

## CHAPTER 275.

[Published March 18, 1874.]

AN ACT to incorporate the city of Centralia.

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

## CHAPTER I.

## City limits.

SECTION 1. That on and after the first Tuesday of April next, all that district of country situated in the county of Wood and state of Wisconsin, included in sections one (1), twelve (12) and thirteen (13), and all that part of section twenty-four (24), which lies west of the Wisconsin river in township twenty-two (22), north of range five (5) east, and all that portion of township twenty-two (22), north of range six (6) east, lying west of a line commencing at a point in the center of the "Hunter Slough" of the Wisconsin river, where said slough crosses the north line of said township, running thence down the center of said slough to the lost channel, thence down the center of the lost channel to the main channel of said river, thence down the main channel of said river to the west line of said range six (6), shall be known and designated as the city of Centralia, and by that name shall be capable of contracting and being contracted with, of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts and places, and in all matters whatever, with power of purchasing, receiving, holding, occupying, and conveying real and personal estate, and shall be competent to exercise all the rights and privileges and be subject to all the duties and obligations appertaining to a municipal corporation.

## Powers and duties.

## Ward limits.

SECTION 2. The said city shall be divided into three wards, the boundaries of which shall be as follows, respectively, to-wit: All that portion of said city included in sections four (4), five (5) and eight (8) in township twenty-two (22), north of range six (6) east, shall constitute the first ward; all that portion of said city which is not embraced within the first ward, and which lies and is situated north of Cranberry street, and north of the continuation of Cranberry street, known as the "Seneca road," shall constitute the second ward; and all that portion of said city which

lies south of Cranberry street, and south of the "Seneca road," shall constitute the third ward.

SECTION 3. The corporate authority of said city shall be vested in one principal officer, styled the mayor, in one board of aldermen, consisting of two members from each ward, who, with the mayor, shall be denominated the common council, together with such other officers as are hereinafter mentioned or may be created under this act.

Corporate authority in whom vested.

## CHAPTER II.

SECTION 1. The elective officers of said city shall be a mayor, a treasurer, a marshal, an assessor and one police justice for the city at large, two aldermen and one justice of the peace for each ward, which said officers shall hold their respective offices as follows: The mayor, treasurer, assessor and marshal for one year; the aldermen, police justice and justices of the peace for two years; the term of office shall commence on the first Monday 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 as 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.

Elective officers.

Term of office.

SECTION 2. On the first Tuesday of April, eighteen hundred and seventy-four, the qualified voters of said city shall elect the respective officers mentioned in the foregoing section, which said officers shall be qualified voters, resident in said city. The first election of said city shall be held at such place in each of the wards of said city as the supervisors of the town of Centralia, or such one or more of said supervisors as may reside within the limits of said city, shall previously designate by posting notices of such election in three public places in each ward of said city. The voters present shall have power to proceed by nomination and viva voce election of three inspectors and a clerk, whose duties it shall be (after being sworn by any officer competent to administer an oath by the laws of this state) to see that said election shall be conducted in accordance with the laws of the state of Wisconsin, and any fraud or violation of said laws at said election shall be punishable as any violation of the election laws in any part of said state, and at every subsequent first Tuesday of April elections shall be held in the several

When first election to be held.

Where held.

Inspectors how chosen.

When subsequent elections to be held.

wards for the officers to be elected in that year; and said election shall be presided over by the aldermen of the respective wards, or in case of their absence or disability, the voters present, at the hour of opening the polls shall elect by viva voce, a sufficient number of inspectors to make three with the alderman or aldermen present, who shall be sworn in accordance with the laws of the state. They shall appoint and swear a clerk, and shall see the names of the voters registered, and the ballots safely deposited in the ballot-box; shall decide all questions that may arise as to the legality of votes presented; shall count the ballots at the close of the polls, and shall certify and seal two returns, and the day following such election shall direct and return one of said returns to the city clerk, and the other to the county clerk of the county of Wood. The mayor of the city and such members of the common council as shall hold over shall constitute a board of canvassers, who shall, within three days after the election, meet at the common council chamber, and canvass such returns; and after the aforesaid returns have been canvassed by said board, the mayor shall notify by a certificate the persons elected to the respective offices. The returns of the first election shall be made to the clerk of the town of Centralia, who, with the chairman of the board of supervisors and one justice of the peace, shall certify to and notify the officers elected. The polls shall be kept open from one o'clock until five in the afternoon.

