

vided, that each justice shall reside in the ward for which he was elected.

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

Approved March 30, 1887.

[No. 364, A.]

[Published April 14, 1887.]

CHAPTER 173.

AN ACT to revise chapter 79, of the laws of 1885, entitled, "an act to incorporate the city of Antigo."

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

CHAPTER I.

SECTION 1. All that district of territory in the county of Langlade hereinafter described shall be a city by the name of Antigo, and the people now inhabiting and those who shall inhabit said district shall be a municipal corporation by the name of Antigo, and shall have the general powers hereafter specifically granted, and the authorities thereof shall have perpetual succession and 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.

Corporate name.

SECTION 2. All that district of country included in section number twenty-nine, in township number thirty-one north, of range number eleven east of the fourth principal meridian, and also the east one-half of section number thirty, in township number thirty-one north, of range number eleven east of the fourth principal meridian.

City boundaries.

CHAPTER II.

Division of city
into wards.

SECTION 1. The city of Antigo shall be divided into five wards, as follows:

First ward.—The First ward shall comprise all that territory within the corporate limits lying north of the center line Fifth avenue and east of the center line Superior street.

Second ward.—The second ward shall comprise all that territory within the corporate limits lying north of the center line Fifth avenue west of Superior street, and east of the main track of the Milwaukee, Lake Shore and Western railway.

Third ward.—The Third ward shall comprise all that territory within the corporate limits lying west of the main track of the Milwaukee, Lake Shore and Western Railway.

Fourth ward.—The Fourth ward shall comprise all that territory within the corporate limits lying south of center line Fifth avenue, east of the main track of the Milwaukee, Lake Shore and Western Railway, and west of Superior street.

Fifth ward.—The fifth ward shall comprise all that territory within the corporate limits lying south of the center line Fifth avenue, and east of center line Superior street.

CHAPTER III.

Elective
officers.

SECTION 1. The elective officers of said city shall be a mayor, a city clerk, a treasurer, an assessor, a street commissioner and three justices of the peace, to be elected by the city at large; and in each ward, one supervisor who shall be a member of the common council of said city, and shall represent his ward on the county board of supervisors of Langlade county, and be a member thereof; also one alderman who shall be a member of the common council, and in case of the absence or inability of the supervisor to attend any meeting of the county board, such alderman shall attend such meeting and act as a member of such county board; provided, however, that in every such case the city clerk shall certify to the county clerk the inability of such supervisor to act.

SECTION 2. All the officers elected in said city except justices of the peace, shall hold their offices for one year, or until their successors are elected and qualified. Justices of the peace shall hold their offices for two years. The present city officers of said city shall hold their offices until their successors are elected and qualified.

Qualified electors.

SECTION 3. All the elective officers from the city at large shall be qualified voters, electors and freeholders in said city, and the supervisor and aldermen from each ward shall be qualified voters and electors, and shall be freeholders in the ward where elected.

SECTION 4. Whenever a vacancy shall occur in the office of mayor, supervisor, aldermen or justice, 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 to fill any such vacancy shall hold his office and discharge the duties thereof for the unexpired term, and shall be subject to the same liabilities as the person whose office he may be elected or appointed to fill.

Vacancies—how filled.

SECTION 5. Every officer, or agent, who may be summarily removed, by a vote of two-thirds of all the members of the common council elect, and the office declared vacant. No other officer shall be removed from office except for good cause, nor unless furnished with charges, and an opportunity given such officers to be heard in his defense. The common council shall have power to compel any and all persons in said city to appear before it and testify in any hearing or proceeding instituted to remove from office any officer mentioned in this act, or any agent under said government, for any violation of duty, or of any ordinance, resolution, rule, order, regulation or by-law of the common council of said city, either of omission or commission, and such violation shall be cause for removal; and to revoke and vacate any license granted under this act, and for that purpose said council may make its order commanding the person or persons therein named to appear before it, and testify, which order shall be certified by the clerk of the said city, under the corporate seal thereof, and personally served on

Removal of officers—how effected.

the person or persons therein named by delivering to each a true copy thereof; and for the purpose of compelling such appearance before it, and the giving of the testimony on such hearing or proceeding, the said common council is hereby vested with the same power and authority possessed by any court of record in this state, and any violation or disobedience to the commands requirements of a subpoena issued out of any court of record in this state. The common council shall proceed to said hearing within ten days from the service of the charges upon the officer so charged, and may adjourn from time to time, as may be deemed necessary, and if such officer neglects to appear and answer to such charges, or if such charges are sustained, then the common council may, by a two-thirds vote of the whole council, remove such officer and declare such office vacant.

ELIGIBILITY TO OFFICE AND QUALIFICATIONS OF OFFICERS.

Eligibility to office.

SECTION 6. No person shall be eligible to any office of said city, unless he shall be a resident elector of said city, nor to any of the ward offices unless he be a resident elector and freeholder of the ward for which such officer is to be chosen, and otherwise qualified to perform the duties of the office to which he may be elected or appointed; and whenever any person elected to any city office shall remove from the city, or any ward officer shall remove from the ward in which he holds office, he shall be deemed thereby to have vacated his office.

Oath of office.

SECTION 7. Every person elected or appointed to any office of said city, except justice of the the peace, or the wards thereof, shall, before he enters upon the duties thereof, take and subscribe the oath of office prescribed by the constitution of the state, before some proper officer, and file the same with the city clerk within ten days after notification of election.

Bonds to be executed by elected officers.

SECTION 8. The city clerk, city treasurer, city marshal and such other officers as the common council may direct, shall severally, before they enter upon the duties of their respective offices, execute to the city of Antigo a bond, with at least

two sufficient sureties, which bond shall contain such penal sum and such conditions as the common council shall prescribe. Such bonds, together with the affidavits of the sureties hereinafter provided, shall be filed with the city clerk and recorded in books in his office for that purpose.

SECTION 9. The sufficiency of the sureties upon bonds provided for in the next preceding section, may be determined by the affidavits of the sureties, severally taken, in which affidavits it shall appear that said sureties, in the aggregate, are worth in property, over and above all deb'ts, exemptions and liabilities, the penal amount of such bond, or the common council may, in any other manner, aside from the affidavits of such sureties, determine their responsibility and sufficiency, and either accept or reject such sureties, or require other or additional sureties. Sufficiency of sureties.

SECTION 10. The common council shall, at any and all times, have the power to require other or additional official bonds, and other or additional sureties thereon, at any time during the official term of any officer of said city. Other or additional bonds may be required.

SECTION 11. Every person elected or appointed to any office in said city, who shall neglect to take and file with the city clerk his oath of office, as herein required, or neglect to file his official bond as provided by this act or as may be required by the common council, within ten days after notification of election or appointment, such office shall be deemed vacant, and the vacancy shall be filled as provided by this act. When office shall be deemed vacant.

SECTION 12. No member of the council shall be accepted as surety upon any bond, note or obligation to the city. No member to be surety.

SECTION 13. No alderman or member of the common council, while holding such office, shall be appointed to, or be competent to hold any office of which the compensation is paid by the city. Shall not receive compensation.

CHAPTER IV.

GENERAL ELECTIONS.

SECTION 1. The annual municipal election of said city shall be held on the first Tuesday of April in each year, for which purpose one place Annual municipal election—when held.

in each ward shall be procured and designated as election polls, by the common council, and notice thereof shall be given by the city clerk, for at least ten days prior to said election by publication in one newspaper, and by posting the same in three conspicuous places in each ward, which notices shall be signed by the mayor and city clerk, and shall state the time and place where the polls will be opened, but a failure to give the notice as above specified shall not invalidate the election.

Qualified electors.

SECTION 2. All male inhabitants of said city, who shall have resided therein for thirty days next preceding any election therein, and who are otherwise qualified to vote under the general laws of the state, shall be entitled to vote at such election, in the ward in which he lives.

Appointment of inspectors.

SECTION 3. The inspectors and clerks of all general charter and special elections held in the city of Antigo, shall be appointed by the mayor as provided in section 26, chapter 5, of the Revised Statutes of 1878, and shall have the same powers and the same qualifications as therein named.

Conduct of elections.

SECTION 4. All general and special elections held in said city shall be held and conducted, and the votes canvassed, sealed and returned in all respects under and in accordance with the general laws of the state. And the inspectors and clerks of said elections shall possess the same powers and authority as are prescribed by the general laws of the state in regard to elections. No spirituous or malt liquors shall be sold within said city, or within one mile of the city limits of the said city upon the day of any election held therein, and any person offending against the provisions of this section shall be guilty of a misdemeanor, and punished by a fine of fifty dollars or by imprisonment in the county jail for not less than sixty days, or by both such fine and imprisonment.

Opening and closing of polls.

SECTION 5. The polls of election in each ward shall be kept open from nine o'clock in the morning until five o'clock in the evening, without intermission or adjournment, and when the polls shall have been closed, the inspectors, without adjourning, shall canvass the votes received at such polls and make returns thereof in writing,

duly signed, stating therein the number of votes received for each person for a designated office, and the whole number of votes received, and such returns, in cases of municipal elections, shall by them be delivered, together with the oaths of inspectors and clerks, and the poll lists kept by them, to the city clerk, to be filed in his office within twenty-four hours after closing the polls.

SECTION 6. All elections shall be by ballot; a plurality of votes shall constitute an election, and the names of all officers voted for shall be upon one ballot.

Election to be by ballot.

SECTION 7. Except as herein otherwise provided, so far as the same are applicable, all of the laws relating to general elections, as to the qualifications of electors, the manner in which elections shall be conducted, the making of poll lists and returns, and the punishment of illegal or fraudulent voting, or attempting to vote and for fraudulent or illegal returns or any other fraud or wrong designated under the general election laws shall apply to all elections provided by this act.

General election law shall apply.

SECTION 8. On Thursday, next after the annual municipal election herein provided for in each year, at 7:30 o'clock P. M., the common council shall meet at the council rooms in said city, and the returns of the inspectors of the various wards shall be produced by the city clerk, whereupon the common council shall forthwith canvass said returns, and determine and declare by the greater number of votes appearing by said returns to have been cast at said election, who are elected for each of the city and ward officers as were voted for, or any or either of them, and the council shall thereupon cause a report of such determination to be made and entered upon the minutes of said council within twenty-four hours after such determination, the city clerk shall cause certificates of election to be served upon the persons so declared to be elected, personally, or by depositing the same enclosed in an envelope, with postage paid and properly directed; provided, that the city clerk shall at the same time certify to the clerk of the circuit court, the names of the persons so elected justices of the peace, and all persons authorized to administer oaths and take acknowledgements of instruments in writing, and the

Canvass of returns.

terms for which they are respectively elected when they have qualified.

In case of an equal number of votes.

