

enforce the provisions of this section and may cause any connection made in violation hereof to be broken up and destroyed.

SECTION 16. The common council of said city shall provide by ordinance for the proper ventilating and trapping of all drains, soil pipes and fixtures hereafter constructed to connect with or be used in connection with the sewerage or water supply of the city and provide for the enforcement of all regulations and provisions of such ordinance by fines and penalties. The common council may also by ordinance regulate the use of vent, soil, drain, sewer and water pipes, in all buildings in said city, specifying dimensions, strength and material of which the same shall be made and may prohibit the introduction and use into any building of any style of fixture, trap or connection which shall be or become dangerous to health or for any reason unfit to be used, and enforce the same by proper penalties.

Ventilating
and trapping
of drains.

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

Approved April 17, 1889.

[No. 690, A.]

[Published April 23, 1889.]

CHAPTER 490.

AN ACT to amend chapter 174, laws of Wisconsin for the year 1887, entitled, "An act to incorporate the city of Pittsville."

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

SECTION 1. Section 1, of chapter 2, of chapter 174, of the laws of Wisconsin for the year 1887, is hereby amended by inserting after the word, "peace" in the fourth line of said section, the words, "and one constable," so that said section when amended shall read as follows: Section 1. The elective officers of said city shall be a mayor, city treasurer, city marshal, assessor and police justice for the city at large, and two aldermen and

Amend chap.
174, laws of
1887.

Elective
officers.

one justice of the peace and one constable for each ward. The mayor, city treasurer, assessor, city marshal and police justice shall be qualified voters, residents and freeholders in said city, and the ward officers shall be qualified voters and residents of the respective ward for which they were elected, and shall be freeholders in said city. There shall each year also be elected a supervisor for each ward to represent the city in the county board of supervisors, who shall hold his office one year. The mayor, city treasurer, assessor and city marshal shall hold their respective offices for one year. Aldermen (except as to one elected for each ward at the first election), police justice and justice of the peace shall hold their respective offices for two years. All other officers necessary for the proper management of the affairs of said city shall be appointed by the common council. The term of office shall commence on the second Monday of April next after their election; each of said officers shall continue in office for his respective term and until his successor is elected and qualified; and shall have such powers and perform such duties as are prescribed in this act, or may be prescribed in any ordinance of said city, not inconsistent with this act, or which may not be incompatible with the nature of their respective offices.

Annual election.

SECTION 2. Section 2, of said chapter 2, is hereby amended by striking out the word, "sundown" in the sixth line of said section and inserting in lieu thereof the words, "five o'clock in the afternoon," so that said section when amended, shall read as follows: Section 2. The annual election for ward and city officers shall be held on the first Tuesday of April of each year at such place in each ward as the common council shall designate, and the polls shall be kept open from nine o'clock in the forenoon until five o'clock in the afternoon, and ten days' notice shall be given by the common council, in the official paper of said city, of the time and place of holding such elections, and of the city and ward officers to be elected.

Inspectors of election.

SECTION 3. Section 5, of said chapter 2, is hereby amended by adding at the end thereof the words: "Two inspectors and one clerk shall constitute a legal board," so that said section, when amended shall read as follows: Section 5. The election in

said city shall be held and conducted by the aldermen and justice of the peace of each ward, who shall be the inspectors of election in their respective wards, and shall take the usual oath or affirmation, as prescribed by the general laws of this state, to be taken by the judges and inspectors of election, and shall have power to appoint clerks of such election and to administer the necessary oaths, and in case of the absence of any or all of the aldermen and justices of the peace of the ward at the time for the opening of the polls, the voters present shall select some person or persons to act in their places as inspectors of election. Said election shall be held and conducted in the same manner and under the same penalties, and vacancies in the board of inspectors thereof filled, as required by the laws of the state regarding elections. Two inspectors and one clerk shall constitute a legal board.

SECTION 4. Strike out sections 13 and 14 of said chapter 2. Repealed.

SECTION 5. Section 5, of chapter 3, is hereby amended by inserting after the word, "prescribed" in the thirteenth line of said section the words, "except poll and highway taxes," so that said section, when amended shall read as follows: Section 5. The treasurer shall receive all moneys belonging to the city, and keep an accurate and detailed account thereof, together with an account of all disbursements, in such manner as the common council shall direct. He shall report to the common council as often as is required and annually at least ten days before the annual election, a full and detailed account of all receipts and expenditures after the date of the last annual report; and also of the state of the treasury, which statement shall be filed with the clerk. The said treasurer shall also be collector of taxes in and for said city as hereinafter prescribed except poll and highway taxes, and shall have the same powers and be subject to the same liabilities and be governed by the same laws as treasurers of towns in this state. Duties of city-treasurer.

