

All elective officers, except justices of the peace and police justice, unless otherwise provided, shall hold their offices for one year, and until their successors are elected and qualified; provided, however, that the common council shall have power, for cause, to expel any of its own members, and to remove from office any officer or agent under the city government; due notice in writing shall first be given to the officer complained of. The justices of the peace and police justice shall hold their offices for two years, and until their successors are elected and qualified.

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

Approved March 31, 1883.

[No. 377. A.]

[Published April 3, 1883.]

CHAPTER 252.

AN ACT to incorporate the village of Kewaunee, in the county of Kewaunee, as a city.

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

SECTION 1. From and after the first Tuesday in April, A. D. 1883, all that district of country hereinafter described shall be a city by the name of Kewaunee, and the people now inhabiting and those who shall hereafter inhabit said district, shall be and constitute a municipal corporation which shall be named Kewaunee, and said corporation shall have the general powers of municipal corporations at common law, and in addition thereto shall possess the powers herein specially granted, and the authorities thereof shall have perpetual succession; and such corporation 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 seal, and may change and alter the same at pleasure.

Corporate name.

SECTION 2. The boundaries of the district hereby incorporated are as follows: Commencing at a point where the boundary line between fractional government lots numbers two (2) and three (3), in section number seventeen (17), in township twenty-three (23) north, of range twenty-five (25) east, intersects the shore of Lake Michigan, and

Boundaries.

running thence west along said boundary line, between said lots two (2) and three (3), and along the quarter line through section eighteen (18), of the town and range aforesaid three hundred and seventy (370) rods, to the quarter post on the west of section eighteen (18) on the range line between ranges twenty-four (24), and twenty-five (25) east; thence running south on said range line three hundred and twenty (320) rods to the west quarter post of section nineteen (19), town twenty-three (23), range twenty-five (25) east; thence east on the quarter section line three hundred and eleven (311) rods to the shore of Lake Michigan; thence in a northeasterly direction along the shore of Lake Michigan to the place of beginning.

Ward boundaries.

SECTION 3. The city shall be divided into three wards, as follows: The first ward shall be all that portion of said city lying north of the center of what is now known as Ellis street in the village of Kewaunee, and east of the center of what is now known as Juneau street in said village. The second ward shall be all that portion of said city lying south of the center of what is now known as Ellis street in the village of Kewaunee, and east of the center of what is now known as Juneau street in said village; and the third ward shall be all that portion of said city which lies west of the center of what is now known as Juneau street in the village of Kewaunee.

Corporate authority, in whom vested.

SECTION 4. The corporate authority of said city shall be vested in a mayor, a board of aldermen, consisting of two from each ward, who with the mayor shall constitute the common council, together with such other officers as are hereinafter mentioned, or may be created under this act.

Annual elections—when held.

SECTION 5. The annual election for ward and city officers shall be on the first Tuesday in April, in each year at such place as the common council shall, by order, designate, at least thirty days prior to such election, and the polls shall be kept open from nine o'clock in the forenoon until five o'clock in the afternoon; provided that, an adjournment of one hour between the hours of twelve o'clock M. and one o'clock P. M. may be had upon due notice thereof given at the opening of the polls. Six days' notice of such elections shall be given by posting up in three public places in such city notice of the time and place of the same, signed by the city clerk, and one of such

notices shall be so posted in each ward of said city.

SECTION 5. The elective officers of said city shall be a mayor, a treasurer, one assessor, a clerk, a city marshal, two constables, three justices of the peace, one police justice, elected by the city at large, and two aldermen from each ward, and one supervisor from each ward; and the said supervisor shall represent said city in the county board of supervisors of Kewaunee county. All of said officers shall be qualified electors and residents of said city, and the aldermen and supervisors shall be qualified electors and residents of their respective wards. All other officers necessary for the government or management of the affairs of said city shall be appointed by the common council, but officers so appointed shall be subordinate to those herein named. All officers, except justices of the peace and police justice, shall hold their offices for one year and until their successors are elected and qualified; provided, however, that the common council shall have power, for cause, to expel any of its own members, and to remove from office any officers or agents under the city government, due notice in writing and an opportunity to defend being first given to the officer complained of, and such officer shall have the right to appeal to the circuit court from any decision of the council removing him in the same manner as appeals are or may be taken from the judgments of justices of the peace; provided, however, he shall perform no official acts while the decision of the council ousting him remains unreversed. The justices of the peace and police justice shall hold their offices for two years, and until their successors are elected and qualified.

SECTION 7. Whenever a vacancy shall occur in the office of mayor, treasurer or supervisor, such vacancy shall be filled by a new election, which shall be ordered by the common council within ten days after such vacancy shall occur. Any vacancy in any other office may be filled by the common council by appointment. The person elected or appointed to fill any vacancy, shall hold such office and discharge the duties thereof for the unexpired term and with the same rights and subject to the same liabilities as the person whose office he shall be elected or appointed to fill.

Elections by
ballot.

SECTION 8. All elections by the people shall be by ballot, and a plurality of votes shall elect. When two or more candidates for any office shall receive an equal number of votes for the same office, their election shall be determined by casting lots in the presence of the common council and in such manner as it shall direct.

Qualified electors.

SECTION 9. All persons who are qualified electors of the state of Wisconsin, and entitled to vote at a general election, and who have resided in the city thirty days next preceding the election, shall be entitled to vote for any officer to be elected, and be deemed qualified electors at city elections; provided, that nothing in this section shall be construed as relating to any general election.

Inspectors of
election.

SECTION 10. The mayor and aldermen shall be inspectors of election, and the city clerk shall act as clerk of all city elections, or in his absence the board of inspectors may appoint an elector of said city for said purpose, and at any general election two electors thereof, in the absence of the clerk, and if the clerk be present one elector thereof shall be appointed. The president and two or more of the trustees of the village of Kewaunee shall be inspectors of election at the first city election, to be held on the third Tuesday in April, 1883, and the place of holding said first election shall be determined by the board of trustees of the village of Kewaunee by resolution or order at least ten days before said first election, and the clerk of the said village of Kewaunee shall be clerk of said first city election, and the president of the village of Kewaunee shall furnish, at the expense of said city three ballot boxes, one of which shall be marked "first ward," one marked "second ward," and one marked "third ward," and at election for city officers the inspectors shall deposit each elector's ballot in the box marked for the ward in which such elector resides. Each ballot shall have written or printed thereon the names of all persons voted for at large in said city, and also those of any ward officers for the ward in which the elector resides.

General laws
of state shall
govern elec-
tions.