SECTION 9. When two or more candidates for an elective office shall receive an equal number of votes for the same office, the election shall be determined by casting lots in the presence of the common council, and at such time and in such manner as said council may direct.

Justice to file oath of office.

SECTION 10. Every justice of the peace elected or appointed by virtue of this act, shall file such oath of office and bond necessary to qualify, before entering upon the discharge of the duties of such office, as is prescribed by the general statutes for such officers in the several towns.

Special taxes for general city purposes.

SECTION 11. In addition to the amount of taxes for general city purposes, special taxes may be levied for the purchase of fire-engines, cemetery grounds, public squares, lands and right of way for side tracks, depots, machine shops, turn tables, engine houses, and coal sheds for railway purposes, and other objects of public utility; but no such tax shall be levied, unless the same shall first be recommended by the common council, and afterwards submitted to a vote of the people, and approved by them. Whenever the common council shall recommend such a tax, it shall specify the amount to be raised and the object thereof and cause notice thereof, of the time and place of voting thereon to be published in the same manner as in case of the annual city election.

Special tax equal to two-thirds of whole number of votes cast.

SECTION 12. At such special elections so called, no such special tax shall be raised or levied unless the whole number of votes cast for said special tax shall equal to two-thirds of the whole number of votes cast at said special election.

CHAPTER V.

POWERS AND DUTIES OF THE COMMON COUNCIL.

Municipal government.

SECTION 1. The municipal government of said corporation shall consist of a common council, composed of the mayor and one supervisor from each ward and one alderman from each ward. The common council shall annually meet on the first Monday after the annual municipal election at 7 o'clock P. M., and at such other times, not

less than once in each month, as it shall, by resolution appoint. The mayor, or in his absence or inability to act, the president of the council, for any good reason may call special meetings by notice to each of the members to be served personally, or left at their usual place of abode by the city clerk. The common council at any regular or special meeting shall have power to adjourn the same to such time as it may deem proper.

SECTION 2. It shall be the duty of the common council to elect one of its members president of the council.

Election of president of council.

SECTION 3. In the absence of the mayor and president of the common council, the members present, if there be a quorum, shall elect one of its members as president pro tem. of the common council, who shall have and possess all the powers of mayor while so presiding.

President pro tem.

SECTION 4. In the proceedings of the common council, each member present shall be entitled to one vote; but no appropriations nor appointments to office shall be made except by a majority of all the members elect.

Members entitled to one vote.

SECTION 5. The common council shall determine the rules of its proceedings, not inconsistent with any of the provisions of this act. A majority of the members elect shall constitute a quorum for the transaction of business, and may compel the attendance of absent members, and in case of the refusal of absent members to attend for three successive meetings, the common council may declare the office of the member so refusing, vacant.

What constitutes a quorum.

SECTION 6. If required by one member present at any meeting of the common council, the vote upon any ordinance, resolution or question, pending before such meetings shall, when taken, be taken by the yeas and nays of all the members present, and a record of such vote shall be entered at large in the minutes of the common council.

Vote to be taken by yeas and nays.

SECTION 7. The common council shall have the power, from time to time, to require other and further duties to be performed by any officer whose duties are herein prescribed, and to prescribe the duties of such other officers as may be appointed, whose duties are not herein prescribed.

Other and further duties to be performed by any officer.

SECTION 8. The common council shall have the

General control of all property. general control of all the property, both real and personal, belonging to the city.

Board of health.

SECTION 9. The common council shall organize a board of health, consisting of three members, and to provide measures for the preservation of the health of the inhabitants of said city, and to prevent the spread of infectious or pestilential diseases therein. Each member of the board of health shall have such powers and perform such duties as the common council, by ordinance or otherwise, shall direct.

Enforcement of rules.

SECTION 10. The common council may, by ordinance, authorize the board of health, or any member thereof, to make and enforce such orders, rules and regulations, not inconsistent with the charter or any ordinance of said city, as they shall deem most effectual for the preservation of the public health; but no order, rule or regulation of said board, imposing a penalty, shall take effect and be in force until the same shall have been published in a newspaper published in said city, as required for the publication of ordinances.

May make, modify and repeal ordinances, etc.

SECTION 11. The common council shall have the power to make, modify and repeal such ordinances, resolutions, regulations or by-laws as may be necessary to carry into full effect all the powers conferred upon it by this act. In every such ordinance, resolution, regulation or by-laws passed by said common council, it may impose such penalty for the violation thereof, or any part thereof, by fine not exceeding two hundred dollars, and if not paid, with the costs, by imprisonment in the county jail of Langlade county not exceeding six months, or by imprisonment in any other place provided by the common council for the detention or imprisonment and punishment of persons committing offenses, not exceeding three months; and shall have the power by such ordinances, resolutions, regulations or by-laws and with such penalties aforesaid:

Suppression of vice.

1. To preserve peace and good order, and to restrain and prevent vice, immorality and every kind of fraudulent device and practice.

Suppress gambling and other vices.

2. To restrain, prevent and suppress houses of ill-fame, and all places of prostitution, and disorderly and gaming houses, billiard tables, and all instruments and devices for gaming, and to authorize the destruction and demolition of all in-

struments and devices used for the purposes of gaming and to punish the occupants and frequenters of such houses and places, and to prohibit the occupation of any room, building or any part thereof, within said city, for that purpose.

3. To restrain and punish vagrants, mendicants, street beggars, drunkards, and persons soliciting alms, keepers of houses of ill-fame, common prostitutes, bawds, and disorderly persons, and to prevent drunkenness and disorderly and immoral conduct, and obscenity in public places and streets, and to provide for arresting, removing and punishing any person or persons who may be guilty of the same.

Drunkenness,
etc.

4. To prevent any riots, noises, or public disturbances, and all disorderly assemblies.

Riots.

5. To license, prevent or regulate the sale and giving away of ardent, spirituous wines, malt, fermented and intoxicating liquors and drinks within the city, under the provisions of this act.

Liquors.

6. To prohibit or regulate the erection or continuance of slaughter-houses in said city, and to cause the removal thereof.

Slaughter-houses.

7. To compel the owner or occupant of any grocery, meat market, tallow chandler's shop, soap factory, tannery, stable, privy, sewer, drain or other unwholesome or nauseous house or place, to cleanse, remove or abate the same as often as, and whenever the common council or board of health shall deem it necessary for the health, comfort or convenience of the inhabitants of the city, and for the prevention of disease.

Cleanse unwholesome places.

8. To require the removal of any putrid or unwholesome meat, fish, hides, or skins or any decaying substance of any kind by any person owning or occupying the premises, on which the same may be found, and in case of his default to do so within such time as may be prescribed by the council, to cause the removal thereof, and the expense thereof shall be a lien upon the lot or premises upon which the same were found, to be enforced as hereinafter provided.

Putrid carcasses.

9. To prevent, restrain, remove and abate nuisances.

Removal of nuisances.

10. To prevent any and all persons from casting into Spring Brook within the limits of the city or leaving upon the banks thereof, any offal,

Polluting Spring Brook.

dead animals, filth or rubbish, and to punish any person or person doing the same.

Stagnant
waters.

11. To prevent the digging, excavating or making of holes or places below the natural surface of the ground, wherein stagnant water or other noxious or unwholesome matter may accumulate, and to cause the filling up, cleansing or purifying of any such holes or places, by any person who may have caused, made or in any way assisted in making the same, and in case of the default in the filling up, cleansing or purifying thereof, within such time as may be prescribed by the common council to cause the same to be so filled up, cleansed or purified, and the expense thereof shall be a lien upon the lot or premises upon which the same existed, to be enforced as herein-after provided.

Removal of
rubbish, etc.

12. To prohibit any person from bringing or depositing within the limits of said city the dead carcass of any horse or dog, or the putrid carcasses of any animal, filth or rubbish or any unwholesome thing.

Combustible
materials.

13. To prevent and prohibit the manufacture, keeping or storing of nitro glycerine, and to regulate the keeping and storing of gunpowder, gun-cotton, burning fluids, coal oils and other dangerous explosive materials in said city, and to provide for the inspection of illuminating oils and fluids.

Shooting fire-
arms.

14. To prohibit, restrain or regulate the discharge of fire-arms and the explosion of gunpowder and gun-cotton, and the firing of fire-crackers and fire-works of any kind within the city.

Lights.

15. To regulate the use of candles and lights in barns, stables, shops and outbuildings.

Removal of
snow, dirt and
rubbish from
sidewalks.

16. To compel all persons to remove the dirt, snow and ice from the sidewalks in front of the premises occupied or owned by them and to keep the streets swept in front of such premises, and to prevent the encumbering of the streets, sidewalks and crosswalks with carriages, wagons, carts, sleds, sleighs, wheelbarrows, boxes, wood, lumber, timber, or other substances or materials whatsoever, and to prohibit excavating on streets or the raising or lowering of the surface of streets, crosswalks or sidewalks, above or below the established grade, or the interference in any

manner with the established grade of the streets, and to prohibit the raising of any portion of a sidewalk to a higher grade than the portion adjoining, unless with the consent of the common council, and to prohibit injury to sidewalks.

17. To prohibit the leaving of any horse, mule or team on any street without being securely fastened or hitched. Fastening horses.

18. To regulate and control the erection of awnings and awning posts; to prevent the erection of signs and sign-posts in the streets or over the sidewalks; and to provide for and compel the erection and maintenance of safe and convenient hitching posts and places for fastening teams, at such point or points as the council may deem necessary. Awnings, sign posts, hitching posts, etc.

19. To prevent and regulate the running at large of dogs, and to destroy them, and to impose a tax upon the owners or possessors of dogs. Restrain dogs.

20. To require and cause the removal from thickly inhabited parts of the city, of all persons having contagious diseases. Exhibitors, shows, etc.

21. To prohibit, restrain and regulate all exhibitions of natural and artificial curiosities, caravans of animals, theatrical shows or performances, circuses and all other public exhibitions or performances for money, and to require, fix the amount and provide for the collection of license fees for any and all such public exhibitions or performances. Public exhibitions.

22. To regulate, restrain and prohibit the ringing of bells and the crying of goods, wares and merchandise or other commodities in the streets of said city. Ringing of bells, etc.

23. To impose and collect license fees of each auctioneer, and commissions on the sale of goods, wares, merchandise or other personal property by auction, and to punish any person acting as auctioneer without a license, or refusing to report sales by auction. Auctioneers and vendues.

24. To regulate and restrain hawking and peddling in the streets. Hawkers and peddlers.

25. To establish and regulate a market or markets in said city; to restrain and regulate the sale of fresh meats, fish and vegetables, and to select places for the sale of hay, wood, straw, grain, lumber, lime and all other articles offered for sale from wagons, sleighs or vehicles, and cause the Produce.

same to be weighed, measured or inspected, and to establish and collect fees for such weighing, measuring or inspection, and to prohibit, under penalties, the sales of all such articles at any other place or places.