SECTION 6. Section 6, of said chapter 3, is hereby amended by striking out all after the word, "provided," in the thirtieth line of said section, down to and including the word "dollars" in the thirty-seventh line of said section and inserting in lieu Amend chapter 3.
Powers of police justice.

thereof the following: "however, that no action brought to recover a fine or penalty for the violation of any ordinance or by-law of said city shall be removed from said justice without the city," so that said section when amended shall read as follows: Section 6. The police justice shall have and possess all the authority, powers and rights of a justice of a peace in a civil proceeding, and all actions arising within the limits of the city; and shall have sole exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal proceedings arising within the city cognizable before justices of the peace under the revised statutes; but warrants returnable before such police justice may be issued in criminal cases by any other justice of the peace in the city; but no fees shall be received therefor by said justice. The said police justice shall also have exclusive jurisdiction of all suits and prosecutions or proceedings for the recovery of any fine, forfeiture or penalty under any by-law, ordinance or regulation of said city. All actions for a violation of any by-law, ordinance or regulation of said city shall be commenced and prosecuted in the name of the city of Pittsville; and proceedings before said police justice shall conform in all respects except as herein otherwise provided, with proceedings, civil and criminal, under the provisions of the revised statutes, and acts amendatory thereof. Such police justice shall in addition to the powers herein conferred, have and possess within limits of said city, all the power, authority and jurisdiction conferred by the revised statutes of the state, and acts amendatory thereof, upon justices of the peace; provided, however, that no action to recover a fine or penalty, shall be removed from said justice without the city. In all cases of conviction for any violation of the penal laws of the state, the fines collected shall be paid into the county treasury for the use of the state. In cases of conviction for violations of any ordinance, rule or regulation of the city, the fine or penalty imposed, when collected, shall be paid into the city treasury for the benefit of the city. In case of the absence, sickness or other disability of such police justice, or for any sufficient reason, the mayor may, by warrant, authorize any justice of

the peace within said city to perform the duties of such police justice for the city; and it shall thereupon be the duty of the mayor to inform the city attorney and the police of such substitution and make report thereof to the common council, and they may confirm or set aside such appointment, and appoint some other justice of the peace; and the justice of the peace so appointed shall possess all the authority, powers and rights of said police justice.

SECTION 7. Section 8, of said chapter 3, is hereby amended by inserting after the word, "act," in the second line of said section, the words, "in the several wards," and by inserting after the word, "peace," in the fourth line of said section, the words, "in towns," and by striking out of said section all after the word, "city," down to and including the word, "provided," in the twelfth line of said section, so that said section, when amended shall read as follows: Section 8. The justices of the peace elected under this act in the several wards, shall have the same and equal jurisdiction and perform all and like duties of justices of the peace in towns, and shall qualify in the same manner as provided by the general laws of this state, except that the official bonds or agreements required to be given by them shall be approved by the mayor of said city. All constables elected by virtue of this act shall have and exercise the same powers and duties, and be subject to the same liabilities as constables of towns in this state, and shall give like bonds to be approved by the mayor, and take and subscribe like oaths therewith, which shall be filed in the office of the city clerk.

Powers of justices of the peace.

SECTION 8. Section 11, of said chapter 3, is hereby amended by adding at the end thereof, the following: "And in no case shall the street commissioner be interested in or own any teams employed by him in performing any work to be done under the provisions of this act. Said commissioner is hereby forbidden to pay any poll tax or highway tax for any person or corporation with labor during his term of office. All persons liable to, pay a poll tax or property tax shall be allowed to work out their taxes either in person or with teams and under the direction of the street commissioner and at prices to be fixed by the

Duties of street commissioner

common council for men or teams, and ten hours' labor shall be a day's work," so that said section, when amended, shall read as follows: Section 11. The common council shall also, at their first meeting for organization each year, after the annual election, choose by ballot a street commissioner. The street commissioner shall see that all ordinances of the city relating to the obstruction and clearing of sidewalks, streets, bridges, public grounds, reservoirs, gutters and sewers in said city are duly observed and kept. He shall have the general supervision over all work let by contract for the making, grading, paving, graveling, planking, repairing and cleaning of streets, bridges, alleys, public grounds, reservoirs and gutters, unless the common council shall otherwise direct, and all street work or repairs, the cost of which will not exceed the sum of two hundred dollars (\$200), shall, with the consent and concurrence of the committee upon streets and sidewalks, and when the said committee deem that it is to the interest of the city that said work shall be done forthwith without the delay of advertising for bids, employ labor and purchase material at the expense of said city, with which to perform and complete said work, and shall superintend said work, and when the same shall be completed, he shall, by an itemized statement of the cost of such labor employed and material furnished, report the same to the common council. He shall receive such compensation as the council shall determine, and in no case shall the street commissioner be interested in or own any teams employed by him in performing any work to be done under the provisions of this act. Said commissioner is hereby forbidden to pay any poll tax or highway tax for any person or corporation with labor during his term of office. All persons liable to pay a poll tax or property tax shall be allowed to work out their taxes either in person or with teams under the direction of the street commissioner, and at prices to be fixed by the common council for men or teams, and ten hours' labor shall be a day's work.