SECTION 11. The general laws of this state relating to the challenging of votes, the proceedings thereon, the penalties for illegal voting, keeping lists of names and all other things in relation to the conduct of elections in said city, shall be in

force and prevail at all elections in said city, except as affected or changed by special provisions in this act.

SECTION 12. When the polls of an election shall be finally closed the inspectors shall proceed to count and canvass the votes in each of the boxes, one box being completed before another shall be opened, and shall make a return of the number of votes for each and every office, and the number of votes for each and every person for each and every office, and shall deliver such return to the city clerk forthwith after such election, and shall declare the result, as it appears from the same. In all cases of the election or appointment of any person to office, the common council shall file with the clerk a certificate, signed by at least three of them, and countersigned by the mayor, giving the name of the person elected or appointed, and the term for which he was so elected or appointed, and the clerk shall record such certificate in a book to be provided for that purpose. Whenever a justice of the peace, or city marshal shall be elected, the city clerk shall forthwith give notice thereof, in writing, to the clerk of the circuit court of Kewaunee county, giving both the names and the terms for which elected, and upon the election of supervisors or treasurer, the city clerk shall give like notices of their election to the county clerk of Kewaunee county, and those county officers upon receiving such notices, shall file the same in their respective offices.

How votes to be canvassed.

SECTION 13. Special elections to fill vacancies, or for other purposes, shall be held and conducted in the same manner, and the returns thereof shall be made in the same manner as regular elections, within such time as may be provided by the common council.

Special elections to fill vacancies.

SECTION 14. Any officer removing from the city, or any alderman or supervisor removing from the ward in which he was elected, or any officer who shall neglect or refuse for ten days after his election or appointment, to qualify, and enter upon the discharge of his duties, shall be deemed to have vacated his office, and the common council shall proceed to fill such vacancy as herein provided.

What is deemed vacating an office.

SECTION 15. The term of every officer elected under this act shall commence on the second Tuesday in April, of the year for which and in

When term of office shall commence.

which he was elected; provided, that every officer elected at the first election held under this charter shall enter upon his duties immediately after qualification.

New election may be ordered.

SECTION 16. Should there be a failure to elect any officer herein required to be elected, the common council may order a new election to be held in the same manner as other elections herein provided, by giving ten days' notice of the time and place of election.

Shall take oath of office.

SECTION 17. Every person elected or appointed to any office under the provisions of this act, except justices of the peace, shall, before he enters upon the duties of his office, take and subscribe an oath of office, and file the same with the city clerk. The treasurer, clerk, marshal and such other officers as the common council shall direct, shall severally, before they enter upon the duties of their respective offices, execute to the city of Kewaunee, a bond, with two sureties to be approved by the common council, and said common council may, from time to time, require additional or new bonds and remove from office any officer neglecting or refusing to give the same.

Duties and powers of mayor.

SECTION 18. The mayor, when present, shall preside over the meetings of the common council, and take care that the laws of the state and the ordinances of the city are duly observed and enforced, and that all executive officers of the city discharge their respective duties. The mayor shall be the chief executive officer and head of the police of the city; and in case of riot or other disturbances or apparent necessity, he may appoint as many special or temporary policemen as he may deem necessary. The mayor shall have a seat and vote in the common council. The common council shall, at its regular meeting after its election, choose one of the board of aldermen who shall be styled president of the board of aldermen, and who, in the absence or inability of the mayor, shall act as such mayor and have and possess all the rights and privileges of such officer and be subject to all the liabilities thereof.

Duties of clerk.

SECTION 19. The clerk shall perform all duties required of him by law and the ordinances of the city. He shall be keeper of the books, records and corporate seal of the city, and the records of the proceedings of the council, and shall possess the same powers that town clerks possess by law

to issue transcripts from the records of his office, and they shall, when certified by him, be received in all courts in like manner and effect. He shall perform the same duties upon the board of review of said city, as are or may be required of town clerks by law in relation to boards of review or equalization in towns. He shall draw and countersign all orders on the treasurer, and keep a record of the same. He shall file in his office all chattel mortgages, and renewals thereof, with the same effect upon the rights of parties and the validity of such mortgages as is or may be provided by the general laws of this state, in relation to the filing of chattel mortgages in the offices of town clerks, and he shall receive for such service the same compensation as is, or may be provided by law, for town clerks for the same. He shall have authority to administer oaths, and shall, receive as his compensation for all duties herein imposed, such sum as the common council may, by ordinance or resolution, determine.

SECTION 20. The justices of the peace elected under this act, shall have the same and equal jurisdiction, and perform all and like duties of justices of the peace elected under the general laws of this state, and shall qualify in the same manner as provided by the general laws of this state, except that the official bonds required to be given by them shall be approved by the mayor of said city.

Jurisdiction of justices of peace.

SECTION 21. The police justice shall, before he enters upon the duties of his office, execute to the city of Kewaunee a bond in such sum and with such sureties and conditions as the common council shall direct, which shall be approved by the mayor and filed in the office of the city clerk.

Police justice shall execute a bond.

SECTION 22. The city treasurer shall perform all the duties required of him by law, collect all city, county, school and state taxes, and pay over all moneys in his hands according to law. He shall keep in a proper book an account of all moneys received, and of all moneys paid out and the same shall at all times be open to the inspection of the voters of the city. He shall make reports quarterly and render an itemized account to the common council of all sums received, when and by whom the same were paid, and also of all moneys by him paid out, and all moneys raised,

Duties of city treasurer.

received, recovered or collected by means of any tax, license, penalty, forfeiture, fine or otherwise, belonging to the said city under the authority of this act, shall be paid into the treasury of said city, and shall not be drawn therefrom, except by an order issued by order of the common council, and signed by the mayor or acting mayor, and countersigned by the city clerk. The treasurer shall have the same powers and be subject to the same laws and liabilities, and governed by the same laws as treasurers of towns in this state; provided, that he shall receive no fees except the compensation hereinafter provided, and shall pay over state, county and district school tax, in the same manner and at the same time, as is provided by law, in the case of treasurers of towns in this state.

Duties of marshal.