Public pounds. 26. To establish and regulate public pounds.

Restrain cattle. 27. To restrain and prohibit the running at large of cattle, horses, mules sheep, swine, geese and fowls in said city, and to cause such as may be found running at large to be impounded, and to have a lien thereon for all fines, penalties, costs, poundage and damage done thereby, and to cause the same to be sold to discharge the said liens, and to punish the owners of such animals and fowls running at large.

Horse-racing, etc. 28. To prevent and punish horse-racing and immoderate driving or riding in the streets or highways; to require all persons driving horses with sleighs or cutters in the streets of said city to carry bells either upon the horses or other animals, to warn other persons using said streets, and prevent and punish persons playing any game or doing any act having any tendency to frighten horses or annoy persons passing in or along the streets or highways or endanger property.

Grading, filling etc. 29. To compel railroad companies and other corporations and persons to do all needful and proper draining, grading and filling upon the lands owned or occupied by them, within the limits of said city; to compel railroad companies to construct and keep in repair suitable street crossings and carriage ways over their several tracks, and place flagmen at such street crossings in said city as said common council may designate; to regulate and restrain the speed of cars in passing through said city, and to prevent such cars from passing at a greater rate of speed than six miles per hour through said city, and to prevent the obstruction of streets, lanes and highways by the cars of said companies, and to regulate the putting up of all necessary signs to be beware of the cars, at railroad and street crossings.

False weights and measures. 30. To prevent the use of false weights measures.

31. To direct and require the keeping of rec-

ords of mortality by physicians, sextons and others.

Records of mortality.

32. To protect shade trees and direct and compel and regulate the planting, rearing and preservation of shade or ornamental trees in the streets and public grounds in said city.

Shade trees.

SECTION 12. The common council shall have authority, by ordinances, resolutions or by-laws:

1. To manage and regulate the finances, and to regulate, preserve and dispose of the property, real and personal, belonging to the city.

Regulate finances.

2. To purchase all real estate or other property, as may be required for the use of such city, for public uses; provided the cost thereof shall not exceed the amounts previously limited therefor.

Purchase real estate.

3. To adopt all legal and requisite measures for levying taxes and assessments, general and special.

Taxes and assessments.

4. To purchase and lay out public parks, squares or grounds, and improve the same.

Parks, etc.

5. To establish, make, regulate, preserve and protect public reservoirs, pumps, wells, hydrants and fountains in said city, supply them with water and construct all necessary water-works for such purposes, and for the general supply of the inhabitants, and to pay for the same, and to prevent the unnecessary waste of water therefrom, and regulate and control the use thereof.

Reservoirs, pumps, etc.

6. To establish, construct, and build all necessary drains, sewers and gutters and maintain the same.

Construct drains, etc.

7. To fix up, widen, straighten, deepen, drain, dress, or otherwise improve or abate any and all sloughs, ravines, water-courses and wet places in the limits of said city.

Water-courses and wet places.

8. To compel the owners or occupants of houses or other buildings to have scuttles in the roofs and stairs or ladders leading to the same, and suitable fire-escapes therefrom.

Scuttles in the roof, fire escapes.

9. To prevent the deposit of ashes in unsafe places, and to cause all buildings and enclosures, as may be in a dangerous state, to be put in a safe condition.

Deposits of ashes.

10. To regulate and prevent the improper construction and unsafe condition of chimneys, fire-places, hearths, stoves, stove-pipes, ovens, boilers and apparatus now in and about any build-

Chimneys, etc.

ings or manufactory, and to cause the same to be removed or put in a safe condition.

Manufactories. 11. To regulate and prevent the carrying on of manufactories dangerous in causing or promoting fires.

Idle persons around fires. 12. To authorize the mayor, aldermen, police, firemen and other officers of the city to keep away from the vicinity of any fire, all idle and suspicious persons, and to compel all persons in said city to aid in the extinguishment of fires, and in the protection and preservation of property thereat.

May enter buildings. 13. To authorize and require any person appointed for that purpose to enter all buildings and enclosures at proper times, to ascertain whether the arrangements for fire, or the preservation of ashes are dangerous, and to cause such as are dangerous to be put into a safe condition.

Work to be let to the lowest bidder. SECTION 13. The common council shall let by proposals to the lowest bidder and not otherwise, all contracts for services or work, and materials or supplies, and order payment for the same except as is specifically otherwise provided by this act, and may, from time to time, require any officer to furnish reports, information or estimates and to perform other and further duties than herein prescribed, if the council shall deem that the interests of the city so require.

Out lots. SECTION 14. The common council shall have power, by ordinance or resolution, to cause all out and in lots within said city, of less size than ten acres each, that have not been platted and recorded by the owner or owners thereof, as required by law to be platted and recorded, and to tax the charges for the platting and recording thereof against the lot or lots so platted and recorded, to be collected in the same manner as other special city assessments and taxes.

Surveying highways. SECTION 15. The common council may cause all streets, highways, alleys, lanes, side and cross walks, culverts, drains, sewers and public places in the said city, to be surveyed and described, and the established height of all grades of streets or sidewalks, to be recorded in books to be kept by the city clerk for that purpose, and to cause maps to be made and filed with the city clerk. Such records and maps, when so filed, shall be prima facie evidence of the facts therein described and

portrayed, in all actions and places between the city and other persons, touching their location and the facts therein or thereon represented.

SECTION 16. The common council of said city shall, by proper resolutions, levy all taxes to be raised in said city, itemizing the amount so as to show the amount raised for general and special purposes. Levy of taxes.

SECTION 17. The common council shall annually at its October meeting levy a tax, not exceeding seven mills on the dollar, on all the taxable property of said city, for all general purposes of said city, to be known and designated as the general fund. Annual tax levy.

SECTION 18. The common council shall, at its last regular meeting before the annual municipal election, by resolution, fix the salaries and compensation to be paid to such of the city officers and employes, to be elected or appointed under the provisions of this act, as are entitled thereto; provided, that no salary or compensation having been once fixed, shall not be increased to any officer or employe during his term of office or employment, unless by the unanimous consent of all the members of the common council elect; provided, that the salaries for the year 1887 shall be fixed at the first meeting of the council. Fix the salaries.

SECTION 19. The common council of said city shall have, and is hereby granted, power to tax annually each male inhabitant within the corporate limits of said city, between the ages of twenty-one and fifty years, a sum not to exceed one dollar and fifty cents, to be denominated a poll tax, and in addition to said poll tax, the common council may levy upon the taxable property of said city, a tax not exceeding five mills on the dollar of the assessed valuation as shown by the last assessment roll of said city, to be known as a street tax, the same to be used exclusively for the improvement of streets, walks and crossings within the limits of said city. Such taxes shall be assessed by the common council by resolution, upon an affirmative vote of a majority thereof, and the ayes and noes shall be entered in its proceedings. As soon as may be after the assessment of the taxes above provided for by the common council, the clerk shall proceed to apportion the same and carry out opposite the name of the individual and Poll tax.

the property liable to pay said tax as it shall appear upon the last assessment roll of said city, and shall issue a special tax warrant in the form provided by section 1241, of the revised statutes, of the state of Wisconsin, for the year 1878, to be signed by the mayor and countersigned by the clerk, which warrant shall be directed to the street commissioner of said city. Such warrant shall contain: 1st. The names of all persons liable to pay poll tax within said city. 2nd. The name of each person assessed for personal property, the amount of each assessment, and the amount of the tax thereon. 3rd. A description of all lots and parcels of land within said city, with the valuation, name of the owner and amount of tax thereon set opposite thereto, the description and value thereof to be taken from the last assessment roll of said city. Such warrant shall be delivered to the street commissioner on or before the first Monday in June, and he shall proceed to collect the taxes in the manner described for the collection of highway taxes in towns by the overseers of highways. The street commissioner shall have all the authority of an overseer of highways in towns in relation to amending his warrant by adding thereto names of persons liable to pay street taxes in said city which have been omitted by the clerk, or of new inhabitants who have not paid highway taxes for the same year elsewhere, and in assessing them with poll tax and street tax upon their taxable property, and all further powers and rights of such overseers not herein enumerated which are necessary or proper to accomplish the collection and expenditure of said taxes and not inconsistent with the provisions of this act. The street commissioner shall return all unpaid taxes in the manner and form prescribed for such return by the overseer of highways in towns.

Street commissioner prohibited from advancing money.

SECTION 20. The street commissioner is hereby expressly forbidden to pay any poll or highway tax for any person or corporation, by labor, during his term of office.

Street commissioner to give a bond.

SECTION 21. Every street commissioner shall, before entering on the duties of his office, give a bond to the city of Antigo, with one or more sureties, to be approved by the common council, in the sum of not less than one thousand dollars,

conditioned to render an account to the common council whenever required by law, or the ordinances of said city, or by vote of said common council to safely keep and account for and deliver over when lawfully required, all property of said city that may come into his hands; to use, disburse or pay over as required by law or the ordinances of said city, all moneys that may come into possession as such officer, and to faithfully discharge the duties of his said office.

SECTION 22. It shall be the duty of the street commissioner, within ten days after his appointment and qualification, to inspect all the streets in the city, and all sidewalks, crosswalks, ditches, gutters, sewers, culverts, bridges, and all things appertaining to the streets, and report in writing to the common council, recommending, in his opinion, what is necessary and ought to be done thereto, in separate items, in the order of their first, second and third necessity, and so on to the end of his recommendations, under item number one, for the first necessity, item number two, for the second necessity, and so on to the end; and the city clerk shall lay said report before the common council for information, and the common council may order said street commissioner to put in repair any such street or sidewalk if, in their opinion, it is a matter of necessity.

Duties of street commissioner defined.

SECTION 23. It shall be the duty of the street commissioner to see that all ordinances of the city relating to the obstructions and cleaning or closing of sidewalks, crosswalks, streets, bridges, alleys, public grounds, gutters, sewers and waters in said city are duly observed and kept, and shall have the general supervision over all grading, paving, graveling, planking and repairing and cleaning streets, bridges, alleys, public grounds and gutters and such other duties as the ordinances of said city may prescribe and shall receive therefor such compensation, as the common council may prescribe.

Duty of street commissioner to see that all ordinances are enforced.

SECTION 24. The marshal of said city shall, before he enters upon the discharge of the duties of his office, take the constitutional oath of office and give a bond to said city, and to each and every person entitled thereto, for all moneys that may come into his hands by virtue of his office.

Marshal to take constitutional oath.

Salaries.

SECTION 25. The city clerk, marshal and assessor shall be paid a salary to cover all services rendered by them.

Prompt payment of all orders.