Amendment to
chapter 5.

SECTION 9. Section 3, of chapter 5, is hereby amended by striking out after the word, "centum" the words, "which fee shall go into the general

fund of the city," and by striking out of said section all after the word, "county" in the forty-first line of said section down to and including the word, "March" in the fifty-ninth line of said section so that said section, when amended shall read as follows: Section 3. On or before the third Monday of November in each and every year, the common council shall, by resolution to be recorded by the clerk, determine and specify the amount of money necessary to be raised by a tax to pay all indebtedness of the said city at the time being and to defray the estimated incidental expenses of said city during the ensuing year, and by said resolution shall order the clerk thereof to assess the amount so specified equally upon all the taxable property of said city, as the same shall appear from the last equalized assessment roll of said city. And the said clerk after he shall receive from the clerk of the board of supervisors of said Wood county, the amount of said state, county and other taxes as certified by said clerk to be raised by tax in said city in any year, shall assess the amount certified by said clerk, together with the amount ordered or specified by said common council, together with such school taxes voted to be raised for that year in the same list of taxes with all delinquent street, school or other taxes and when the said assessment or tax list shall be completed the said common council shall annex thereto their warrant, signed by the mayor and attested by the clerk of said city, commanding the treasurer of said city of Pittsville to collect, receive and receipt for the taxes specified in said tax roll; to collect and receive all taxes therein that may be paid before the twentieth day of January next succeeding the date of said warrant without adding thereto any penalty or fee, and upon all taxes by him collected after said twentieth day of January, to collect a fee of two per centum to pay according to law such state, county and other taxes belonging to the state of Wisconsin or the county of Wood, as may have been extended in said tax roll of said city, and by him collected in such manner, at such time as are by law required of town treasurers in said Wood county, all moneys by him collected by virtue of said warrant except said two per centum fees aforesaid. The clerk of said city before delivering said

tax roll to said treasurer shall make a true copy thereof with the warrant, and file the same in the clerk's office of said city.

Relating to
taxes.

SECTION 10. Section 8, of chapter 9, is hereby amended by adding at the end thereof, the words, "and also a tax of one dollar and fifty cents upon each male inhabitant of the city of Pittsville over the age of twenty-one years and under the age of fifty years, excepting such as are, by the law of the state, exempt from paying poll tax;" so that said section, when amended, shall read as follows: Section 8. The common council of the city of Pittsville shall, on or before the first Monday in May in each year, determine and levy the amount of highway tax in said city for the ensuing year, for the purpose of constructing and repairing streets and highways in said city, which amount shall not be more than five mills on the dollar upon all of the taxable property of said city, as the same shall appear by the last assessment roll of said property, and also a tax of one dollar and fifty cents (\$1.50) upon each male inhabitant of the city of Pittsville over the age of twenty-one years and under the age of fifty years, excepting such as are, by the law of the state, exempt from paying poll tax.

Highway and
poll tax.

SECTION 11. Section 9, of said chapter 9, is hereby amended by striking out the words, "city treasurer" where they occur in the third and twenty-second lines of said section and inserting in lieu thereof the words, "street commissioner," so that said section when so amended shall read as follows: Section 9. The city clerk shall, within twenty days after said highway tax shall be so levied, make out and deliver to the street commissioner a list of all persons liable to pay highway taxes in said city, which list shall also contain a statement of all the taxable personal property and a description of all lots and parcels of land within said city, with the value of each lot or parcel set opposite to such description, as the same shall appear on the assessment roll of the previous year; and if such lot or tract was not separately described in such roll, then in such proportion to the valuation which shall have been affixed to the whole tract of which such lot or parcel forms a part, and the amount of such tax shall be carried out in a separate column opposite the name of

each person or persons, corporation or corporations to whom each item of taxable property upon said list is to be assessed, and such highway tax determined and levied shall be due and payable within thirty days from and after the first public notice given by the street commissioner that said tax list is in his hands for collection.

