

No. 67, S.]

[Published April 12, 1895.

CHAPTER 176.

AN ACT relating to official papers and publishing of official notices, ordinances and proceedings in cities of the second and third class, whether incorporated under the general or under a special charter, and repealing section 46, of chapter 326, of the laws of 1889, in so far as that section relates to or affects any city having over 10,000 inhabitants.

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

Cities of over 10,000 and less than 50,000 people to advertise for proposals for city advertising.

SECTION 1. The common council of cities of the second and third class and of all cities incorporated under a special charter having a population in excess of ten thousand and less than fifty thousand inhabitants, shall, on or before the second Tuesday in April, A. D. 1895, and on or before the same day in each year thereafter, direct the city clerk of said city to advertise in the official newspaper or newspapers, if there be such, and if not, in any newspaper published in such city, for proposals to do the advertising for said city, in the English language, for the next ensuing year thereafter, and all ordinances, notices and all the city advertising required by law, or resolution or ordinance of the common council to be published in a newspaper, and also for proposals to publish the proceedings of the common council in the English language 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 all daily newspapers, published regularly in said city for at least two consecutive years next prior to the date of the bids, if two or more such daily papers are published in such city; and if there

be no two such daily papers, then from all newspapers published regularly at least once a week in said city for at least two consecutive years next prior to the date of the bids; and shall require the delivery of such proposals in writing duly sealed and directed to said clerk, on or before the first Tuesday of May, of the then current year. No bids for either kind of work shall be considered by said clerk, except from a newspaper which has been published regularly in said city at least two years consecutively next before the date of the bid, and as provided in the preceding sentence of this section; such bond or deposit shall be required with each bid as the common council may direct. The said clerk shall, on the first Tuesday of May in each year, at twelve o'clock at noon in the presence of the mayor or an alderman open all such bids or proposals, and shall thereupon, in the presence of the mayor or an alderman, enter upon a record to be kept by the clerk for that purpose, all said proposals for either kind of work with the respective prices for which such newspaper or 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 meeting thereof held after the opening of such proposals and a statement of all such proposals, designating therein the newspaper or newspapers which shall respectively do such advertising or such publication of proceedings or both of them, at the lowest prices for the year ensuing. 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 newspaper or newspapers, published in said city, which shall respectively offer to do such advertising and such publication of 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 pro-

When bids shall be opened.

ceedings for the same price, then and in such cases such advertising or such publication of the proceedings or both shall be let to that lowest bidding newspaper or lowest bidding newspapers, as the council may select. And whenever the successful bidder for the advertising or for the publication of proceedings as aforesaid, or for both, shall have executed the contract, he or they shall execute and file with the city clerk such bond for the faithful performance of such contract, as the common council may require, and after such contract and bonds shall have been duly approved as aforesaid, such newspaper or newspapers shall thereupon publish all such ordinances, notices, council proceedings and other proceedings as are required by the charter of the city, or by resolution or ordinance of the common council, to be published in a public newspaper, and which such newspapers shall have contracted to publish, for the compensation specified in their proposals and contract, and no lower nor higher, and shall receive no other compensation therefor; provided, however, that said common council shall reject all bids exceeding legal rates for like work, 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 re-advertise for proposals for such advertising or publication of proceedings, as the case may be, in the same manner as heretofore 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 newspaper or newspapers receiving the contract for such advertising as the proper official newspaper or newspapers of the said city.

Charter which
is hereby amended
and repealed

SECTION 2. Any provision of any charter inconsistent herewith is hereby amended, modified or repealed by this act to the extent necessary to give full force and effect to the intent

hereof. Section forty-six of chapter three hundred and twenty-six, of the laws of 1889, is hereby repealed, in so far as it relates to cities of over ten thousand inhabitants.

SECTION 3. None of the provisions of this act shall affect any contract for doing the work specified in section one hereof now in existence, but as to any such city in which a contract is in existence, this act shall take effect immediately upon the termination of such contract.

Not to affect present contracts.

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

Approved April 9, 1895.

No. 9, S.]

[Published April 15, 1895.

CHAPTER 177.

AN ACT to submit to the people an amendment to section 1, of article 10, of the constitution of the state of Wisconsin.

Whereas, At the biennial session of the legislature of this state for the year 1893, an amendment to the constitution of this state was proposed and agreed to by a majority of the members elected to each of the two houses, which proposed amendment was in the following language:

Constitutional amendment.

“Resolved by the assembly, the senate concurring, That section 1, article 10, of the constitution of the state of Wisconsin be amended by striking out this sentence: ‘Provided, that his compensation shall not exceed the sum of twelve hundred dollars annually.’”

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

SECTION 1. The foregoing proposed amendment to the constitution of the state of Wisconsin