SECTION 26. It shall be the duty of the common council to always provide for the prompt payment of all orders drawn on the city treasury and it shall have power to negotiate temporary loans at the legal rate of interest, for the supplying of all funds to meet any deficiency in the treasury; provided, that the common council shall have no power to borrow money or contract any debt which cannot be paid out of the revenue of the current year. When the treasurer shall be unable to pay any order drawn on the treasury, it shall be his duty to report the fact to the first regular meeting of the council, thereupon the council shall direct its finance committee to examine the accounts of the treasurer, and if all funds in his hands have been paid out, then the common council shall take such actions as will enable the city to preserve its credit.

Per diem of street commissioner.

SECTION 27. The common council shall annually fix and limit the per diem of the street commissioner in said city.

CHAPTER VI.

Duties of the mayor defined.

SECTION 1. The mayor when present, shall preside over the meetings of the common council and shall take care that the laws of the state and ordinances of said city are duly observed and enforced, and that all the executive officers of the city, discharge their respective duties. The mayor shall be the chief executive officer and the head of the police of the city; and in case of riot and other disturbances, or apparent necessity, he may appoint as many special temporary policemen as he may deem necessary. The mayor shall, in all cases, have a seat in the common council and he shall have a vote in the common council only in case of a tie vote. He shall give the common council such information and recommend such measures as he may deem advantageous to the city. The mayor shall have the power to veto any ordinance passed by the common council by notifying the common council in writing of his objections thereto, at any

time within seven days after the passage of such ordinance. In case of no session of the common council on any day after the passage of the same, and before the expiration of the said seven days, such notification shall be made by filing with the city clerk a copy of his objections, and in case the common council shall not, at the next regular meeting, re-enact such ordinance by a vote of two-thirds of all members elect of the council, and cause the same to be published, the same shall be null and void; provided, however, that in case the mayor shall refuse or neglect to sign said ordinance and shall not file his objections thereto as hereinbefore provided within the said seven days, said ordinance shall be valid and in force after the publication thereof. He shall immediately after his election and qualification, and whenever from any cause a vacancy shall occur in the office of city marshal, appoint a city marshal, which appointment shall be approved by the common council before the same shall go into effect. He shall have power to administer oaths required in the discharge of the duties of his office. He may call special meetings of the common council, by order in writing, specifying therein the object for which such meeting is called, to be filed with the city clerk, and when such order is filed it shall be the duty of the city clerk to serve or cause to be served on all the members of the common council a copy thereof, personally or by leaving the same at the place of residence or business of each member to be served. And at such special meeting of the common council so called, the common council shall not transact any other business than that so specified in the call. He shall have power, for cause, to pardon any person convicted for violation of any city ordinance. He shall possess all such other powers, and perform all such other duties as are incident to and are necessary for, the faithful discharge of his duties under this act.

SECTION 2. The president of the common council shall possess all of the powers and perform all of the duties of the mayor, in his absence or inability to act. Powers of president of council.

SECTION 3. The city clerk shall attend all the meetings of the common council, and keep a correct record of its proceedings. He shall have cus- Duties of clerk defined.

tody of the corporate seal, and of all the papers and records of the city, that by provisions of law, or by direction of the common council, are required to be kept in his office, or filed by him. He shall see that all ordinances, orders, resolutions, notices, proceedings of the common council and other matters requiring publication, are published within two weeks in such paper or papers as the common council may have directed, and that due proof thereof be made and recorded, as in this chapter provided; and it shall be the duty of the city clerk to furnish such paper or papers a certified copy of said proceedings, ordinances, orders, resolutions, notices and other matters requiring publication. He shall record all papers and proceedings required by any of the provisions of this act, to be recorded in his office. He shall serve in the capacity of clerk of all such boards or committees as the common council may direct. He shall attest all orders drawn upon the treasury, and sign all licenses granted by the common council, and keep correct records thereof in books provided for that purpose, in such manner as may be designated by the common council. He shall keep a detailed account of the financial condition of the city; of the amounts expended through orders drawn upon the treasury, of all balances remaining unexpended, of the condition of any fund or separate appropriation for particular purposes, of the amounts received into the city treasury, as appears by the reports of the treasurer, and all other facts desired by the common council, at any regular meeting or at any other time. He shall do and perform any other or further act or service, in relation to any details in the matter of keeping books of account, records or proceedings, which the common council may, by ordinance or resolution require. He shall make copies of the assessment roll of the city, and a list of the persons liable to poll tax, as may be required by the law of the state or common council. He shall keep a record in detail of the bonded indebtedness of the city, in such manner as will show the amounts required to be paid each year for interest and principal or to invest in a sinking fund. He shall before the levy of any annual tax by the council, make report of all amounts in detail, which the city will be required to pay towards any indebted-

ness, and such facts and statements of past expenditures, as will enable the council to make proper estimates for tax levies. He shall keep a record of all the proceedings in matters relating to the condemnation of private property for public use, all proceedings in any improvement by which the expense or any portion thereof shall be chargeable to any real estate. He shall, at the regular meeting each month, make a report to the common council of the amount of money belonging to the general fund in the city treasury at the last meeting, the amount of orders drawn on said fund since the last meeting, and the balance on hand at the date of meeting. He shall have power to administer oaths and affirmations in the discharge of the duties of his office, and shall appoint a deputy city clerk, who when so appointed and confirmed by the common council, shall possess all the powers and authority of the city clerk. The city clerk may, in addition to his salary, receive such fees as the law prescribe for filing chattel mortgages and making certified copies of the same, or for any service in connection with his office, not in this act specified or hereafter required by the common council.

SECTION 4. The city treasurer shall receive and safely keep until lawfully paid out, all moneys belonging to the city, and keep accurate and detailed accounts of all disbursements in such manner as the common council shall direct. He shall collect all licenses, duties, commissions and moneys due the city, all general and special taxes and assessments, except as otherwise provided, which may be lawfully charged, levied or assessed upon the real and personal property in this city, and chargeable therewith, and exercise the same powers and be subject to the same liabilities as treasurers of towns, except when a special direction and duty is imposed by this act. He shall pay all orders drawn upon the treasury by authority of the common council, or as may be required under any special provision of this act. He shall report to the common council, at the end of each month, the actual amount of money in the treasury, together with the amount of money received and paid out, which said account shall be delivered over to the city clerk and filed in his office, after the same shall have been examined

Duties of city treasurer, defined.

by the common council. He shall, at the end of his official term, or oftener, as may be required by the common council, make a detailed report of all the transactions of his office, and at the end of his term of office shall thereupon deliver over to his successor in office, all moneys or property belonging to the city, as well as all books, records, papers or documents in any way pertaining or belonging to the office. The treasurer shall in addition to the duties herein enumerated, do and perform all the duties provided to be done and performed by him in any portion of this act. The fees of the city treasurer shall be as follows: For all taxes in the general tax roll collected on or before the first day of February in each year, he shall receive two per cent. on the amount collected; for all taxes collected after the first day of February in each year, he shall receive five per cent. on the amount so collected. He shall have two per cent. on all the moneys received, except moneys turned over to him by his predecessor. He shall pay over immediately to the treasurer of the school district all moneys collected by him belonging to the school fund.

Duties of
marshal
defined.

SECTION 5. The city marshal shall perform such duties as shall be prescribed by the common council for the preservation of the peace. He shall possess all the powers 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, may pursue and serve the same in any part of the state. It shall be his duty to suppress all riots, disturbances and breaches of the peace, and to remove all obstructions in the streets and alleys of said city, to apprehend with or without warrant, any person in the act of committing any offense against any ordinance of said city or the laws of this state, and forthwith bring such person before a justice of the peace for examination or trial, and for such service he shall receive such fees as are allowed by law to constables for like service in this state; provided, that if said city marshal perform any labor by direction of the common council or required by law, for which no fees are allowed, he

shall receive such compensation as the common council shall determine.

SECTION 6. The supervisors elected under this act shall be members of the county board of supervisors and, as such, shall have the powers of the chairman of the board of supervisors in the several towns of this state, except as qualified by the provisions of this act.

Members of the county board.

SECTION 7. The assessors elected under this act shall, in all things pertaining to their office, be governed by the same laws as assessors under the general laws of this state, and their compensation shall be established by the common council.

Assessors to be governed by general laws.

SECTION 8. The board of review, shall consist of the mayor, clerk, assessor and two members of the common council to be chosen by the council. They shall meet on the day fixed by law for that purpose, and in all things be governed by the general laws of this state. The members of the board of review shall receive such compensation as shall be allowed by the common council, not to exceed three dollars per day.

Board of review.

SECTION 9. Each of the justices of the peace provided for in this act shall hold a court for the trial and determination of such actions, civil and criminal, as they have jurisdiction of as justices of the peace under the general laws of the state or the provisions of this act. All the general laws of the state of Wisconsin relative to the proceedings in justice courts in civil or criminal proceedings, shall apply to the courts of such justice, except as otherwise provided in this act.

Justices of the peace shall hold court.

SECTION 10. The justices of the peace of said city shall have exclusive original jurisdiction of all criminal cases arising in said city, to try and determine, or commit for trial, as may be, and of all cases, civil or criminal, arising under the ordinances, rules or regulations of said city. All the general provisions of law concerning the trial of criminal offenses, and the conducting of criminal prosecutions, appeals from the judgments of the justice, the fees of officers, and the proceedings in which upon trial the justice finds he has not final jurisdiction of the case, shall govern trials under this act. When an act or omission, declared to be an offense by the general laws of the state, is also made an offense by the provisions of

Power and jurisdiction of justices of the peace.

this act or the ordinances of the city, passed pursuant thereto, a conviction or acquittal in a prosecution under the general law shall be a bar to a prosecution under this act, or such ordinances. The persons accused shall have the same right to a removal of the case for prejudice as provided by the general laws of the state. All fines collected on conviction for such acts or omissions shall be paid into the city treasury, and become a part of the general fund thereof.

Highway taxes
to be expended
where raised.

SECTION 11. All highway taxes shall be expended in the wards where raised and paid. The city clerk shall prepare and deliver to the street commissioner on or before the first day of June in each year, a statement of the amount of highway taxes belonging to each ward, and file a duplicate thereof with the city treasurer. The committee on streets and bridges shall constitute a committee for the purpose of laying out and expending the highway tax therein. Said committee shall direct the expenditure of all highway taxes, and the street commissioner shall have charge and control of all work so directed; and for that purpose shall have authority to employ men and teams, and to procure such tools as shall be necessary; but the committee shall fix and limit the wages to be paid in all cases, and to make all purchases of tools or implements bought or used. The street commissioner shall prepare and submit to the aldermen of his ward, a monthly statement of the amount expended by him, showing the number of days' work done by men, the number of days team work, the names of the men and owners of teams so employed, and all other work done. When such statement shall be approved by the common council, the street commissioner shall file the same with the city clerk.

CHAPTER VII.

ORDINANCES.

Ordinances.