SECTION 22. The marshal shall perform such duties as shall be prescribed by the common council for the preservation of the public peace and safety, and the collection of license money and fines. He shall possess all the power and authority of constables of towns and be subject to the same liabilities. It shall be his duty to execute 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 the person named therein and serve such process in any part of this state. It shall be his duty to suppress all riots, disturbances and breaches of the peace, and remove all obstructions in the streets or alleys of said city, and to abate all nuisances in said city; to apprehend, with or without warrant, any person in the act of committing any offense against an ordinance of said city, or the laws of this state, and within a reasonable time bring such person before competent authority for examination, and for such services he shall receive such fees as are allowed by law to constables for like service in this state. He shall have power to appoint one or more deputies subject to the approval of the common council, but for whose official acts he shall be responsible, and of whom he may require bonds for the faithful discharge of their duties. Such deputies shall also take and subscribe the proper oath of office which shall be filed in the office of the city clerk, and when duly qualified as aforesaid, such deputies

shall possess all the power and authority of, and be subject to the same liabilities with the marshal.

SECTION 24. 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, books, papers and effects belonging to said city pertaining to the office, he shall forfeit and pay to the use of the city the sum of one hundred dollars (\$100), besides all damages caused by his neglect or refusal to deliver over the same, and such successor may recover possession of such books, papers and effects in the manner prescribed by law in this state.

Penalty for failure to deliver.

SECTION 25. No mayor, alderman or street commissioner shall be interested in any job or contract with the city, or any of the wards thereof, but any such contract shall be null and void, and in case any money has been paid out upon any such contract, the common council may sue for and recover back the same in the name of the city.

No officer to be interested in any job.

SECTION 26. The mayor, acting mayor, each alderman, justice of the peace, marshal, policeman and watchman and constable shall be officers of the peace, with the usual powers of peace officers, and may suppress in a summary manner all riotous or disorderly behavior, and for such purpose, may command the assistance of all bystanders, and if any person, bystander or private citizen shall refuse to aid in maintaining the peace when so required, such person so refusing shall be guilty of a misdemeanor and pay a fine of not less than five (5) nor more than fifty dollars (\$50) upon conviction thereof.

Officers of the peace.

SECTION 27. The police justice shall have sole and exclusive jurisdiction of all offenses against the provisions of this charter and the ordinances and by-laws and police regulations of the common council of the city, and in cases of contempt of his court, the police justice shall have the same power and authority as justices of the peace. He may administer oaths and take acknowledgments the same as justices of the peace, and he shall be entitled to receive for his services the same compensation as is or may be allowed by law to justices of the peace for similar services, and such other compensation as the common council may allow and prescribe. In case of the absence, inability, incompetency or sickness of the police jus-

Powers of police justice.

tice, any other justice of the peace within the city may perform the duties of, and exercise the jurisdiction herein conferred upon the police justice. Appeals may be taken from, and writs of *certiorari* issued to the police justice in the same manner as in the case of justices of the peace.

Justices of peace—their powers and duties.

SECTION 28. The justices of the peace of said city shall possess and exercise the same and like powers, jurisdiction and duties, and shall be subject to the same liabilities and regulations as are conferred upon and required of justices of the peace of the several towns of this state. All prosecutions for a breach or violation of any by-law, ordinance or regulation, shall, in all cases, be commenced in the name of the city of Kewaunee, and the same proceedings shall be had in all civil and criminal actions before said justices of the peace, or police justice, when not otherwise hereinafter directed, as are established and required to be had in civil and criminal actions and proceedings by the laws of this state before justices of the peace, and in all cases of prosecution for a breach or violation of an ordinance, by-law or regulation of said city or its charter, either plaintiff or defendant shall have the same right of appeal under the same conditions and requirements as now are or may be provided by the laws of this state for taxing appeals. All fines and penalties imposed for violation of any city ordinance, resolution, by-law or regulation shall belong to and be paid over to the treasury of said city, and be a part of the finances of said city.

Payment of fines into treasury.

SECTION 29. The police justice and any justice acting in his stead, shall account for and pay over to the treasurer of said city, all fines and penalties collected by him and belonging to said city. Said justices shall be entitled to receive in all cases had before them in which said city is interested, the same fees as are provided by law for justices of the peace of the several towns in this state in similar cases had before them.

Duty of city assessor.

SECTION 30. The city assessor shall assess the real and personal property of said city, at the time and in the manner provided for assessing property in the towns of this state, and shall perform all other duties prescribed and directed by this act for him to perform, and his compensation therefor

shall be fixed and determined by the common council at the beginning of his official year.

SECTION 31. It shall be the duty of the street commissioner to see that all ordinances of the city relating to the obstruction and cleaning or closing, or encumbering sidewalks, cross-walks, streets, bridges, alleys, public grounds, gutters, sewers and waters in said city, are duly observed and kept, and he shall have the general supervision over all grading, paving, graveling, planking, repairing and cleaning streets, bridges, alleys, public grounds and gutters, and such other duties as the ordinances of the city shall prescribe, and he shall receive therefor such compensation as the common council shall prescribe.

Duty of street commissioner.

SECTION 32. The mayor and aldermen shall constitute the common council, and shall not receive any compensation for their services unless they be acting as inspectors of election, and the style of all ordinances shall be: "The mayor and common council of the city of Kewaunee do ordain, etc." A majority of the aldermen shall constitute a quorum, but a smaller number may adjourn from time to time.

Common council, how constituted.

SECTION 33. The common council shall hold its first annual meeting in each year on the first Tuesday after the regular city election, and thereafter meetings at such times as it shall appoint; and the mayor may call special meetings, by notice to each of the members, to be served personally, or left at their several places of abode. The common council shall determine the rules of its own proceedings, and be the judge of the election and qualifications of its own members, and have power to compel the attendance of absent members by fine or otherwise.

Meeting of common council.

SECTION 34. The common council shall have the control and management of the finances and of all the property of the city; and shall, in addition to the powers herein enumerated or vested in it, have full power to make, ordain, establish, publish, enforce, alter, modify, amend or repeal all such ordinances, rules and by-laws, for the suppression of vice and immorality, for the prevention of crime, and for the benefit of trade and commerce and health, as it shall deem expedient, declaring and enforcing fines and penalties, and to enforce the same against any person or persons who may violate any of the provisions of such or-

Shall have management and control of finances.

dinance, rule, or by-law, and such rules, ordinances and by-laws are hereby declared to be and to have the force of laws; provided, they are not repugnant to the constitution and laws of the United States, or of this state.

Powers of
council.

