

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 sum by distress and sale of the goods and chattels of the person or corporations so taxed, and out of the moneys 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 moneys 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, with your doings thereon, as required by law.

Given under my hand and the corporate seal of the city of Tomah, this ———day of —, 18—.

City Clerk.

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

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

Approved March 18, 1885.

[No. 266, A.]

[Published March 20, 1885.]

## CHAPTER 92.

AN ACT to amend chapter 174, of general laws of Wisconsin, for the year 1883, entitled, "an act to incorporate the city of De Pere."

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

SECTION 1. Section 1, of chapter 2, of chapter 174, of the laws of 1883, entitled, "an act to incorporate the city of De Pere," is hereby amended so as to read as follows: Section 1. The elective

Section 1, of chapter 2, of chapter 174, amended.

officers of said city shall be a mayor, treasurer, and assessor for the city at large; three aldermen, one justice of the peace and one constable for each ward. All other officers necessary for the proper management of the affairs of said city shall be appointed by the common council. No person who may have held the office of city treasurer, shall be eligible to such office for the succeeding term thereof.

SECTION 2. Section 11, of chapter 2, of said chapter 174, is hereby amended by striking out the words "city clerk, city attorney," where the said words occur in the second line of said section, so that said section when amended shall read as follows: Section 11. Whenever a vacancy shall occur in the office of mayor, alderman, or justice of the peace, 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 happening in any other office shall be filled by the common council. The person elected or appointed to fill any vacancy shall hold his 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 may be elected or appointed to fill.

Section 11,  
amended.

SECTION 3. Section 1, of chapter 9, of said chapter 174, is hereby amended by adding thereto at the end of said section, as follows: The city treasurer shall be accountable for all funds coming into his hands belonging to the school fund of said city, the same as for other moneys of said city. He shall report to the board of education as often as required, and annually on the first Monday of October, a full and detailed account of all receipts and expenditures of the school fund since the date of his last report.

Section 1, of  
chapter 9,  
amended.

SECTION 4. Section 3, of chapter 9, of said chapter 174, is hereby amended so as to read as follows: Section 3. The school commissioners shall at their regular meeting in August, in each year, or within thirty days thereafter, elect some suitable person, having the necessary qualifications, as city superintendent of schools, whose term of office shall commence on the first Monday of August, of the year in which he is elected, and who shall hold his office for one year, and until his successor

Section 3, of  
chapter 9,  
amended.

shall be elected and qualified, unless sooner removed by a two-thirds vote of all members of the board of education, for misconduct or other sufficient cause, and said school commissioners shall fill any vacancy in said office at any regular meeting.

Subdivision 1,  
of section 7,  
amended.

SECTION 5. Subdivision 1, of section 7, of chapter 9, of said chapter 174, is hereby amended so as to read as follows: 1. To elect at their regular meeting in August a city superintendent of schools, but if such election shall not then be had, the said superintendent shall be elected within thirty days thereafter.

Section 2, of  
chapter 11,  
amended.

SECTION 6. Section 2, of chapter 11, of said chapter 174, is hereby amended by inserting after the word, "law" and before the word "exceed" where they occur in the eighteenth line of said section the words, "shall not," so that said line as amended shall read, "by law, shall not exceed three per centum of the taxable property in said city."

Repealed.

SECTION 7. All acts or parts of acts contravening the provisions of this act are hereby repealed.

SECTION 8. This act shall be in force from and after its passage and publication.

Approved March 18, 1885.

[No. 203, A.]

[Published March 26, 1885.]

## CHAPTER 97.

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

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

Section 1, of  
sub-chapter 2,  
of chapter 238,  
amended.

SECTION 1. Section 1, of sub-chapter 2, of chapter 238, of the laws of the state of Wisconsin, for the year 1876, entitled, "An act to revise, consolidate and amend an act entitled, 'An act to incorporate the city of Waupaca, as amended by chapter 212, of the laws of the state of Wisconsin, for the year 1881,'" is hereby amended so as to read as follows: Section 1. The elective officers of said city shall be a mayor, a treasurer, an as-