SECTION 1. Every ordinance of the common council shall, before it takes effect, be duly signed by the mayor and attested by the city clerk; provided, however, that no ordinance shall be in force until it shall have received at least one publica-

tion in a newspaper published in the city of Antigo, and proof of such publication by the affidavit of the publisher, printer or foreman of such newspaper be filed with the city clerk; and the ordinance and the proof of publication thereof shall be recorded in a book kept for that purpose.

SECTION 2. The style of all ordinances shall be, "The common council of the city of Antigo do ordain as follows," etc. Style of ordinances.

SECTION 3. A printed copy of an ordinance 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 of said city, as certified by the clerk of said city to have been published, shall be prima facie evidence of its passage and publication, and shall be received in evidence on the trial of all cases cognizable before any court in the state. Prima facie evidence.

CHAPTER VIII.

PROCEDURE FOR VIOLATIONS OF ORDINANCES, LAWS, ETC.

SECTION 1. The city of Antigo may sue for and recover any and all penalties or forfeitures, under the charter of said city, or any amendment thereto, or the ordinances, by-laws, police or health regulations made in pursuance thereof, in the corporate name of said city of Antigo, (any) general law of the state to the contrary notwithstanding, and such actions shall be commenced by complaint, substantially in the following form: Suits, penalties, etc.

STATE OF WISCONSIN,)
 City of Antigo and) ss.
 County of Langlade,)

— —, being duly sworn, complains on oath to — —, a justice of the peace in said city, that — — did, on the — day of —, 18—, violate the — section of an ordinance, by-law or resolution (describing it by its title and number of section), which said — is now in force, as this deponent verily believes, and prays that said — — may be arrested and held to answer to the said city of Antigo therefor.

Sworn and subscribed to before me this — day of —, 18—.

It shall be sufficient to give the number of the section or sections, and the chapter or title of the ordinance, by-law, regulation or resolution, or of the law violated in such complaint, with the number of the section or sections. Upon the filing of said complaint with the justice having jurisdiction, a warrant shall issue thereon substantially as follows:

STATE OF WISCONSIN, }
 City of Antigo and } ss.
 County of Langlade, }

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

Whereas, _____ has this day complained to me in writing on oath, that _____, did, on the _____ day of _____, A. D. 18—, violate the _____ section or sections of an ordinance, by-law, regulation or law (describing it by its chapter or number), which said _____ is now in force and effect, as said complainant verily believes; therefore, in the name of the state of Wisconsin, you are hereby commanded to arrest the body of the said _____, and him forthwith bring before _____, to answer to said city of Antigo on the complaint aforesaid.

Given under my hand this _____ day of _____, 18—.

No fees in
advance
required.

SECTION 2. Witnesses and jurors shall attend in all city prosecutions without the payment of fees in advance, upon process of the court, duly served, and in default thereof their attendance may be enforced by attachment. In case the jury, after being kept a reasonable time, should disagree, they shall be discharged, and thereupon the court shall adjourn the cause to a day certain, and issue a new venire as aforesaid.

Finding of
court.

SECTION 3. In city prosecutions the finding of the court or jury shall be "guilty" or "not guilty." If guilty, the court shall render judgment thereon against the defendant for the fine, penalty or forfeiture, and where the same is not to exceed a certain sum, and not less than a certain other sum, shall fix the amount of such fine, penalty or forfeiture as he shall deem best, within the provisions of such ordinance, by-law or resolution, for the violation of which the person or

persons shall have been adjudged guilty, and for the costs of suit. If not guilty the costs as in actions in justices' courts, shall be taxed against the city, but no attorney's fees shall be taxed for or against the defendant in any such suit. Execution shall issue forthwith upon the rendition of the judgment, unless the same be stayed or appealed as hereinafter provided, and the fine or penalty imposed by the court may be imposed and collected by levy and sale on execution of the property of the defendant, as provided by law in civil actions before a justice of the peace.

SECTION 4. The execution upon any judgment recovered in any such action, may require that in case nothing shall be found from which the amount can be collected, the defendant shall be taken and imprisoned in the jail of Langlade county, for a term not exceeding six months, or in the police station, not exceeding three months, unless the judgment be sooner paid, and the term of such imprisonment shall be inserted in the execution and commitment. And said execution and commitment may require the defendant to perform hard labor during the term of such imprisonment. In case nothing be found from which the amount can be collected, the defendant shall be imprisoned in the jail of Langlade county, or in the police station, according to the terms of the execution. Such execution may be in the following form:

STATE OF WISCONSIN, }
 City of Antigo, } ss.
 County of Langlade. }

The state of Wisconsin, to the sheriff or constable of said county of Langlade, the city marshal of said city, the keeper of the common jail of said county, or the keeper of the police station:

Whereas, the said city of Antigo, on the — day of —, 18—, recovered a judgment before the — —, of said —, against — —, for the sum of ——— dollars, together with ——— dollars, costs of suit, for the violation of (here insert the number of section, chapter or title of the ordinance and offense, as set forth in the complaint.) These are, therefore, in the name of the state of Wisconsin, to command you to levy distress on the goods and chattles of said — —

(excepting such as the law exempts) and make sale thereof according to law in such case made and provided, to the amount of said sum, together with your fees and twenty-five cents for the execution; and the same return to me within thirty days, to be rendered to the said ——— for said judgment and costs, and for want of said goods and chattels whereon to levy, to take the body of said ——— and him convey and deliver unto the keeper of the common jail of said county, or to the keeper of the police station of the city of Antigo, who is hereby commanded to receive and keep the ——— in safe custody in said ———, and at hard labor, for the term of ———, unless the aforesaid sum and all legal expenses be sooner paid and satisfied, or until he be discharged thence by the due course of law.

Given under my hand this ——— day of ———, 18—.

Forfeitures to be paid into city treasury.

SECTION 5. All penalties, forfeitures and fines or claims due to said city, when paid to the magistrate authorized to receive the same, shall be paid by him to the city treasurer within one month after the receipt thereof by him. Whenever execution shall be issued upon any judgment in favor of the city, the same shall be returned by the officer receiving the same, to the judge or justice who issued it, on or before the return day thereof, and if such officer neglect to return the same for five days after the return day thereof, the judge or justice shall report the fact to the city treasurer, who shall cause an action to be brought in the name of the city against the officer and his sureties for the default.

Relating to appeals.

SECTION 6. Appeals shall be allowed in all said cases to the circuit court, and taken in the same manner as appeals from justices of the peace. The defendant in all city prosecutions may appeal to the circuit court of Langlade county by filing an affidavit and bond and complying with the requirements of appeals in civil cases before justices of the peace; provided, however, that such appeals should be taken and perfected within forty-eight hours from the time judgment is rendered in the suit. Upon any appeal being taken and allowed, the judge or justice shall stay all further proceedings in the case, and the defend-

ant, if in custody, shall be discharged, and the judge or justice shall transmit the papers in the case so appealed, with a transcript of his docket, to the circuit court within the time and in the manner prescribed in cases of appeal from justices of the peace.

SECTION 7. The jail fees and officers fees if any, for commitment on prosecution in behalf of the city, shall be audited and allowed by the common council, when the same cannot be collected of the defendant before his discharge; and said common council may by resolution, direct the judge or justice to discharge from the jail or police station any person confined for a judgment due said city, but such discharge shall not operate as a release of the judgment unless said common council shall so direct in their resolution. Upon filing a certified copy of such resolution, attested by the city clerk, the judge or justice shall order such defendant discharged from custody, and make an entry of such discharge on his docket; an execution may issue or be renewed by endorsement from time to time, before or after the return day thereof; and before or after the commitment of the defendant, until the judgment is satisfied or released; but after the defendant shall have been once committed, no execution shall be issued against the body of the defendant in the same action.

Jail fees and officers' fees.

CHAPTER IX.

FINANCE AND TAXATION.

SECTION 1. The fiscal year of the city of Antigo shall commence on the second Tuesday of April.

Fiscal year.

SECTION 2. All moneys, credits and demands belonging to the city of Antigo, shall be kept by and deposited with the city treasurer, and be under control of the common council, except school moneys, and shall only be drawn upon orders signed by the mayor and city clerk, duly authorized by a vote of the common council, and in no other manner; and all resolutions adopted by the common council authorizing the expenditure of moneys shall explicitly specify the amount to be expended, and no extra or additional compensa-

Deposits of moneys, etc.

tion shall be allowed or paid on any contract or on account of any contract, or to any officer, contractor, person or persons, for any service or work done, or material furnished to, or for the city.

Contraction of debts.

SECTION 3. No debt shall be contracted against the city, or certificate of indebtedness be drawn upon the city treasury, unless the same shall be authorized by a majority of all the members elect of the common council, and the vote authorizing the same shall be entered by ayes and nays upon the journal of the common council; provided, that the common council shall not, in any case, or under any pretext or for any purpose whatever, contract debts or liabilities of any kind, name or nature exceeding the amount which it is authorized by the provisions of this act to levy for the current year.

To be paid into the city treasury.

SECTION 4. All forfeitures and penalties accruing to the city for a violation of this act, or any of the ordinances, by-laws, rules and regulations of the city passed thereunder, or for any act of omission or commission forbidden or made punishable by or under the general laws of the state, which act of omission or commission is also forbidden or made punishable by any ordinance, by-law or regulation of said city, and all moneys received for licenses, except insurance percentage, and from all other sources for the city shall be paid into the city treasury and become a part of the general fund.

Orders payable to the order of person named.

SECTION 5. All orders drawn upon the treasury of the city shall be made payable to the order of the person in whose favor they may be drawn, and shall be transferred only by endorsement. Each order shall specify upon its face the purpose for which it was drawn, and from which fund the same is to be drawn, and the same shall be payable out of the proper fund, and all such orders shall be received in payment of any municipal tax levied and assessed.

Tax of two per cent. on all premiums.

SECTION 6. All corporations, companies and associations, by their respective underwriters or agents engaged in said city in effecting fire insurance, shall account and pay to the city treasurer, two per cent. upon the amount of all premiums which shall have been received or agreed to be paid for insurance at the times and

in the manner and form prescribed or provided for by section 1926, revised statutes.

SECTION 7. Real estate exempt by the laws of this state from general taxation, shall be subject to special taxes for the building of streets, sewers, sidewalks, repairing and cleaning of sidewalks, removal of nuisances, and such other work and labor for which a special lien is given and the making of local and general improvements, and all the property of the city shall be subject thereto; provided, that the property of the city shall be exempt from all taxation except such special tax.

Real estate
subject to
special taxes.

SECTION 8. The common council shall at least ten days before the annual election in each year, cause to be published in one or more newspapers in said city, a full and correct statement of the receipts and expenditures from the date of the last annual report, together with the sources from whence the former are derived and a detailed itemized statement of all accounts allowed during the fiscal year stating the nature and purpose of each account, and by whom presented, and to whom paid, and their mode of disbursement, and also a distinct statement of the whole amount assessed, received and expended for the same period, together with such other information as may be necessary to a full understanding of the financial concerns of the city.