SECTION 35. The common council shall have power to license and regulate the exhibition of common showmen and shows of any kind, or the exhibitions of caravans, circuses, theatrical performances, concerts, billiard, bagatelle or pigeon hole tables and bowling saloons, and to provide for the abatement and removal of nuisances under the ordinances or at common law, and to grant licenses for selling spirituous, vinous or fermented liquors, and to regulate and license groceries, taverns, victualing houses, and all persons dealing in or vending spirituous, vinous or fermented liquors, and to revoke the same for a violation thereof. The sum paid for any such license shall not be less nor more than the amount per annum fixed by the general laws of this state, and bonds shall be given by sellers of intoxicating liquors in the [—] and licenses issued, refused or revoked in the manner and with the same authority as is conferred upon the supervisors of towns by the laws of this state; and all licenses for the sale of intoxicating liquors shall run from the first of May in each year until the first day of May next following; provided, that when any license shall be applied for after that date the same may be granted to expire on the first day of May next succeeding such application, the applicant paying a *pro rata* therefor; but no license shall be granted for a longer period than one year.

Regulate and
license taverns,
saloons, etc.

1st. To suppress, restrain and prohibit all descriptions of gambling and fraudulent devices and practices, and all playing of cards, dice and other games of chance, and to restrain, prohibit and suppress, license and regulate hawkers and peddlers, and to restrain and prohibit the selling or giving away, without license, of any ardent or intoxicating liquors or drinks; provided, that any person selling, vending or giving away such liquors without license, shall be amenable to the general laws of this state in relation to the sale of such liquors without license, as well as to the ordinance, by-law or regulation of said city prohibiting the same, and may be prosecuted and punished under both.

2nd. To prevent riots, noise, disturbance or disorderly assemblages; to suppress or restrain disorderly houses and houses of ill-fame. Riots, etc.

3d. To compel the owner or occupant of any grocery, cellar, tallow chandler's shop, soap factory, tannery, butcher shop, meat market, stable, barn, privy, sewer, or other unwholesome house or place, to cleanse, remove or abate the same, from time to time, as often as it may be necessary for the health, comfort or convenience of the inhabitants of said city. Nauseous places.

4th. To direct the location and management of slaughter houses and markets, and to prevent the erection of and use and occupation of the same. Slaughter houses.

5th. To prevent the encumbering of, or obstruction of, or encroachment upon streets, sidewalks, crosswalks, lanes or alleys, with anything whatever. Encumbering of streets.

6th. To prevent horse racing, immoderate driving in the streets, and to regulate the places of bathing or swimming within the limits of said city. Horse racing.

7th. To restrain the running at large of horses, cattle, swine, sheep, poultry and geese, and to authorize the restraining, impounding and sale of the same. Impounding strays.

8th. To prevent the running at large of dogs and to authorize the destruction of the same when at large contrary to the ordinance. Dogs.

9th. To prevent persons from bringing, depositing or having within said city, any putrid carcass or unwholesome substance, and to require the removal of the same by any person who may have upon his premises any such substance, any carcass or fish, hides or skins of any kind, or in default to authorize the removal thereof, by some competent officer, at the expense of such person or persons. Unwholesome substances.

10th. To establish and make public pounds, pumps, wells, cisterns and reservoirs of the city; to regulate and license hacks, cabs, drays, carts, and the charges of hackmen, cabmen, draymen and cartmen in the city, and to erect lamps for lighting the streets, public grounds or public buildings, with gas or otherwise. Pounds.

11th. To establish and regulate boards of health, provide hospitals and cemetery grounds, regulate the burial of the dead, and the return of Cemetery grounds.

the bills of mortality, and to exempt burial grounds set apart for public use from taxation.

Riding and driving on sidewalks.

12th. To prevent all persons riding or driving any animal on the sidewalks in said city, or in any other way doing damage to such sidewalks.

Firearms and crackers.

13th. To prevent the shooting of firearms or fire crackers, and to prevent the exhibition of fireworks in any place or situation which may be considered, by the council, dangerous to the city or to any property therein, or annoying to the citizens thereof.

Drunkenness.

14th. To restrain drunkards, immoderate drinking or obscenity in the streets or public places, and to provide for arresting, removing and punishing any person who may be guilty of the same.

Runners and solicitors.

15th. To restrain and regulate runners and solicitors for stages, cars, public houses and other establishments.

Government of police.

16th. To make rules, regulations and ordinances for the government of the police of the city.

Public markets.

17th. To establish public markets, and make rules and regulations for the government of the same.

Hay and fuel.

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

Snow and dirt.

19th. To compel the owners or occupants of buildings or grounds, when the same are occupied, to remove snow, dirt and rubbish from the sidewalks, streets or alleys opposite thereto, and to compel such owner or occupant to remove from the lot owned or occupied by him, all such substances as the board of health may direct; and in his default, to authorize the removal or destruction thereof by some officer of the city, at the expense of such owner or occupant.

Infectious diseases.

20th. To regulate, control and prevent the landing of persons from boats or vessels wherein are contagious or infectious diseases or disorders, and to make such disposition of such persons as to best preserve the health of the city.

Public auctions.

21st. To regulate the time, place and manner of holding public auctions and vendues.

Watchmen.

22d. To appoint watchmen and prescribe their duties.

- 23d. To provide by ordinance for a standard of weights and measures. Weights and measures.
- 24th. To protect trees and monuments in said city. Ornamental trees.
- 25th. To prescribe and regulate the construction of sewers within said city. Sewers.
- 26th. To lay out, make, open, keep in repair, alter or discontinue any highways, streets, lanes, alleys, and to keep them free from any incumbrances, and to protect them from injury. Repair of streets.
- 27th. To make, alter or change the name of any street in the city. Change names of streets.
- 28th. To make, ordain, amend and repeal all such ordinances, by-laws and police regulations not contrary to the constitution of this state, necessary for the good order and government of the city, and which may be necessary or expedient to carry into effect the powers vested in the mayor and common council or any officer of said city by this act, or which may be vested in any officer of said city by any ordinance thereof. Ordinances.

SECTION 36. All laws, ordinances and regulations, resolutions and by-laws shall be passed by an affirmative vote of a majority of the common council, and shall be signed by the mayor, and shall be published in a newspaper published in the city one week before taking effect, and within fifteen days after such publication they shall be recorded by the city clerk in books provided for that purpose; but before any such by-laws, ordinances or regulations shall be recorded, the publication thereof as herein provided shall be proved by the affidavit of the printer or foreman of the newspaper in which the same shall be published, and the said affidavit shall be recorded therewith, and at all times shall be deemed and taken as sufficient evidence of such publication. Respecting the making of ordinances.

SECTION 37. The power conferred upon 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 license, houses or buildings of any kind where more than one hundred pounds of gunpowder are deposited, stored or kept at any one time, are hereby declared to be and shall be deemed nuisances. Shall not bar suits.

Council shall
examine and
adjust accounts.