**SECTION 3.** In the event of a vacancy in the office of mayor, by death, removal or other disability, the common council shall order a new election, and shall give five days' notice thereof. Any vacancy in other offices shall be filled by the common council; the person appointed or elected to fill a vacancy, shall hold his office and discharge the duties thereof for the unexpired term, with the same rights and subject to the same liabilities as the person whose office he may be elected or appointed to fill.

**SECTION 4.** All elections by the people shall be by ballot, and a plurality of all votes shall constitute an election; all elections by the common council may at their option be by viva voce. 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, at such time and in such manner as they may direct.

**SECTION 5.** All persons entitled to vote for state or

county officers, shall be entitled to vote for any officers to be elected under this law.

SECTION 6. If any person who is not a qualified voter shall vote at any election, or shall vote more than once at any one election, he shall be liable to be proceeded against by indictment or information, and on conviction thereof, shall forfeit and pay a sum not exceeding one hundred dollars, nor less than twenty-five dollars. It shall be the duty of the inspectors to keep a list of the names of all persons whose votes may be challenged as aforesaid, and swear in their votes; and if any inspector or alderman shall knowingly or corruptly receive the vote of any person not authorized to vote, or shall make out false returns of any election, or [if] any clerk shall not write down the name of every voter as he votes, or shall willfully make untrue and incorrect counts and tallies of the votes, each and every inspector or clerk shall be liable to indictment, and on conviction thereof shall severally forfeit and pay a sum not exceeding five hundred dollars, nor less than one hundred dollars; all such indictments shall be tried in the circuit court of the county of Wood.

Penalty for illegal voting.

Penalty for making incorrect tallies.

SECTION 7. Special elections to fill vacancies, or for any other purpose, shall be held and conducted by the alderman and inspectors, as provided by this act, and returns thereof shall be made in the same time and manner as of general or annual elections.

Special elections how held.

SECTION 8. There shall be elected at the first election under this act, one alderman in each ward who shall hold his office for two years; and one alderman in each ward who shall hold his office for one year; and every annual election thereafter, one alderman in each ward who shall hold his office for two years; the alderman having the highest number of votes in each ward at the first election, shall be the alderman for two years.

Officers to be elected at the first election.

SECTION 9. Any officer removing from the city, and any officer who shall neglect or refuse to qualify within twenty days after his election, shall be deemed to have vacated his office, and the common council shall proceed to fill such vacancy as herein provided.

Vacancy, how may be caused.

### CHAPTER III.

#### OFFICERS—THEIR POWERS AND DUTIES.

SECTION 1. Every person elected to any office or appointed to fill any vacancy under this act (except the police justice and justices of the peace) shall, before he enters upon the duties of his office, take and

Officers to take oath of office and execute bonds.

subscribe an oath of office, and file the same duly certified by the officer taking the same, with the city clerk, and the treasurer, 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 Centralia a bond, in such sum and with such security and such conditions as the common council may direct; and the common council may, from time to time, require new or additional bonds, and may remove from office any officer refusing or neglecting to give the same. The police justice and justices of the peace before entering upon the duties of their office, and within the time limited by this act, shall take and subscribe an oath of office and execute a bond to be approved by the mayor of said city, and cause the same to be filed with the clerk of the circuit court of the county of Wood, as is provided by the general laws of this state relating to towns.

Mayor to pre-  
side.

SECTION 2. 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 the city within the corporation are duly enforced and observed, and that all officers of the city discharge their respective duties. He shall appoint the police force, in such numbers as the common council shall direct; and in case of a riot or disturbance of the peace, shall appoint temporary police. He shall communicate in writing to the common council once a year, such information as he may deem necessary, and at all times give such information as the common council may require, and shall be *ex-officio* a member of the common council, and entitled to vote on all questions before the same.

Shall appoint  
police force.

Common coun-  
cil to elect  
president to  
preside in the  
absence of the  
mayor.