Annual state-
ment to be
published in
newspapers.

CHAPTER X.

STREETS AND HIGHWAYS.

SECTION 1. The common council of the city of Antigo, shall have the same power and authority to lay out, alter, widen or discontinue any street or highway within the limits of said city that is now or may hereafter be conferred on the supervisors of towns in this state, and all streets, highways or alleys within the limits of said city hereafter laid out, ordered or discontinued shall be laid out, altered or discontinued by the common council of said city under the provisions of chapter 52, of the revised statutes and in all respects in the same manner as is provided in said chapter 52, for the laying out, altering or discontinuing highways in the towns of this state.

Power to lay
out streets,
alleys, etc.

Alleys and
highways.

SECTION 2. The common council shall have power to lay out and open alleys within the limits of said city in the same manner as highways, upon petition of a majority of the property holders abutting the proposed alley; provided, that any damages awarded to any property holder abutting said alley shall be assessed on all property abutting said alley in equal proportion, according to the number of feet fronting on said alley.

CHAPTER XI.

PUBLIC SCHOOLS.

Schools.

SECTION 1. All the territory within the corporate limits of the city of Antigo shall be a body corporate under the corporate name of "Antigo school district," and shall sue and be sued by its corporate name; and the legal voters thereof shall have power, at any annual meeting or special meeting called for that purpose, to raise by tax upon all the taxable property of said district, such sum as they may deem necessary, not exceeding the limits fixed by constitutional law, for the purchase of sites for the erection of suitable buildings for school purposes in said district. They shall also have power to raise by tax annually upon all the taxable property of said district a sum not exceeding five thousand dollars, to alter, enlarge or repair school buildings, out-houses and fences; to purchase apparatus and furniture for the schools of the district; to pay the wages of teachers; to purchase fuel and defray all the incidental and contingent expenses of said schools, including the necessary expenses of the board of education and the salary of the superintendent of schools of said district.

Six commis-
sioners of
schools.

SECTION 2. The legal voters of said district shall have power, and it shall be their duty, to choose by ballot six commissioners of schools for said district, who shall be residents thereof, and who shall constitute and be denominated the board of education of Antigo, and who shall, within ten days after their election, take and file with the clerk of said district their oath of office.

Commissioners
—how class-
fied.

SECTION 3. Said commissioners shall be divided into three classes, to be denominated "first,"

“second” and “third” classes. The term of office of the first class shall expire at the end of one year from the time of their election, the second class at the end of two years, and the end of three years thereafter, so that two shall come into the board each year and two go out.

SECTION 4. At each and every annual meeting hereafter of said district, there shall be elected two commissioners of schools for said district to supply the places of those whose term of office is about to expire. They shall hold their office for the term of three years and until their successors shall have been elected and duly qualified.

Two to be
elected
annually.

SECTION 5. The said board of education shall have and exercise all the powers and privileges which are by law conferred upon the boards of common school districts in addition to the powers and privileges conferred by this act, and not inconsistent therewith. They shall also be liable to all the restrictions, penalties, forfeitures and fines imposed by law upon school district boards for neglect of duty or for illegal action. A majority of said board shall at all times constitute a quorum for the transaction of business.

Powers and
privileges of
board.

SECTION 6. At the first meeting of such board after their election and qualification each year, they shall choose one of their number president, and whenever he shall be absent a president pro tem. may be appointed. They shall also have power and it shall be their duty to elect a superintendent of schools for such district, who shall be a resident thereof, and who shall before entering upon the duties of his office, take and subscribe the same oath of office as the members of said board are required to do, and file the same in the same place. The said superintendent shall hold his office during the pleasure of such board of education and until his successor shall have been chosen and qualified. He shall receive such compensation for the time actually and necessarily spent in the discharge of the duties of his office as may be determined by the vote of the electors at any annual meeting of the district. The said commissioners shall receive no compensation for their services.

President of
board.

SECTION 7. The superintendent shall be ex-officio a member of said board of education, and clerk thereof. He shall keep a record of their

Superintendent
to be ex-officio
member of
board.

proceedings, which shall be at all times open for the inspection of the citizens of said district. A transcript of said record, certified by the president and clerk of said board, shall be received in all courts and places as prima facie evidence of the facts therein set forth. Said superintendent shall, by and with the advice and cooperation of said board, or a committee thereof, have the general supervision and management of all the schools of said district organized by said board. He shall also, with the advice and cooperation of said board, or of a committee thereof, prescribe, alter or modify all rules and regulations for the organization, government and instruction of the schools, for the reception of pupils into the different departments thereof, and for the transfer of pupils from one school to another, and generally for their good order, prosperity and public utility. He shall also perform all the duties in respect to said schools that are required to be performed by the clerks of the school district boards of this state not inconsistent with this act, and be liable to all the penalties imposed by law upon said clerks for any neglect of duty. He shall also perform such other duties as may be imposed upon him, from time to time, by the said board with respect to such schools. He shall be required by said board to examine and license all teachers employed in said school, and all certificates granted by him shall have the same force and effect in regard to the schools of said district as certificates issued by county superintendents of schools to the other schools of the county. But in case the said board shall not require the said superintendent to examine and license teachers, the same shall be done by the county superintendent of schools.

Treasurer of
board.

SECTION 8. The said board shall elect one of their number treasurer of said district who shall, before he enters upon the duties of his office, take and file his oath of office with the clerk of said district and shall execute a bond to such district in the penal sum of not less than twice the amount of moneys to come into his hands, with two or more sureties, to be approved by the board, conditioned for the faithful performance of the duties of his office and for the faithful accounting of all moneys belonging to such district that may

come into his hands as such treasurer. He shall hold his office for one year and until his successor shall have been appointed and qualified. The taxes voted under the provisions of this act shall be levied, collected and paid over in the manner provided by law for the assessment and collection of school district taxes. The treasurer of such district shall receive such compensation for his official services as the board may allow, not to exceed three per cent. on moneys paid out by him.

SECTION 9. The said board of education shall have power to fill all vacancies in said board arising from death, removal or other cause. The said board shall also have power to remove the superintendent or treasurer for cause at any time they shall deem necessary or proper. Vacancies how filled.

SECTION 10. The said board shall have the power, with the money raised by the district for that purpose, to organize and establish a high school, and to organize and establish as many primary and intermediate schools in such district as they shall deem necessary, including those already organized and established. The said board shall also have power, and it shall be their duty, out of the moneys furnished by said district for that purpose, to locate and purchase sites for all the schools of said district; to erect suitable buildings thereon; to alter, repair, enlarge or otherwise improve any of said buildings; to fence and otherwise improve the school grounds; to sell and transfer any such sites, either those now owned by such district, or which may hereafter be purchased, together with the buildings and improvements thereon, and to re-invest the proceeds thereof in more commodious and suitable sites, buildings and improvements, for the benefit of said district, as the said board shall deem proper. Power to organize a high school.

SECTION 11. The said board shall have the custody, control, and safe keeping of the school buildings, out-houses, books, furniture, apparatus and appendages of all the schools in said district, and the title thereof shall be in the school district. They shall pay the wages of all teachers employed therein out of the school moneys, which shall be provided, either by tax or by appropriation of public moneys for that purpose, and out of the moneys raised by tax they shall defray all the necessary contingent expenses of Custody and control of school buildings.

said schools, for the purchase of libraries and apparatus, the salary of the superintendent, and the incidental expenses of said board.

Outside children may attend.

SECTION 12. The said board shall have power to allow the children of persons not resident within said district to attend any of the schools thereof upon such terms as said board shall, from time to time, prescribe, fixing the tuition that shall be paid therefor; but all of said schools shall be absolutely free at all times to all children of suitable age resident within said district, and tuition in the high school shall be free to all of any age who reside within the district and whose attainments entitle them to admission by the rules of the board, or of the superintendent.

Statement of moneys received and expended annually.

SECTION 13. It shall be the duty of the said board to prepare in detail and report at each and every annual meeting of said district, a statement of all moneys by them received and expended for the support of the schools, the erection of school houses, and for any purpose whatever connected therewith during the preceding year. Such report shall distinctly state the amount received by tax on said district, the moneys received from the town, city and county treasurer, or from any other source for school purposes. It shall also state the precise manner in which such moneys shall have been expended. They shall also report at such meeting the amount of money necessary, in their judgment, for the support of schools during the ensuing year. The last fiscal year shall close with the day of the last annual meeting.

Annual school meeting.

SECTION 14. The annual meeting of said school district shall be held on the second Monday of July in each year, at such time and place, within said district, it may be specified in the notice of election.

Ten days' notice of meeting required.

SECTION 15. It shall be the duty of the superintendent of said school district to give not less than ten days' notice of the time and place of holding such annual meeting, which notice shall be given by publishing the same in some newspaper published in said district, or if there be no newspaper published in the district, then by posting up notices in four conspicuous places in said district ten days before the meeting.

Failure to give notice does not invalidate.

SECTION 16. No annual meeting, however, shall be deemed illegal for want of due notice, unless

it shall clearly appear that the omission to give the proper notice was wilful and fraudulent.

SECTION 17. The officers elected at the annual meeting shall be chosen by ballot, and the election shall be conducted and the votes canvassed according to such rules and by-laws as may be prescribed by the board of education. At all elections the said board of education shall preside and be the judges thereof; special meetings of said district may be called at any time by order of the board of education, by giving six days' notice of the time, place and object of said meeting, either by posting notices thereof in three or more public places in said district, or by causing a notice thereof to be published in some newspaper in said district for one week next preceding the time for holding said meeting.

Officers to be chosen by ballot.

SECTION 18. The annual meeting of the board of education shall be held on the third Monday of July of each year. Quarterly meetings thereof shall be held on the first Monday of October, first Monday of January, and first Monday of April of each year. Special meetings thereof may be called by the superintendent or clerk of said board at any time at the request of any two members.

Annual meeting third Monday in July.

SECTION 19. All moneys that shall come into the hands of the district treasurer shall be paid out by him for school purposes, on the order of the board of education, signed by the president and countersigned by the clerk of said board. All contracts with the district or with the board, shall be signed by the president and countersigned by the clerk.

Orders, by whom signed.

SECTION 20. The laws of this state, relating to district schools, shall apply to and govern the said school district, so far as the same are not inconsistent with the provisions hereof and are applicable thereto.

Laws of state to govern.

SECTION 21. The present school officers in the city of Antigo, shall hold their offices for the time they were elected and until the officers provided for in this act are elected and qualified.

Present officers to hold.

CHAPTER XII.

FIRE DEPARTMENT.

Fire department.