SECTION 38. The common council shall examine, audit and adjust the accounts of the clerk, treasurer, street commissioner and marshal, and other officers or agents of the city, at such time as it may deem necessary, and also at the end of each year, and before the time for which the officers of said city are elected or appointed has expired; and the common council shall require each and every 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 or requirements of the council in the discharge of their duties, in pursuance of this section, or shall neglect or refuse to render their accounts, or present their books and vouchers to said council, it shall be the duty of such council to declare the office of such person vacant; and the common council shall order suits and proceedings against any officer, or person, or agent of said city who may be delinquent or defaulting in his accounts or discharge of his official duties, and shall make a full record of any such settlements with officers or agents of the city.

Control of
funds.

SECTION 39. All funds in the treasury, except school, state and county funds, shall be under the control of the common council, and shall be drawn out upon orders authorized by a vote of the council, and all orders drawn upon the treasurer shall specify the purpose for which they were drawn, and shall be payable out of any funds in the treasury belonging to the city. City orders shall be receivable for all city taxes, except school and special taxes for bridges and school purposes, and except taxes levied for the payment of principal or interest upon any outstanding bonds or debt of the city. All orders shall be payable to the person or order of the person in whose favor they may be drawn.

Tax levy.

SECTION 40. The common council of said city shall annually levy upon the taxable property of said city, to defray the current and lawful expenses of said city and its schools, a tax sufficient to defray the same; provided, that said common council shall not levy a tax for general purposes exceeding one-half of one per centum upon the assessed valuation of said city in any one year, unless authorized to raise a greater sum by a

majority of the electors of said city, at a general or special election.

SECTION 41. The common council of said city shall not have power to issue any bonds or other evidences of debt payable at a day subsequent to the date of the issue thereof, except in cases specially authorized by law; nor shall the common council issue in any one year orders upon the city treasury to an amount greater than the amount of taxes which may be levied under the provisions of this act.

May issue bonds.

SECTION 42. No account shall be allowed by the common council unless the same is properly verified by the oath of the owner thereof, or some person in his behalf, except it be for street work or hire under the supervision of the street commissioner, duly certified by him.

Accounts to be verified.

SECTION 43. When the claim of any person against the said city shall be disallowed, in whole or in part, by the common council, the determination of the common council disallowing the same in whole or in part, shall be final and conclusive, and a bar to any action in any court founded on such a claim, unless an action to recover the same shall be commenced within sixty days after such disallowance by the common council.

Action of council to be final.

SECTION 44. The common council shall have power to lay out public streets and alleys and to widen the same as follows: Whenever five or more freeholders residing in any ward shall, by petition, represent to the common council that it is necessary to take certain lands within the ward where such petitioners may reside, for public use, for the purpose of laying out public streets or alleys, or the enlarging of the same, the courses and distances, metes and bounds of the lands proposed to be taken, together with the names and residences of the owners of such premises, if the same shall be known to such petitioners, to be set forth in such petition, the common council shall thereupon cause notice of such application to be given to the owners or occupants of such lands, if any there be, or if any portion of such lands shall not be in the actual occupation of any person, then the common council shall cause such notice, describing, as near as may be, the premises proposed to be taken, to be published in a newspaper published in said city four weeks successively, at least once in each week.

Powers of council in regard to streets, etc.

Proceedings
required for
taking land.

SECTION 45. Such notice shall state that upon a day therein named, not less than ten days from the service of such notice or expiration of such publication, as the case may be, that application will be made to a court commissioner of said county of Kewaunee, or to a justice of the peace residing in said city, and not in the ward in which such lands are situated, for the appointment of twelve jurors to view said premises and to determine whether it will be necessary and proper to take the same for the purposes specified in said petition.

Appointment
of jurors.

SECTION 46. Upon the presentation of such application, and upon proof of the publication or service of the notice hereinbefore required, the said court commissioner or justice of the peace shall appoint twelve resident freeholders, residents of said city, but not residents of the ward in which such premises may be and not interested in the result of such application. The said court commissioner or justice of the peace shall thereupon issue his precept directed to said jurors, requiring them within ten days to view the premises to be specified in said precept, and to make return under their hand, to the common council, whether in their judgment it is necessary and proper to take such premises for the purpose specified in such application, and the said jurors, before entering upon the discharge of their duties, shall take and subscribe an oath faithfully and impartially to discharge their duties as such jurors in the premises, which oath may be administered by any person authorized to administer oaths, and shall be filed in the office of the city clerk.

Marshal to
serve precept.

SECTION 47. The city marshal shall serve the said precept immediately upon the jurors therein named, by reading the same to each one that can be found, and immediately after such service he shall return the said precept to the justice or court commissioner who issued the same, together with his doings thereon; and if the jurors so appointed cannot be found or shall be disqualified from acting, or shall refuse to act, the justice or court commissioner shall appoint others in their places, and a memorandum of such substitution shall be endorsed on the precept.

SECTION 48. The jurors at such times as they shall agree upon, or as shall be designated in said

precept, shall proceed in a body to view the premises in question, and shall hear such testimony as may be offered by any party interested, which testimony shall be reduced to writing, and either of the jurors shall be authorized to administer oaths to witnesses. After viewing the premises in question and hearing testimony if offered, the jurors shall make a report of their proceedings, which shall be signed by them, and which shall state whether, in their judgment it is necessary to take the premises in question for public use; which said report, testimony and precept shall be returned to the common council. Should the jurors report that it is necessary to take the premises, the common council shall enter an order among its proceedings confirming said report, and directing the same jurors, within twenty days thereafter, to again view said premises to ascertain the amount of the damage to be paid the owner or owners of said property proposed to be taken, and to assess and return within the twenty days such damages to the common council, who shall enter an order confirming the same.

Jurors shall view premises.

SECTION 49. If there should be any building in whole or in part, upon said lands to be taken, the jurors shall first estimate the value of such building to the owner, aside from the value of the land, and the injury to him in having such building taken from him; and, secondly, the value of such building to him to remove.

Value to be estimated.

SECTION 50. At least ten days' notice of such determination shall be given to the owner, or his agent, if known, and a resident of the city; if not known, or a non-resident, notice to all persons interested shall be given by publication in a newspaper of said city for three successive weeks. Such notice shall specify the building and the award of the jurors, and it shall require the parties interested to appear by a day named therein, and give notice of their election to the common council, either to accept the award of the jurors and allow such buildings to be taken with the land appropriated, or their intention to remove such building, and he shall have such time to remove such building as the common council may allow.

Notice to be given.

