jail of said county, greeting:

Form of execution.

WHEREAS, the said city of Columbus, on the — day of —, 18—, recovered a judgment before the undersigned ———, justices — in and for said city, against ———, for the sum of — dollars and — cents, costs of suit, for violation of (state charge as stated in warrant) which ——— is now in full force; you are hereby commanded to levy distress of the goods and chattels of said ———, excepting such as the law exempts, and make sale thereof according to law, to the amount of said sums, together

with your fees and twenty-five cents for this writ, and the same return to me in thirty days; and for want of such goods and chattels whereon to levy, to take the body of the said ———, and him convey and deliver to the keeper of the common jail in Columbia county; and the said keeper is hereby commanded to receive, keep in custody in said jail the said ———, for the term of ———, unless the said judgment, together with all costs and fees, are sooner paid, or he be discharged by due course of law.

Given under my hand this — day of ———, 18—.
C. D., Justice.

Amended. SECTION 12. Section fourteen, of chapter eleven, of said act, is hereby amended by adding thereto as follows: and the said sum so levied when collected shall be disbursed under and by direction of the street committee.

Amended. SECTION 13. Section eight, of chapter twelve of said act, is hereby amended by striking out all of said section after the words "site of [or] sites," in the fifteenth line of said section, and inserting in lieu thereof the following: *Provided*, There shall be a majority vote of the whole number of aldermen of the city in favor of the same; and it shall be the duty of said board to enter into contracts for making such repairs or for the erection of such buildings or for the purchase of such sites, whenever it shall be made to appear that the necessary tax for the same has been levied or authorized by the mayor and council.

Repair
purchase
buildings.

and
of

Amended. SECTION 14. Section fifteen of chapter thirteen of said act is hereby amended by striking out all of said section after the word "provided," being the last six lines of the said section.

SECTION 15. This act shall take effect and be in force from and after its passage.

Approved March 2, 1875.