SECTION 3. At the first meeting of the common council each year, or as soon thereafter as may be, they shall proceed to elect by ballot one of their number president, and in the absence of the mayor the said president shall preside over the meetings of the common council, and during the absence of the mayor from the city, or his inability from any cause to discharge the duties of his office, the president shall execute all the powers and discharge all the duties of the mayor. In case the mayor and president shall be absent from any meeting of the common council, they shall proceed to elect a temporary presiding officer, who, for the time being, shall discharge the duties of the mayor. The president or temporary presiding officer while presiding over the council, or performing the du-

ties of mayor, shall be styled acting mayor, and the acts performed by them shall have the same force and validity as if performed by the mayor.

SECTION 4. The common council shall elect a city clerk; he shall keep the corporate seal and all the papers and records of the city; he shall attend the meetings and keep a record of the proceedings of the common council. The records of the proceedings of the common council kept by him shall be evidence in all legal proceedings, and copies of all papers filed in his office, and transcripts from the records certified by him under the corporate seal, shall be evidence in all courts in like manner as if the original were produced. He shall keep a full and accurate account of all orders drawn on the city treasury, in a book provided for that purpose, and shall also keep an accurate account with the treasurer, and charge him with the sums of money paid into the treasury. Whenever the clerk shall be absent from any meeting, the city council may appoint a clerk pro tem. The city clerk shall have power and authority to administer oaths and affirmations.

Common council to elect a clerk.

Duties of city clerk.

Records may be evidence.

SECTION 5. The city attorney shall perform all professional services incident to the office, as prescribed by ordinances, and, when required, shall furnish written opinions to the common council or its committees. It shall not be necessary for the city attorney to be a resident of said city, nor to hold his office therein.

Duties of city attorney.

SECTION 6. 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 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. He shall also be the collector of taxes, and for this service, except as herein otherwise provided, he shall have the same powers and be subject to the same liabilities, be governed by the [same] laws and receive the same compensation as treasurers of towns.

Duties of treasurer.

SECTION 7. The marshal shall perform such duties as shall be prescribed by the council for the preservation of the public peace. He shall be a ministerial officer of police justices and justices of the peace, and may serve any writ, process or order lawfully directed to him within the county of Wood, and shall have and possess all the powers and authority that is or may

Duties of marshal.

hereafter be conferred upon the constables of towns by the general laws of the state, and be subject to the same liabilities, and when necessary in criminal cases, or for the violation of any ordinance of said city, or law of this state, may pursue and serve the same in any part of the state of Wisconsin. It shall be his duty to suppress all riots, disturbances and breaches of the peace, to apprehend any person in the act of committing any offense against any ordinance of said city or laws of this state, and forthwith bring such person before competent authorities for examination, and for such services, he shall receive such fees as are allowed to constables for like services. He shall have power to appoint one or more deputies, to be approved by the city council, but for whose official acts he shall be responsible, and of whom he may require a bond for the faithful discharge of their duties.

**Powers of common council.**

**SECTION 8.** The common council shall have power, from time to time, to require other and further duties to be performed by any officer whose duties are herein prescribed, and to appoint such other officers as may be necessary to carry into effect the provisions of this act, and to prescribe their duties and to fix the compensation of all officers elected or appointed by them; such compensation shall be fixed by resolution at the time the office is created, or at the commencement of the year, and shall not be increased or diminished during the term for which such officer shall have been elected or appointed.

**Penalty for neglect or refusal to deliver to successor, public property.**

**SECTION 9.** If any person having been an officer in said city, shall not within ten days after notification and request, deliver to his successor in office all property, moneys, books, papers and all effects of every description in his possession, belonging to said city, or pertaining to the office he may have held, he shall forfeit and pay to the use of the city one hundred dollars, besides all damages caused by his neglect or refusal to deliver, and such successor may recover the possession of such books, papers and effects in the manner prescribed by the laws of this state.

**Who are officers of the peace.**

**SECTION 10.** The mayor, sheriff of Wood county, marshal, police justice, each and every alderman, justice of the peace, and watchman, shall be officers of the peace, and suppress, in a summary manner, all rioting and disorderly behavior within the limits of the city, and for such purpose may command the assistance of all bystanders, and if need be, of all citizens and military companies. If any person, bystander, military officer or private shall refuse to aid in main-

**May command assistance of bystanders to suppress riots.**

**Penalty for refusal to assist**

taining the peace when so required, every such person shall forfeit and pay a fine of fifty dollars; and in case where the civil power may be required to suppress riots or disorderly behavior, the superior or senior officer present, in the order mentioned in this section, shall direct the proceedings.