SECTION 51. If the owner shall refuse to take the building at the value assessed by the jurors, to remove, or fail to give notice of his election as

If owner refuse to take building at value assessed.

aforesaid, within the time prescribed, the common council shall have power to direct the sale of such building at public auction for cash, giving ten days' notice of such sale, and the proceeds shall be paid to the owner or deposited for his use. If the lands or buildings belong to different persons, or if the lands be subject to lease, judgments or mortgages, or if there be any estate in them less than an estate in fee, the injury done to such persons or interest respectively, shall be awarded to them by the jurors.

Award to be signed.

SECTION 52. The award of said jurors shall be signed by them and returned, together with the testimony taken, and the precept, to the common council within the time limited in such precept. Any person whose property is taken or against whom any assessments are made, may, within ten days from the return of the jurors to the common council, appeal from said assessment of damages to the circuit court of Kewaunee county, by causing a written notice of such appeal to be served on the clerk of said city and executing a bond to said city conditioned for the faithful prosecution of such appeal, and the payment of all costs that shall be adjudged against the appellant by the court; said bond to have a good and sufficient surety, to be approved by the clerk of said city or the county judge or court commissioner.

Damages to be first tendered.

SECTION 53. The lands required to be taken for the purposes mentioned in this act, shall not be appropriated until the damages awarded therefor to the owners thereof, or party entitled, shall be paid or tendered to the owner, or party entitled thereto, or his agent, or in case the owner or party entitled thereto, or agent, cannot be found, or is unknown, deposited to his credit in some safe place of deposit, and then, and not before, such lands may be taken and appropriated for the purposes required, and the same shall thereafter be subject to all the laws and ordinances of the city, in the same manner as streets, alleys and public grounds opened or laid out. The damages assessed shall be paid within one year, or tendered, or deposited as herein required, and if not so paid, tendered or deposited within one year from the confirmation of such assessment, the proceedings shall be void.

When guardian to be appointed.

SECTION 54. When any known owner of lands, or tenements, affected by any proceedings under

this act, shall be an infant, or labor under legal disability, the county judge of Kewaunee county, on the application of the mayor of the city, or such party, or his next friend, shall appoint a guardian for such party, and all notices required by this act shall be served upon such guardian. Whenever any street, alley, or public grounds shall be laid out under the provisions of this chapter, the common council shall cause an accurate survey and profile thereof, to be made and filed in the office of the clerk.

SECTION 55. All property, real and personal, within the city, excepting such as may be exempt by the laws of this state, shall be subject to taxation for the support of the city government, schools and the payment of debts and liabilities and the same shall be assessed in the manner hereinafter provided, and the assessor elected under this act shall have and possess the same powers that are or may be conferred upon township assessors, except so far as they may be altered by this act; provided, that the common council may prescribe the form of assessment roll and more fully define the duties of assessors, and make such rules and regulations in relation to revising, altering or adding to such rolls as it may, from time to time, deem advisable. When the assessment roll shall be completed, which shall be before the last Monday in June, the assessor shall return the assessment roll to the board of equalization of the city. The board of equalization or review may supply omissions in said roll and may exercise in relation to said roll and assessment the same powers and duties as are or may be by law conferred upon town boards of review or equalization. If it shall appear to the assessor that any lot or parcel of land was omitted of either or both of the preceding two years, and that the same was then liable to taxation, he shall, in addition to the assessment of that year, assess upon the lot or tract so omitted, for such year or years that it shall have been so omitted, the just value thereof, noting the year when such omission occurred, and such assessment shall bear the same force as it would have had if made the year when the same was omitted. Should the tax or assessment upon any parcel of land be set aside or declared void, by reason of any defect or informality not affecting the equity and justice of the tax

Property sub-
ject to taxation.

itself, the common council shall cause the tax or assessment, so set aside or declared void, to be relieved in such manner as it shall direct by ordinance.

Board of equalization.

SECTION 56. The three supervisors, the clerk and the assessor shall constitute the city board of equalization or review, and shall meet on the last Monday in June, in each year, at nine o'clock in the forenoon, and shall proceed in all respects as town boards are required by law to proceed, so far as the same are applicable, revising, correcting and equalizing the assessment roll of the city. When the assessment roll shall be completed, revised and corrected, it shall be filed with the clerk. Thereupon the common council shall, by resolution, levy such sum or sums of money as may be sufficient for the several purposes for which taxes are herein authorized to be raised or levied; but not exceeding the authorized percentage, stating particularly the purpose for which the same are levied. All changes of the assessment roll by the board of equalization shall be recorded by the clerk. All taxes and assessments, general and special, levied under this act shall be and remain a lien upon the lands and tenements upon which they must be assessed and on all personal property of any person or body politic assessed for personal tax, from the delivery of the warrant for the collection thereof until paid.

Clerk to make out tax roll.

SECTION 57. It shall be the duty of the city clerk, immediately on the receipt of the corrected assessment roll, and a certificate of the amount of state, county and school tax apportioned to said city, to calculate and carry out the total amount of such taxes, together with the city and school district and other local taxes, and adding thereto two per cent. for expense of collection, in an additional column prepared for that purpose in the assessment roll, setting down opposite the several sums set down as the valuation of real and personal property, the respective sums assessed thereon in dollars and cents, rejecting the fraction of a cent when less than one-half, otherwise reckoning said fraction as a cent; and the clerk shall immediately make out a duplicate copy of such assessment roll, when thus completed, and deliver the same to the treasurer on or before the second Monday in December in each year, and annex to each assessment roll so delivered, a war-

rant under the hand of the clerk, and the corporate seal of the city, substantially in the form, which is or hereafter may be provided for tax warrants, by the general laws of this state relating to the collection of taxes by town treasurers. The assessment roll, and warrant thereto attached, shall be *prima facie* evidence in all courts that the lands and persons therein named were subject to taxation, and that the assessment was just and equal, and the common council shall have power to extend the time for collecting taxes under said warrant as provided by law.

SECTION 58. All the general laws of this state which are now or hereafter may be in force, relative to the assessment and collection of taxes, and the enforcing of payment thereof, shall be in force in said city, except as otherwise herein specially provided; and the city treasurer shall receipt for said tax roll, and proceed to collect the taxes and all assessments of said city in the same manner as is required by law of town treasurers to collect taxes, except as herein provided.

General laws to be in force.

SECTION 59. Upon the receipt of the tax roll and warrant by the treasurer, he shall give public notice, in a newspaper published in said city, that such tax list has been delivered to him for collection, and that he will receive payment of taxes at his office for the term of thirty days after the date of such notice. If the taxes are not paid in that time, he shall then proceed to collect the same by distress and sale of the goods and chattels of the persons charged, giving at least six days' notice of the time and place of such sale, by posting up not less than three written notices in as many public places in said city.

