

[No. 8. A.]

[Published March 24, 1883.]

## CHAPTER 128.

AN ACT to amend the charter of the city of Monroe.

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

SECTION 1. Section 22, of chapter 238, of the laws of 1882, entitled an act to incorporate the city of Monroe, is hereby amended so as to read as follows: Amendment  
 Section 22. 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, 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 and 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 book shall, at all reasonable times, be open to the inspection of any person. He shall, every three months, and so often as the common council 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 he shall be entitled to compensation as follows; on all moneys collected on or before the 10th day of January in each year, he shall receive one per cent., and on all moneys collected after the 10th of January in each year, five per cent.; and he shall have the same powers and be subject to the same liabilities, and be governed by the same laws as treasurers of towns.

SECTION 2. Section 35, of chapter 238, of the laws of 1882, entitled an act to incorporate the city of Monroe, is hereby amended so as to read Amendment

as follows: Section 35. The aldermen shall constitute the common council, and shall receive twenty-five (25) dollars each annually, in full compensation for their services as members of said common council, and the style of all ordinances shall be, "The common council of the city of Monroe 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.

Amendment.

SECTION 3. Section 60, of chapter 238, of the laws of 1882, entitled an act to incorporate the city of Monroe, is hereby amended so as to read as follows: Section 60. One-half of the net proceeds of all fines and penalties recovered and collected for the breach of any ordinance, by-law or regulation made in pursuance of section 56 and 57 of this chapter, shall be paid by the city treasurer to the fire department.

Amendment.

SECTION 4. Section 70, of chapter 238, of the laws of 1882, entitled an act to incorporate the city of Monroe, is hereby amended so as to read as follows: Section 70. In city prosecutions the finding of the court or jury shall be either "guilty" or "not guilty." If guilty, the court shall render judgment thereon, against the defendant for the fine, penalty or forfeiture prescribed 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, but if not guilty the costs of suit shall be taxed against the city. And in all cases of conviction in actions brought, or prosecuted to recover a penalty, fine or forfeiture under any of the provisions of this act, or for the violation of any ordinance of said city, the court shall enter judgment against the defendant for the fine and costs of prosecution, and if the defendant shall neglect or refuse to pay such fine and costs, the court may, at any time within three years after the entering of said judgment, issue execution thereon, and such execution shall contain a provision that for want of goods and chattels whereon to levy, to take the body of said defendant and him convey to the common jail of said county, and there to be kept within or without said jail at hard labor, for the benefit of said city under the direction of the street commissioner of said city, for such period of time as the court shall direct, not

to exceed sixty days, unless said fine and costs are sooner paid.

Such execution may be in the following form:

COUNTY OF GREEN, }  
 City of Monroe, } ss.

Form.

The state of Wisconsin, to the sheriff or any constable of said county, and to the keeper of common jail of said county, greeting :

Whereas, the said city of Monroe, on the ——— day of ———, 18—, recovered a judgment before the undersigned, one of the justices of peace, in and for said city, against ——— ———, for the sum of ——— dollars, and ——— cents, costs of suit, for the violation of section ———, of chapter ———, of this act, or section ———, of an ordinance, or by-law, or regulations of said city, (describing it by its title); you are hereby commanded to levy distress of the goods and chattles of said ——— ———, excepting such as the law exempts, and make sale thereof according to law, to the amount of said sum, 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 said ——— ———, and him convey and deliver, to the keeper of the common jail in Green county, and the said keeper is hereby commanded to receive, keep in custody and him to keep within or without said jail at hard labor, for the benefit of said city, under the direction of the street commissioner of said city, the said ——— ———, for the term of ———, unless the said judgment, together with all the costs and fees, are sooner paid, or he be discharged by due course of law.

Given under my hand, this ——— day of ———, 18—. ——— ———, Justice of the Peace.

SECTION 5. Section 76, of chapter 238, of the laws of 1882, entitled an act to incorporate the city of Monroe, is hereby amended so as to read as follows: Section 76. All fines, penalties and forfeitures recovered and collected under, and by virtue of this act, or by virtue of any ordinance or by-law enacted by the common council of said city, and all moneys paid to the city on account of any or all licenses whatsoever, granted or issued by the common council of said city, including licenses for the sale of malt, spirituous or intoxi-

Amendment.

cating liquors, shall be paid into the city treasury for the use and benefit of said city, except as provided in section 60 of this act.

Amendment.

SECTION 6. Section 103, of chapter 238, of the laws of 1882, entitled an act to incorporate the city of Monroe, is hereby amended so as to read as follows: Section 103. The common council of said city, shall have power to enact suitable ordinances, prohibiting the receiving or purchasing of old iron, copper, zinc, or any material commonly called junk, by any person from any minor, and provide penalties therefor.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1883.

[No. 161, S.]

[Published March 23, 1883.]

## CHAPTER 134.

AN ACT to incorporate the city of Tomah.

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

Corporate name.

SECTION 1. All that district of country hereinafter described, from, and after the first Tuesday in April, A. D., 1883, shall be a city by the name of Tomah; and the people now inhabiting and those who shall hereafter inhabit the district of country hereinafter described, shall be a municipal corporation by the name of the city of Tomah, and shall have the general powers possessed by municipal corporations at common law, and in addition thereto, shall possess the powers herein specially granted, and the authorities thereof, shall have perpetual succession; shall be capable of contracting and being contracted with; suing and being sued; pleading and being impleaded in all courts of law and equity; and shall have a common seal, and may change and alter the same at pleasure.

Boundaries.

SECTION 2. The south half of section thirty-three (33), township eighteen (18) north, range one (1) west, all of section four (4) and the north, half of section nine (9) in township seventeen (17) north, range one (1) west, in Monroe county, state