SECTION 1. The common council, for the purpose of guarding against the calamities of fire, shall have the power to prescribe the limits within which wooden building or buildings of other material that shall not be considered fire proof, shall not be erected or repaired, and to direct that all and every building within the limits prescribed shall be made and constructed of fire proof material, to prohibit the repairing of wooden buildings within the fire limits, where the same shall have been damaged to the extent of fifty per cent. of the value thereof, and to prescribe the manner of ascertaining such damages, and to prescribe the penalties for the violation of any resolution or ordinance passed under this section.

Dangerous construction of chimneys, etc.

SECTION 2. The common council shall have power to prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stovepipes, ovens, boilers and apparatus used in and about any building, and to cause the same to be removed or placed in a safe and secure condition when considered dangerous; to prevent the deposit of ashes in unsafe places; to require the inhabitants to provide as many fire buckets, and in such manner and time as it shall prescribe, and to regulate the use of them in case of fire; to regulate and prevent the carrying on of manufactories, dangerous in causing or promoting fires; to regulate and prevent the use of fireworks and fire-arms; to compel the owners and occupants of buildings to have scuttles in the roof and stairs or ladders leading to the same. To authorize the mayor, aldermen, fire-wardens and other officers of the city to keep away from the vicinity of the fire, all idle and suspected persons, and to compel all by-standers to aid in the extinguishment of fires, and the preservation of property exposed to danger thereat, and generally to establish such regulations for the prevention and extinguishment of fires as the common council may deem expedient and to provide penalties for the viola-

tion of any resolution or ordinance passed under this section.

SECTION 3. The common council shall have full power to purchase fire-engines, and other fire apparatus, as provided for in this act, and to authorize the formation of fire-engine, hook and ladder and hose companies, and to provide for the due and proper support and regulation of the same, and to order such companies to be disbanded, and their meetings to be prohibited, and their apparatus to be delivered up. Each company shall not exceed forty able bodied men, between the ages of eighteen and fifty years, and may elect its own officers and form their own by-laws, not inconsistent with the laws of this state, or the ordinances and regulations of said city, and shall be formed only by volunteer enlistment. Every member of said companies hereby authorized to be formed shall be exempt from highway work and poll tax, and from serving on juries and military duty, except in cases of war, insurrection or invasion, during the continuance of such membership; and any person having served for the term of seven years in either of such companies shall be forever thereafter exempt from poll tax and military and jury duty, except as in cases before mentioned.

Power to purchase fire-engines.

SECTION 4. The mayor shall appoint two fire-wardens for each ward, subject to confirmation by the common council, who shall perform such duties as the common council may prescribe, and they may at any time, enter into any building, house, store, barn or enclosure, for the purpose of inspecting the same.

Fire-wardens.

SECTION 5. When any person shall refuse to obey the lawful order of any engineer, fire-warden or alderman of the city, or the mayor or city marshal, at any fire, it shall be lawful for the officer giving such order to arrest, or direct orally the city marshal, constable or watchman, or any citizen, to arrest such person and confine him temporarily in any safe place until such fire shall be extinguished; and in the same manner such officers, or any of them, may arrest or direct the arrest and confinement of any person at such fire who shall be intoxicated or disorderly, and any such person who shall refuse to arrest or aid in arresting any person, shall be liable to such

Penalty for refusal to obey lawful order.

penalty as the common council may prescribe, not exceeding twenty dollars.

Sack company.

SECTION 6. The common council shall have power to organize a sack company, or to countenance any such company now organized, which shall be known by such name as it may select, and shall consist of not more than thirty members. Such company shall constitute a part of the fire department, and at fires shall be subject to the control of the engineers. The members of said company, either collectively or individually, are hereby authorized and empowered to act as a special police in and for the city of Antigo, and are hereby vested with all the power and authority which now is or may hereafter be vested in any other police officers of said city, and shall be entitled to all the rights and immunities of members of the fire department, except exemption from jury duty. At fires, it shall take charge of all property which may be exposed or endangered, and shall, as far as may be in its power preserve the same from injury or destruction. Such company may, from time to time, adopt such laws as it deems necessary not inconsistent with the laws of the state or the ordinances of said city. The members thereof shall not be entitled to any compensation for any service rendered in their official capacity. They shall, in case of riot or other disturbances of the peace, have access to all licensed places of amusement in the city, and shall perform such services as may be necessary for the peace and good order of the same.

**Treasurer of
fire depart-
ment.**

SECTION 7. The treasurer of the fire department shall receive and pay out all moneys belonging to said department, and shall secure the faithful performance of his duty by his bond to said city, in such penal sum as shall be required and with sureties to be approved by the common council. Such moneys shall only be paid out on orders signed by the chief engineer or acting chief engineer and countersigned by the chief engineer or acting chief engineer and countersigned by the clerk of said department.

**Clerk of fire
company.**

SECTION 8. There shall be elected by the members of each company aforesaid annually, at their annual meetings, a clerk or secretary, and a treasurer, who shall, on or before the first Monday of

May in each year, return to the city clerk a list containing the name of each member of their respective companies; and when any member of either of said companies shall cease to be a member thereof by resignation, expulsion or otherwise, notice thereof shall be given to the city clerk.

SECTION 9. The city clerk is hereby required to keep a record of the members of the several companies organized under this chapter, and such record shall consist of the returns made by the several clerks or secretaries as above provided; and no person shall be exempt from jury duty unless the name is entered on such list. In case any person shall for any cause cease to be a member of either of said companies, the clerk shall note the fact on the list thereof and shall return to the clerk of the board of supervisors of the county of Wood (Langlade) a list of all persons who are members of either or all of said companies exempt from jury duty, on or before the day now appointed, or which may hereafter be appointed for the annual meetings of said board, and said board shall not place the names of such persons on the jury list for the ensuing year.

SECTION 10. The officers of the fire department shall be a chief engineer, an assistant chief engineer, a secretary and treasurer. The several fire companies shall hold at least one annual meeting for the purpose of electing department officers; the first meeting to be called by the mayor. Each member of the several companies, in good standing shall be entitled to a vote in the election of department officers and a majority of the votes cast shall elect. The officers so elected shall be subject to confirmation by the common council.

CHAPTER XIII.

CONSTRUCTION, REPAIR AND RECONSTRUCTION OF SIDEWALKS.

SECTION 1. The common council shall have power to order the building, construction, reconstruction or repair of sidewalks in the city of Antigo in such manner as it may deem proper; provided, however, that when any member of the

common council shall offer a resolution for the construction of any sidewalks in the city, the resolution shall be referred to the proper committee and lie over until the next regular meeting. Such resolution shall describe the street or part of street along which, and the block opposite which, it is proposed to construct such sidewalk. The city clerk shall, within five days after such resolution is introduced and referred, serve a copy of such resolution on each and all of the residents or occupants of lots on the street or streets along which it is proposed to build such sidewalk.

Action of council regarding construction of sidewalks.

SECTION 2. At its next regular meeting after such resolution shall have been so offered and referred, action shall be had by the common council thereon, and if such resolution be adopted by the common council, an order shall be entered among its records requiring a sidewalk to be constructed along such street or part of street or lands described in said resolution. The common council in such order, shall designate and determine the street or part of street along which such sidewalk shall be so constructed, and the time within which the owner or owners of the property along such street or streets shall build the same. If the owner or owners of any such lot or lots, or of such lands, shall fail to so construct such sidewalks opposite the lot or lots, or lands so owned by him or them within the time limited in said order, the city shall construct such part thereof as such owner or owners have so failed to construct, and charge the cost thereof to the lot or lots or lands opposite which the city shall have so constructed such sidewalk.

Duty of city marshal.

SECTION 3. Within three days after said order shall have been entered as aforesaid, the city marshal of said city shall serve a copy of such order upon the residents and occupants of the lots or lands opposite which such sidewalk is to be constructed, personally or by leaving a true copy thereof at the usual place of abode of such owners or occupants in said city. In case any owner or owners of any such lot or lots, or of such lands shall not reside thereon, or in the city of Antigo, or his or their name or names shall be unknown to the city marshal, then such order shall be served on such non-resident or unknown owner or owners, by publishing the same in some newspa-

per published in said city, at least once, and at least ten days before the expiration of the time limited in said order for the construction of such sidewalk. As soon as the city marshal shall have completed the service of said order as herein provided, he shall make and file with the city clerk his return of service, in which he shall state the time, place and manner of service thereof; and in case the order shall have been published as hereinbefore, provided, he shall attach to his return, and file therewith the affidavit of the publication thereof, in the usual form, subscribed and sworn to by the printer or publisher of the newspaper in which such order shall have been so published.

SECTION 4. At any time after such order shall have been so entered by the common council as hereinbefore provided and within the time therein limited therefor, the owner or owners of the lots or lands opposite which such sidewalk is to be constructed, may at his or their own expense, and in the manner and of the width and material designated in such order, construct such sidewalk opposite the said lot or lots or lands owned by them respectively.

Owner may build at own expense.

SECTION 5. Within three days after the expiration of the time limited in such order for constructing said sidewalk, the street commissioner shall examine the street, part of street or block along which said sidewalk shall have been ordered to be so constructed, and within said three days shall make and file with the city clerk a report in writing, signed by him, as to the construction of the same. He shall state in such report what part of said sidewalk, if any, has been, and what part, if any, has not been, constructed in conformity with such order, and shall describe the lots or parts of lots or lands, if any, opposite which such sidewalk has been so constructed, as well as the lots, parts of lots or lands, if any, along which said sidewalk has not been so constructed.

Duty of street commissioner.

SECTION 6. If it shall appear by such report of the street commissioner that any part of such sidewalk has not been constructed in conformity with the order aforesaid, the common council shall, at the next regular or special meeting after such report shall have been made and filed, direct the street commissioner to proceed at once to construct in conformity with said order, such part

In case sidewalk has not been built properly.

of said sidewalk as said report shows has not been so constructed, and the said street commissioner shall thereupon proceed at once so to construct such part of such sidewalk.

Duty of street commissioner.

SECTION 7. Immediately upon completing his work, the street commissioner shall make and file with the city clerk a statement in writing, subscribed and sworn to by him, in which he shall state the total expense actually incurred by him in so constructing that part of such sidewalk in front of each lot, or part of lot, or land opposite which it appears by his report the owner or owners of such lot or part of lot or land, had failed as aforesaid to construct sidewalk.

Tax to pay expense of constructing sidewalk.