Notice of receipt of tax roll to be given in newspaper.

SECTION 60. The treasurer shall collect as fees for the collection of taxes, two per cent. on all taxes collected by or paid to him prior to the second Monday of January in each year, and three per cent. upon all taxes or assessments paid to or collected by him after the second Monday in January, and in case of a distress or sale made by him of goods and chattels for the payment of any tax, he shall collect the same fees as are allowed by law to constables on sale of goods upon execution.

Fees.

SECTION 61. In case the city treasurer is unable to collect any tax assessed upon any personal property, and payable by any person named in the

In case treasurer is unable to collect.

tax list, he shall proceed in all things as required by the laws of this state and any act that may hereafter be passed, amendatory of said acts and in addition thereto.

Poor laws.

SECTION 62. The laws of the state for the relief and support of the poor in towns shall apply to said city, and the common council shall appoint one or more of its members to act as overseers of the poor of the city, who shall perform all the duties of overseers of the poor in towns.

City schools.

SECTION 63. The common schools and the high school of the city of Kewaunee shall be under the control and supervision of the district board of each district, the same as if this act had not been passed, and the boundaries of and territory within said common and high school districts, shall not be changed or affected by this act, but shall remain as they now exist and be managed and controlled as common and high school districts formed of a city and adjoining towns, or parts of adjoining towns, and the same relation shall be sustained between such city and such schools, as near as may be, as between towns and school districts therein, and the same reciprocal powers and duties, except that the mayor and common council of the city, and not the supervisors aforesaid, shall constitute a board for determining, altering or managing the boundaries of such districts in any case in which, by the general laws of this state, such power may be given or construed to apply to either of such bodies.

City may sue and be sued.

SECTION 64. The city of Kewaunee, in its corporate name, may sue for and recover any and all fines, penalties and forfeitures, under said city charter or acts amendatory thereof, or under the ordinances thereof, any general law of the state to the contrary notwithstanding, and in case of a penalty or forfeiture the action shall be brought as a civil action, and it shall be sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, specifying the section and chapter of the statute or the section and number of the ordinance, by-law or regulation under which it is claimed, and the time when the act or acts constituting the breach of such statute or ordinance was committed, and the first process in such actions shall be a summons or civil warrant, and the judgment therein may be enforced as in

cases of tort before a justice of the peace. Such summons or warrant shall be in the form in general use and prescribed by the laws of this state, shall be made returnable and served in the same manner as is now or hereafter may be prescribed by the laws of this state, and all the proceedings in such actions shall be governed by the laws of this state relative to actions for tort before justices of the peace; provided, that when the act complained of as contrary to this charter or any ordinance, by-law or regulation made in pursuance thereof, is specially declared by law to be a misdemeanor, it shall be deemed a misdemeanor, and the proceedings shall be had under and governed by the general laws of this state in relation to the prosecution and punishment of misdemeanor in justice court.

SECTION 65. A printed copy of an ordinance, by-law or regulation, passed by the common council, and published in a newspaper, or in a pamphlet or book form, purporting to be published by authority of the common council, or certified by the clerk of said city to have been so published, shall be presumptive evidence of its passage and publication, and shall be received in evidence on the trial of all cases cognizable before any court in this state.

Prima facie evidence.

SECTION 66. Witnesses and jurors shall attend before the police justice and justices of the peace in all city and criminal suits, without payment of fees in advance, upon a process duly served, and in default thereof, their attendance may be compelled by attachment.

Witnesses and jurors shall attend without prepayment of fees.

SECTION 67. In city prosecutions, the finding of the court or jury shall be, guilty, or not guilty. If guilty, the court shall render judgment against the defendant for the fine, forfeiture or penalty prescribed in this act, or in an ordinance, by-law or regulation, and for costs of suit; but if not guilty, the costs of suit shall be taxed against the city. Upon the rendition of judgment against the defendant, and the non-payment thereof, the justice shall forthwith issue execution as in other cases of tort in justice court, or a commitment in cases of misdemeanor, and shall, in either case, determine and enter upon his docket, the length of time the defendant shall be imprisoned for non-payment, which in no case shall exceed six months, and also insert such time

Findings of jury.

in the execution or commitment. The form of the execution and commitment shall be the same as near as may be, as are prescribed in similar or like cases in justice courts in the state.

Any party may appeal.

SECTION 68. Any party feeling aggrieved by the judgment in any action commenced under the provisions of this act may appeal from such judgment and have a trial *de novo* upon such appeal to the circuit court of Kewaunee county, in the time and manner provided by law for appeals from justices' court.

Shall not work incompetency.

SECTION 69. No person shall be incompetent as a witness, judge, justice or juror by reason of his being an inhabitant of said city, in any action or proceeding in which the city shall be a party in interest.

Village ordinances to remain in force.

SECTION 70. All ordinances, by-laws and regulations now in force in the village of Kewaunee and not inconsistent with the provisions of this act, shall remain in force until altered, modified or repealed by the common council after this act shall take effect.

General bridge law to be in force.

SECTION 71. The general laws for the preservation of bridges, and the punishment provided by such laws for wilful and malicious injuries done thereto, shall apply to all bridges within said city, and the common council may also make such by-laws, ordinances and regulations as it may deem necessary for the preservation of said bridges, and enforce the same by fine or forfeiture.

Private property not liable for judgments against city.

SECTION 72. No real or personal estate or property of any inhabitant or corporation of said city shall be levied on or sold to satisfy any contract or debt or obligation against said city or any judgment against said city.

Contracts to be let to lowest bidder.

SECTION 73. All contracts for work ordered by the common council shall be let to the lowest bidder, who shall comply with the requirements of the common council. All bids or proposals shall be sealed and deposited with the city clerk, and the common council may require a bond with two sufficient sureties from any person taking a job or contract, conditioned for the faithful performance of such contract.

Remission of penalties.

SECTION 74. No penalty or judgment recovered in favor of the city shall be remitted or discharged, except by a two-thirds vote of the aldermen elect.

City may have and hold personal estate.

SECTION 75. The said city may have, purchase or hold real and personal estate sufficient for the

convenience of the inhabitants thereof, which shall be exempt from taxation, except as provided by the general law of this state, and said city shall succeed to and be the owner of all property, choses in action, public commons, streets and real estate which now belongs to the village of Kewaunee.

SECTION 76. Deeds or leases executed by the city shall be signed by the mayor and countersigned by the clerk; and the clerk shall attach to said deed or [lease] a true copy of an ordinance or resolution of the common council, authorizing the same, and the corporate seal of the city shall be affixed to such deed, and the officers aforesaid shall acknowledge the execution of the same in like manner and with like effect as deeds of individuals or natural persons.

