

[No. 442, A.]

[Published April 12, 1883.]

## CHAPTER 343.

AN ACT to amend chapter 56, of the general laws of 1882, entitled, "An act to consolidate and amend an act entitled, 'an act to incorporate the city of Oconto, and the several acts amendatory thereof.'"

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

SECTION 1. Section 1, of chapter 9, of chapter <sup>Amendment.</sup> 56, of the laws of 1882, is hereby amended by striking out the words, "and fifty (50) cents," where they occur in the sixth line of said section. Also by striking out the words, "on or before the fifteenth day of August, in said year," where they occur in the 20th and 21st lines of said section, and by inserting in lieu thereof the words, "within ten days after such demand." Also by striking out the words, "day of September," where they occur in the thirty-ninth line of said section, and insert in lieu thereof the words, "Monday of each month during." Also by striking out the words, "senior alderman," in the forty-second and forty-eighth lines of said section, and insert in lieu thereof the word, "aldermen." Also by striking out the words, "within the months of June and July in each year," where they occur in the sixtieth and sixty-first lines of said section, so that said section 1, of chapter 1, of chapter 56, of the laws of 1882, when amended shall read as follows: Section 1. Every male inhabitant of the city of Oconto, over twenty-one years of age and under fifty years, except active members of the fire department in the city, and those otherwise exempt by the general laws of this state, shall pay into the city treasury annually the sum of one dollar (\$1.00) each, as a poll tax. It shall be the duty of the assessor of the city of Oconto, during the month of May in each year, to make out duplicate lists of all persons liable to pay said tax, and the said assessor shall, on the first Monday of June each year, deliver one of said lists to the city clerk and one to the superintendent of streets of the city of Oconto. The said assessor, in making such lists, shall designate the ward in which each person on said list resides; and the superintendent of streets shall thereupon immediately proceed to collect the same; and all persons liable to pay

such tax, who shall not have paid the same after demand, either personally or by written notice left at their usual place of abode, within ten days after such demand, shall be liable to and shall pay a penalty of two dollars (\$2.00) together with the costs of prosecution, to be prosecuted for by said superintendent of streets in the name of the city of Oconto. The process in such case shall be by warrant, and in case judgment shall be rendered against the defendant in such action and he shall refuse or neglect to pay such judgment, the superintendent of streets of said city shall proceed to collect the same in the same manner as hereinbefore in this section provided, and in case said taxes are not paid to said superintendent, he shall prosecute for them in the manner hereinbefore provided. The said superintendent of streets shall account for the tax of each ward of the city with the amount thus collected from the inhabitants of such ward, and all moneys collected by said superintendent as above specified shall be paid over to the city treasurer, on or before the first Monday of each month during the year. The moneys collected as above shall be kept as a distinct fund, and shall be expended under the direction of the aldermen of each ward, and at his request, under the supervision of the superintendent of streets, in the repair and improvements across streets, alleys and public grounds belonging to said city, in their several wards, for which said city is liable under section 9 of chapter 8 of this act, and to be drawn out on itemized accounts certified to by the aldermen of the ward in which said work is done, and audited by the common council. The mayor, city clerk and treasurer, shall constitute a board to determine the liability of persons to pay such tax, and all persons claiming to be exempt from such tax must apply to said board within twenty days from the time when said list shall be delivered to the superintendent of streets for collection; provided, that if any person shall desire to, he shall be permitted to perform ten hours' work upon the streets of the city in the ward in which he resides, under the direction of said superintendent of streets, and at such time as he shall direct, and the certificate of the superintendent of streets that such person has performed one full day's labor upon a street or highway within the ward in which said person resides,

shall be received by the city treasurer, in full discharge of such poll tax. And it is further provided that said superintendent shall have power to add on said list the names of all said persons by him known to be liable to pay said tax that may have been omitted by said assessor.

SECTION 2. Section 2, of chapter 9, of chapter 56, of the laws of 1882, is hereby amended by striking out the words, "senior alderman," in the thirteenth line of said section, and insert in lieu thereof the word "aldermen." Also by striking out the words, "day of September in each," where they occur in the fourteenth line of said section, and insert in lieu thereof the words, "Monday of each month during the," so that said section, when amended, shall read as follows: Section 2. The superintendent of streets shall, before entering on the duties of his office, execute to the city a bond in the penal sum of two thousand dollars (\$2,000), with two or more sufficient sureties, to be approved by the common council, conditioned for the faithful performance of the duties of his office and for such other duties as may be required of him by the common council, and for the proper expenditure of the money which may be collected or come into his hands by virtue of his office. He shall have a general supervision of all streets; he shall expend the money realized from the poll tax in each ward at such places in each ward as shall be designated by the aldermen thereof; he shall, on or before the first Monday of each month, report to the common council in writing, under oath, a true and correct statement of all moneys received by him by virtue of this act, and from whom received and how and where expended; and the said superintendent of streets shall be held strictly responsible for the full and complete execution of this act, so far as the same relates to streets, according to the terms thereof, and the common council may, at any time, remove him from office for neglect of duty and appoint a competent man in his place. The street superintendent shall receive for his services not more than two dollars (\$2.00) for each day actually and necessarily occupied by him in discharge of his duties. The marshal of said city of Oconto shall be street superintendent in any year when the common council shall so determine, and shall receive for his services as such superintendent such

Amendment in regard to superintendent of streets.

sum per day as the council shall determine, not exceeding two dollars (\$2.00) per day.

Amendment in regard to superintendent of schools.

SECTION 3. Section 3, of chapter 10, of chapter 56, of the laws of 1882, is hereby amended by striking out the word "January," in the fourth line of said section, and insert in lieu thereof the word "June," so that said section 3 shall read, when amended, as follows: Section 3. The school commissioners shall annually, as hereinafter provided, elect a city superintendent of schools, whose term of office shall commence on the first Monday of June, and said superintendent shall continue in office one year, unless sooner removed by a vote of two-thirds of all the members of the common council for misconduct or other sufficient cause.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 4, 1883.

[No. 129. A.]

[Published April 17, 1883.]

### CHAPTER 350.

AN ACT to amend chapters 5 and 6, of chapter 221 of the laws of 1882, entitled "an act to reduce the act incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same."

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

Amendment in regard to actions against corporations.

SECTION 1. Chapter 5, of chapter 221, of the laws of 1882, is hereby amended by adding after section 13, of said chapter 5, the following: "Section 14. Actions brought against corporations for penalties for violation of ordinances, by-laws, police or health regulations of said city, passed in pursuance of the charter of said city, may be commenced by summons, and the trial of such actions, when so brought, and all subsequent proceedings, shall be conducted and had in the manner now provided by law for the trial of civil actions cognizable by justices of the peace."

Amendment in regard to taxes.

SECTION 2. Chapter 6, of chapter 221, of the laws of 1882, is hereby amended by adding after the seventh subdivision of said chapter, the following. Eighth. To annually levy and collect taxes, not to exceed ten thousand dollars (\$10,000), on all real and personal property in said city, to meet