SECTION 8. At its next regular or special meeting after such statement shall have been so filed, the common council shall, by resolution, levy and assess upon each lot or part of lot or lands opposite which any sidewalk or part of sidewalk shall have been so constructed by said street commissioner, as appears by his said statement, a special tax sufficient to pay the actual expense incurred in so constructing the same, as appears by said statement; and said resolution shall describe each of such lots or parts of lots, or lands, state the names of the owners thereof, when known, and give the amount of such tax so levied and assessed upon each such lot or parts of lots, or lands. On or before the first day of December of each year, the city clerk of said city shall insert in a separate column in the tax list of his city next thereafter to be delivered to the city treasurer of said city for collection, and opposite to the description therein of each of said lots, or parts of lots, or lands, the amount of such special tax properly chargeable thereto, as appears by aforesaid resolution adopted by the common council, and the said special taxes shall be collected or returned delinquent in the same manner as town, county and state taxes are collected or returned delinquent by law; and the lots or parts of lots, or lands, upon which such special taxes may be so levied and assessed may be sold and conveyed for the non-payment thereof, in the same manner and with the same effect as if said special tax had been a general town, county or state tax.

Repair or reconstruct walks.

SECTION 9. Whenever it shall be necessary, in the opinion of the common council, to repair or

reconstruct any sidewalk, the common council may cause such sidewalk to be repaired or reconstructed at the expense of the owners of the lot or lots or lands abutting on such sidewalk, in the same manner as it is authorized to construct new sidewalks; provided, however, that when any sidewalk shall be in an immediately dangerous condition, and the cost of repairing the same opposite any lot or piece of land shall not exceed three dollars, the street commissioner shall forthwith notify the owner of the lot or land abutting on such dangerous sidewalk, if a resident of said city, to repair such sidewalk; and if such owners shall not at once proceed to repair the same, the street commissioner shall at once repair such dangerous sidewalk, and the cost of such repairs shall be levied upon and collected from the lots or lands abutting on such dangerous sidewalk, in the same manner as the cost of constructing new sidewalks are levied and collected from the lots and lands abutting thereon.

CHAPTER XIV.

MISCELLANEOUS PROVISIONS.

SECTION 1. All work for the city, including all printing and publishing, shall be let by contract to the lowest bidder, and due notice shall be given of the time and place of letting such contract, and the council shall have the right to reject any bid when it is deemed for the interest of the city to do so.

Let to lowest bidder.

SECTION 2. No penalty or judgment recovered in favor of the city shall be remitted or discharged except by a majority of the aldermen elect.

Remission of penalty.

SECTION 3. No real or personal property of any inhabitant of said city, or of any individual or corporation, shall be levied on and sold by virtue of any execution issued to satisfy or collect any debt, obligation or contract of said city.

Property of citizens exempt from city execution.

SECTION 4. When the city of Antigo deeds or leases any real estate, or any interest therein, owned by said city, the party of the first part shall be the city of Antigo, and the person or per-

Deeding and leasing.

son, or persons authorized to execute such deed or lease need not be named in the body thereof.

Signing deeds and leases.

SECTION 5. The mayor of said city is hereby authorized, when the common council shall, by ordinance or resolution, for that purpose (describing the real estate and interest to be conveyed) order and direct him so to do, to execute a deed or lease of such real estate, or interest therein, belonging to said city. The said deed or lease shall be signed by the mayor of said city and countersigned by the city clerk, and sealed with the corporate seal of said city, and duly witnessed and acknowledged, as is provided by law for the execution of deeds and leases.

Copy of ordinance to be attached to deed or lease.

SECTION 6. When any such deed or lease is so executed, the city clerk shall attach to such deed or lease a true and attested copy of such ordinance or resolution, and the same shall be recorded by the register of deeds with the said deed or lease, and such copy, so attached and recorded, shall be, in all the courts of this state, prima facie evidence of the authority of such mayor to make and execute such deed or lease.

Judgments.

SECTION 7. When judgment is rendered against any person for the violation of any city ordinance, and such person shall be committed for the non-payment thereof, all subsequent costs and expenses made thereon, including his board, shall be added thereto, which he shall be required to pay in case of payment of said judgment.

Duty of keeper of common jail.

SECTION 8. The keeper of the common jail of the county of Langlade is hereby required to receive and keep all persons who shall be arrested by the proper officers for the violation of any city ordinance, or committed for the non-payment of any judgment, fine or penalty.

Councilmen not eligible to any other office.

SECTION 9. No member of the common council shall be eligible to any other office provided for by this act, during the term for which he shall have been elected or appointed, except as provided in this act. No member of the common council shall vote upon any question, matter or resolution in which he may be directly or indirectly interested.

Shall not be interested in any job.

SECTION 10. No member of the common council shall be a party to, or interested in any job or contract with the city, or any department thereof; and any contract in which any such member

may be so interested, shall be null and void. No member of the common council shall sign any bond as surety for the performance of any contract or agreement with such city, or official bond to such city during his term of office.

SECTION 11. Every license issued by the authority of this act, or the ordinances of the city, shall be signed by the city clerk and sealed with the corporate seal, but no such license shall be issued by said clerk, until the person applying for the same shall have deposited with the clerk the receipt of the city treasurer for the amount to be paid therefor.

Must be signed by city clerk.

SECTION 12. Every member of the common council of the city of Antigo who shall directly or indirectly vote to himself, or knowingly to any other person, any sum of money for any other purpose whatever, in violation of the city charter or any amendment thereto, or shall ask or receive any compensation for doing any official act, except as inspectors of elections, members of the board of registry and as members of the board of review; any member of the common council or other city officer who shall be directly or indirectly interested in any contract made with or in behalf of the city, and any member of said council or other city officer who shall directly or indirectly purchase or be interested in the purchase of any city order or city indebtedness for less than the full amount thereof, shall be deemed guilty of a misdemeanor in office and may be prosecuted by complaint before any justice of the peace in the city, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars, nor less than twenty dollars, or by imprisonment in the county jail not more than thirty days nor less than ten days, or both, at the discretion of the court.

Penalty for voting money to self.

SECTION 13. No action in tort shall lie or be maintained against the city of Antigo, unless a statement in writing, signed by the person injured or claiming to be injured, of the wrong and circumstances thereof, and amount of damages claimed, shall be presented to the common council within ninety days after the occurring or happening of the tort alleged.

When action in tort shall lie.

SECTION 14. Whenever any grave or heinous crime shall have been committed in said city

Reward may be offered.

against life or property, the mayor, with the concurrence of the common council, may offer a reward for the arrest and conviction, or either of the perpetrators of such offense.

Shall not receive any compensation.

SECTION 15. The mayor and members of the city council shall receive no compensation or salary for any services rendered under this act, except as otherwise provided in this act.

Penalty for failure to deliver to successor.

SECTION 16. All city or ward officers, at the expiration of their term of office, or upon their resignation, removal or vacation from office, shall immediately deliver to their successor in office all property, moneys, books, papers and effects of every description in their possession belonging to the office they may have held. Any person who may have held an office, neglecting or refusing so to do, for twenty-four hours after the presentment, by his successor, of the city clerk's certificate of his successor's election or appointment and qualification to the office, shall forfeit and pay for the use of said city, for every twenty-four hour's refusal, the sum of one hundred dollars and all damages and costs incurred, either by the said city or his successor by reason of such neglect or refusal.

Council to ascertain true amount of outstanding indebtedness.

SECTION 17. It shall be the duty of the common council, as soon as practicable after their election and qualification to ascertain the true amount of the outstanding indebtedness of the city of Antigo contracted prior to the passage of this act including outstanding orders and other evidence of indebtedness lawfully contracted and to provide for the prompt payment or settlement of the same, and it shall have power to issue bonds at a reasonable rate of interest not exceeding seven per cent. to liquidate said indebtedness, and to provide a sinking fund for the payment of said bonds. And the proportional amount to be raised for said purpose shall be annually levied and put into the tax roll of said city and collected as a fund to liquidate said indebtedness in excess of the amount of tax herein limited to be raised for general purposes, and such fund shall be collected and set apart as a special fund for the payment of such indebtedness.

In case of final judgment.

SECTION 18. When a final judgment shall be recovered against the city of Antigo, or against any city officer in an action by or against him in

his name of office, when the same should be paid by the city, the judgment creditor, his assignee or attorney, may file with the city clerk a certified transcript of such judgment, or of the docket thereof, together with his affidavit showing the amount due thereon and all payments made, if any, and that the judgment has not been appealed from or removed to another court, or if so appealed from or removed, has been affirmed, and thereupon the city clerk shall assess on the next tax roll the amount thereof, with interest thereon from the date of such judgment to the time when the warrant for the collection thereof will expire, upon the taxable property of said city, and the same shall be collected and returned as other city taxes, and when collected shall be paid to the party entitled thereto.

SECTION 19. The first election for said city of Antigo, for the election of city officers under this act, shall be held in the respective wards of said city on the first Tuesday of April, A. D. 1887, as follows:

First election,
how held.

1. The polls of election for the First ward shall be at the office of T. D. Kellogg, on Superior street, at which election W. F. White, Louis Nootney and W. W. Wheeler shall, if present, be inspectors thereof.

2. The polls of election for the Second ward shall be held at the council room, on Clarmont street, at which election B. F. Dorr, H. G. Borgman and L. W. Bliss shall, if present, be inspectors thereof.

3. The polls of election for the Third ward shall be held at the house of Rudolph Kuehn, on Fifth avenue, at which election Edward Daskam, J. E. Clancy and J. G. Saxe shall, if present, be the inspectors thereof.

4. The polls of election for the Fourth ward shall be held at J. C. Lewis and Co.'s tin shop, on Clarmont street, at which election Daniel Keene, Edward Meagher and H. L. Furgerson shall, if present, be inspectors thereof.

5. The polls of election for the fifth ward shall be held at the office of L. Mendlik, on Superior street, and L. Mendlik, Samuel Leslie and A. M. Millard shall, if present, be the inspectors thereof.

Opening of
polls.

SECTION 20. The polls shall be opened in each of said wards at nine o'clock in the forenoon, and be kept open continuously until five o'clock in the evening.

Clerks of
election.

SECTION 21. The inspectors present at the opening of the polls shall appoint two suitable and competent persons to act as clerks of election.

Shall take oath
of office.

SECTION 22. The inspectors and clerks of election in each of said wards shall take the oath of office, and in all things be governed by the general laws of the state for holding and conducting elections, and shall without adjournment publicly canvass the votes cast in their wards for the different offices and propositions voted for, and make, sign and seal a statement in writing of the number of votes cast for each candidate and for and against any proposition voted for, and announce the result.

Canvass of
votes.

SECTION 23. The city council shall canvass the votes and perform all duties relating thereto, as provided in section 8, of chapter 4, of this act.

Does not
repeal.

SECTION 24. No general law of this state, contravening the provisions of the city charter, shall be considered as repealing, amending or modifying the same, unless such purpose be expressly set forth in such law.

Repealing
section.

SECTION 25. All acts heretofore passed relating to the charter of the city of Antigo or any amendment thereto, and chapter 79, laws of 1885, are hereby repealed.

SECTION 26. This act shall take effect and be in force from and after its passage and publication.

Approved March 31, 1887.