Deeds, etc., by whom signed.

SECTION 77. If, for any cause, elections in said city should not be held at the time or in the manner prescribed, or if the council should fail to organize as provided, it shall not be cause for suspending or abolishing said corporation, but such election or organization may be had at any subsequent day by order of the mayor; and if any of the duties enjoined by this act, or by the ordinances of said city, to be done at any specified time, be not done or performed at such time, the common council may appoint another time at which said act or acts may be done and performed.

In case elections are not held.

SECTION 78. No general law of this state contravening the provisions of this act shall be considered as repealing, amending or modifying the same, unless such purposes be expressly set forth in such law.

Not repealing.

SECTION 79. The village clerk of the village of Kewaunee and the clerk of the town of Kewaunee, shall immediately after the city officers are elected and qualified, deliver over all books, papers and property of the village of Kewaunee to the city clerk, and the treasurer of the town of Kewaunee and the treasurer of the village of Kewaunee shall pay over all the money in their hands and all the books and property in their hands belonging to the village of Kewaunee to the city treasurer.

Transfer of village property to city.

SECTION 80. The board of supervisors of Kewaunee county shall, at their first meeting after May 1, 1883, apportion the indebtedness of the town of Kewaunee to the state under chapter 10,

Apportionment of indebtedness.

laws of 1880, or that portion of such indebtedness that remains unpaid at that time upon the city of Kewaunee, and that portion of territory which now constitutes the town of Kewaunee according to the last assessment of the property of said town and of the village of Kewaunee, the city of Kewaunee being chargeable with that proportion of such indebtedness which the whole assessed valuation of the village of Kewaunee, at the last assessment, bears to the whole assessed valuation of the town and village of Kewaunee at the last assessment; and said board of supervisors shall forthwith transmit to the secretary of state, of the state of Wisconsin, a certificate of such apportionment, showing the amount of such indebtedness to be paid by the city of Kewaunee, and the amount of such indebtedness to be paid by the town of Kewaunee, and the secretary of state shall, each year, until the whole loan is paid, furnish to the county clerk of said county, at the same time he furnishes to that officer a statement of the state tax, a statement showing the amount which will be due upon said loan from said city, and another statement showing the amount due upon said loan from said town of Kewaunee. It shall be the duty of the county clerk of Kewaunee county on receiving such statements, to include the amount due from said city in his apportionment of the state taxes to said city, and the amount due from said town, in his apportionment of the state taxes to said town, but in each case it shall be carried out in a separate column, and the town clerk of said town and the city clerk of said city, shall change the respective amounts on their tax rolls, and the tax shall be collected as other taxes, and shall be paid over with the state tax to the county treasurer, who shall pay it over to the state treasurer with the state taxes.

City to be regarded as a town for equalizing purposes.

SECTION 81. The board of supervisors of Kewaunee county shall regard the city of Kewaunee as a town in equalizing the assessment rolls of the several towns in said county, as provided by law, but in such equalization shall not change the relative valuation of the different wards. The said board of supervisors may levy 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 of the board of supervisors of said county, said city shall be regarded as a town except as herein otherwise provided.

SECTION 82. Before the annual meeting of the board of supervisors of Kewaunee county, and by the time required by law for the return of the assessment from the several towns, the city clerk shall transmit a copy of the assessment roll or such statement as is required by law to be made by towns, to the county clerk of said county, who shall lay the same before the board of supervisors at its annual meeting.

Copy of assessment roll to be made.

SECTION 83. The county treasurer shall sell all delinquent lands and lots returned from the city at the same time and in the same manner as other delinquent lands are sold in the county.

Sale of delinquent lots.

SECTION 84. The county treasurer of Kewaunee county, shall, whenever lots, tracts or parcels of lands have been returned by the city treasurer as delinquent for non-payment of any tax, immediately after the sale of said delinquent lots, pieces or parcels of land by him, pay the city treasurer the amount which may have been returned delinquent belonging to said city.

County treasurer to pay proceeds over to city.

SECTION 85. The city of Kewaunee shall use the common jail of Kewaunee county, for the confinement or imprisonment of any person committed or arrested under the authority of said city or the charter or ordinances thereof, and every such offender shall be delivered to the sheriff of said county of Kewaunee, and the sheriff shall be responsible as in other cases.

Use of jail.

SECTION 86. The mayor and city clerk shall, with the chairman of the town of West Kewaunee, constitute a board to have charge and executive management of the public cemetery of the city, and said town and such board may make all needful rules and regulations concerning said cemetery, and enforce the same, and any two of them may convey by deed burial lots in said cemetery.

Cemetery board.

SECTION 87. The common council of said city shall have power by ordinance to establish dock and wharf lines in said city, to prevent encroachments upon the river therein, and obstructions thereto, and may appoint a harbor master upon

Dock and wharf lines.

whom may be conferred the duties of bridge tender, and prescribe his duties and compensation.

Special liabilities for taxes.

SECTION 88. Real estate exempted from taxation by the laws of this state shall, nevertheless, be subject to special taxes or assessments, chargeable against particular property, as provided by this act.

Final settlement of accounts.

SECTION 89. The common council shall meet during the month of March of each year, and before the third Tuesday of said month, and determine, by resolution, what compensation or salary shall be paid to each of the officers of the said city for the ensuing year, and such compensation shall not be increased or diminished during the term of office of said officers, but in case the council fail to determine the compensation or salary as aforesaid, said officers shall receive the same compensation or salary as their immediate predecessors, provided, no person shall be eligible to the office of city treasurer for more than two years in succession.

General laws of state to govern.

SECTION 90. The general laws of this state in relation to the building and maintaining of bridges in towns and the issuing of bonds for such purpose and raising of tax for such purpose, shall prevail and be in force in said city, and said city shall, for such purpose, be considered by the county board of supervisors of Kewaunee county as a town, subject to the same liabilities and entitled to the same rights; but wherever such general statutes provide, in relation to bridges, that any acts shall be done by the town supervisors, the same act shall be performed and the same rights and duties shall devolve upon the common council of said city.

SECTION 91. This act shall take effect and be in force from and after its passage and publication.

Approved March 31, 1883.

[No. 188, A.]

[Published April 16, 1883.]

CHAPTER 269.

AN ACT to amend the charter of the city of Stevens Point.

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

Amended.

SECTION 1. Subdivision 1st, of section 3, of subdivision 5, of said act is hereby amended by add-