SECTION 12. Section 10, of said chapter 9, is hereby amended by striking out the words, "city treasurer" where they occur in the said section and inserting in lieu thereof the words, "street commissioner," so that said section, when amended shall read as follows: Section 10. The city clerk shall make a duplicate of such list, both of which shall be signed by the mayor and countersigned by the city clerk; one of which lists shall be filed in the office of the city clerk and the other shall be delivered to the street commissioner.

Street commissioner to collect tax.

SECTION 13. Section 11, of said chapter 9, is hereby amended by striking out the word, "treasurer," where it occurs in the fifth line of said section, and inserting in lieu thereof the words, "street commissioner," and by inserting after the word, "property," in the tenth line of said section, the words, "either in labor or money," and by inserting after the word, "collected," in the eleventh line of said section, the words, "on the highway," so that said section, when amended, shall read as follows: Section 11. The city clerk shall annex to each of said tax lists a warrant signed by the mayor and city clerk, which shall be in substance in the following form:

Amendment to chapter 9.

To A. B., street commissioner of the city of Pittsville:

Form of warrant.

You are hereby required to collect from the several persons and corporations named in the annexed tax list, and from the owners of the real estate described therein, the taxes set opposite to such persons, corporations and property, either in labor or money, and to apply the taxes by you collected, on the highway, and make returns thereof on or before the third Monday of November next.

Dated — day of —, 18—.

— —, City Clerk.

— —, Mayor.

SECTION 14. Section 12, of said chapter 9, is hereby amended by striking out the words, "city treas-

urer," where they occur in the first line of said section, and inserting in lieu thereof the words, "street commissioner," and by striking out the words, "in the collection of general taxes," where they occur in the third and fourth lines of said section, and inserting in lieu thereof the words "overseers of highways in towns are authorized to collect highway taxes," also by striking out the words, "passed to the highway fund and kept and paid out as much," where they occur in the fourth, fifth and sixth lines of said section, and inserting in lieu thereof the words, "expended upon the highway of the city," also by striking out the word, "treasurer," where it occurs in the sixth line of said section, and inserting in lieu thereof the words "street commissioner;" also by striking out the words, "city treasurer," where they occur in the thirteenth line of said section, and inserting in lieu thereof the words, "street commissioner;" so that said section when amended, shall read as follows: Section 12. The street commissioner shall have the same powers and proceed to collect the said taxes in the same manner as overseers of highways in towns are authorized to collect highway taxes, and such taxes so collected shall be expended upon the highways of the city; and in case said street commissioner shall be unable to collect any portion of said tax, he shall, on or before the third Monday in November of each year, make out and deliver to the city clerk of said city, a verified copy of the public notice given by him, together with a list of all such unpaid taxes. Such list shall be sworn to by said street commissioner before some officer authorized to administer oaths.

Relating to street commissioner.

Amendment to chapter 174, laws 1887.

Relating to board of review

SECTION 15. Chapter 11, of said chapter 174, of the laws of 1887, is hereby further amended by striking out all of sections 18 and 19, and by adding after section 17, five new sections, as follows:

SECTION 18. The mayor, assessor and supervisors of each ward shall constitute the board of review of said city. Said board of review shall meet annually on the last Monday in June at the city clerk's office. A majority shall constitute a quorum. The city clerk shall be clerk thereof, and shall keep an accurate record of all the proceedings; the board may adjourn from time to time until the business is completed.

SECTION 19. Whenever it shall be shown to

the satisfaction of the common council, by affidavit or otherwise, that error or injustice has been done in the levying or equalizing of taxes upon any property in said city, by means of which an unjust amount of taxes has been levied, the common council may, by a majority vote, remit such a sum as it decides to be in excess of the equitable amount.

When council may remit tax.

SECTION 20. In case the city treasurer shall at any time refuse or neglect to perform his duties in enforcing the payment of taxes, as provided by this act, the common council shall forthwith remove such treasurer from office, and appoint a suitable person to fill the vacancy thus created.

Relating to city treasurer.

SECTION 21. All acts and parts of acts in conflict with or contravening the provisions of chapter 174, of the laws of 1887, as herein amended are hereby repealed.

Repealed.

SECTION 22. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1889.

[No. 528, A.]

[Published April 25, 1889.]

CHAPTER 491.

AN ACT to revise, consolidate and amend the city charter of the city of Prairie du Chien.

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

CHAPTER I.

CORPORATE NAME AND POWERS.

SECTION 1. All that district of country in the county of Crawford and state of Wisconsin hereinafter described, shall be and remain a city by the name of Prairie du Chien, and the people who now or may hereafter inhabit said district, shall be a municipal corporation by the name of the city of Prairie du Chien, and shall have the gen-

Amend and revise the charter of Prairie du Chien.

Corporate name.