

subdivision or of the ordinances or laws herein referred to, shall upon conviction thereof, be punished as provided in the laws of this state and the ordinances of said city on that subject. And after the common council shall have passed an ordinance requiring a license of the persons herein described, no state license alone shall be sufficient to authorize or empower the licensee therein named, or the holder thereof to make any of the sales herein inhibited; provided, however, that traveling peddlers who deal solely with merchants and tradesmen by wholesale, shall be exempt from the provisions of this subdivision, and shall not be required to take out any license thereunder, or by any ordinance passed pursuant thereto.

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

Approved April 1, 1887.

[No. 178, A.]

[Published April 2, 1887.]

CHAPTER 248.

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

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

SECTION 1. Section 9, of chapter 13, of chapter 184, of the laws of 1874, as amended by chapter 297, of the laws of 1877, as further amended by chapter 136, of the laws of 1878, is hereby further amended so as to read as follows: Section 9. The common council shall on or before the first Tuesday in April, A. D. 1887, and on or before the same day in each year thereafter, direct the city clerk of said city to advertise in one English and one German newspaper published in said city, for proposals to do the advertising for the said city for the next ensuing year thereafter, of all ordinances, notices and all the city advertising required by law, or by resolution or ordinance of the com-

Regarding the letting of the city printing to the lowest bidder.

mon council to be published in a newspaper, and also for proposals to publish the proceedings of the common council as may be ordered by the council; such advertisement shall invite separate bids for the advertising required and for publishing the proceedings of the common council, and shall invite such bids from both the English and the German newspapers published daily in said city for at least two consecutive years prior to the date of the bids, and shall require the delivery of such proposals, stating whether in English or in German, in writing, duly sealed, and directed to said clerk, on or before the third Tuesday of April of the then current year. No bids for either kind of work shall be considered by said clerk except from a daily newspaper which has been published in said city at least two years consecutively next before the date of the bid, and no bid shall be considered unless accompanied by a certificate from the city treasurer, showing that the bidder has deposited with him five hundred dollars in money or United States bonds, and a written agreement executed by said bidder under seal, to the effect that if such bid, either for advertising or publishing proceedings be accepted and upon being notified thereof, such bidder shall fail to enter into and execute a contract for the advertising or the publication of proceedings or for both as required by this act, within the time prescribed by said clerk in said advertisement, then and in such case the said five hundred dollars shall become absolutely forfeited to said city. If a bid be rejected in case the bidder makes but one, and if both bids be rejected in case the bidder makes two bids, the said certificate of the city treasurer and such agreement and said five hundred dollars shall be thereupon returned to the bidder. The said clerk shall, on the third Tuesday of April in each year, at twelve o'clock at noon, in the presence of the mayor, open all such bids or proposals, and shall thereupon, in the presence of the mayor, enter upon a record to be kept by the clerk for that purpose, all the said proposals for either kind of work, either in English or German, with the respective prices for which such newspapers shall offer to do either the advertising or the publication of the proceedings of the common council.

And thereupon said clerk shall transmit all such proposals to the common council, at the next regular meeting thereof held after the opening of such proposals, and a statement of all such proposals, designating therein the English newspaper or newspapers and the German newspaper or newspapers which shall respectively offer to do such advertising or such publication of proceedings, or both of them, at the lowest price, for the year ensuing. If, however, any two or more bids, either for advertising or for publishing the proceedings, either in English or German, shall be for the same price, then all such facts shall be stated. The common council shall thereupon, at said meeting thereof, by its resolution, designate and award such advertising and such publication of council proceedings to the English newspaper or newspapers and the German newspaper or newspapers so published in the said city, which shall respectively offer to do such advertising and such publication or proceedings, or either, at the lowest price for the year then ensuing. And if two or more bids shall be received for either the advertising or the publication of the proceedings in either English or German for the same price, then and in such case such advertising or such publication of the proceedings or both shall be so let to the newspaper in either such language having the largest circulation in said city; and the publishers of the newspapers to which such advertising or publication of proceedings or both shall be awarded as aforesaid shall respectively thereupon give bond in the sum of two thousand dollars for the faithful performance of said contract, which bond shall be approved by the comptroller of said city as to the sureties therein, and by the city attorney as to the form and execution thereof. Provided, that in case both the advertising and the publication of proceedings, either in English or German, shall be let to the same newspaper, then the penalty of such bond shall be four thousand dollars. And whenever the successful bidder for the advertising or for the publication of proceedings as aforesaid, or for both, shall have executed the contract and bond aforesaid, and such bond shall have been duly approved as aforesaid, the sum of five hundred dollars deposited with the city treasurer by

such bidder in accordance with this act shall be returned to the said bidder in accordance with the provisions hereinbefore set forth. Such newspapers shall thereupon become liable to print and publish all such ordinances, notices, council proceedings and other proceedings as are required by the charter of the city of Milwaukee or by resolution or ordinance of the common council to be published in a public newspaper, and which such newspaper shall have contracted to publish, for the compensation specified in such proposals and contract, and shall receive no other compensation therefor; provided, however, that said common council may, in its discretion, reject any or all bids so made, that by said common council shall be deemed exorbitant or too high; and in case of the rejection of all bids for either advertising or publication of proceedings, for such cause, it shall thereupon be the duty of the said common council to direct said city clerk to readvertise for proposals for such advertising or publication of proceedings, as the case may be, in the same manner as hereinbefore in this act provided, and the said clerk shall thereafter transmit to said common council the proposals so received by him, in the manner aforesaid. The said common council shall designate the English and the German newspaper receiving the contract for such advertising as the proper official newspaper of the said city.

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

Approved April 1, 1887.