SECTION 11. The police justice shall have and possess all the authority, powers and rights of a justice of the peace in civil and criminal proceedings, and shall have sole and exclusive jurisdiction in all cases to which the city shall be a party, and shall have the same power and authority in cases of contempt as a court of record: *provided*, that nothing herein contained shall be deemed to divest the judges of the circuit or county courts of their authority as conservators of the public peace, nor to affect, in any manner, the powers or jurisdiction of the circuit or county courts of Wood county. The police justice shall be entitled to receive for his services the same compensation in fees, as is allowed by law to justices of the peace for similar services, and no other, but the city shall not be liable to said police justice for his said fees, except such as shall accrue in prosecutions for the violation of the charter or ordinance of the city wherein the offender shall have been discharged from imprisonment or custody by the authority of the common council, or by due course of law. In case of the absence, sickness or inability of the police justice, the mayor, by warrant, may authorize any justice of the peace to perform the duties of police justice, and it shall thereupon be the duty of the mayor to inform the city attorney and marshal of such substitution, and make a report thereof to the common council, and they may confirm or set aside such appointment, and the justice so appointed shall, for the time being, possess all the authority, powers and rights of the police justice. Appeals and writs of certiorari may be taken from the police justice in the same manner as from justices of the peace, except as hereinbefore provided: *provided*, that appeals shall not be taken from judgments rendered for the violation of any city ordinance, when the judgment or penalty does not exceed the sum of five dollars, exclusive of costs, but in case the same exceeds that sum, appeals may be taken as in other cases.

Police justice, powers and duties.

His compensation.

In absence of police justice, justice of peace to discharge his duties.

Appeals may be taken.

SECTION 12. The police justice shall quarterly report to the common council a list of all proceedings instituted before him in behalf of the city, and the disposition thereof, and shall at the same time account

Police justice to make report.



and pay over to the treasurer the amount of all penalties and fines collected, which may by law accrue to the city. The city shall not be liable to pay any costs for violation of any law of this state.

Common council, to elect city surveyor.

Where may reside.

Duties and fees prescribed and fixed by the common council.

Surveys, profiles, etc to be city property.

SECTION 13. The common council shall elect a city surveyor, who shall be a practical surveyor and engineer; he may reside and keep his office at any convenient place within the county of Wood by consent of the common council; and the common council shall prescribe the duties and fix the fee and compensation for any service performed by him. All surveys, profiles, plans and estimates made by him for the city, shall be the property of the city, and shall be carefully preserved in the office of the surveyor open to the inspection of all parties interested; and the same, together with all book and papers appertaining to said office, shall be delivered over by the surveyor at the expiration of his term of office, to his successor or to the common council.

#### CHAPTER IV.

##### THE COMMON COUNCIL — ITS GENERAL POWERS AND DUTIES.

Duties of common council.

SECTION 1. The mayor and aldermen shall constitute the common council, and the style of all ordinances shall be "the common council of the city of Centralia do ordain," etc. The common council shall meet at such time and place, as they by resolution shall direct. A majority of the common council shall constitute a quorum.

Majority shall constitute a quorum.

Stated and special meetings, how held.

SECTION 2. The common council shall hold stated meetings, and the mayor may call special meetings, by notice to each of the members, to be served personally, or left at their usual places of abode. The common council shall determine the rule of its own proceedings, and be the judge of the election and qualification of its own members, and have power to compel the attendance of absent members.

To be judge of election and qualification of its own members.

To control finances and property of the city.

SECTION 3. The common council shall have the control and management of the finances, and of all property in the city, and shall likewise, in addition to the powers herein vested in them, have full power to make, enact, ordain, establish, publish, enforce, alter, modify, amend and repeal all such ordinances, rules and by-laws for the government and good order of the city, for the suppression of vice and immorality, for the prevention of crime and for the benefit of trade, commerce and health, as they shall deem expedient, declar-

Enact and amend ordinances, etc.

ing and imposing penalties, and to enforce the same against any person or persons who may violate any of the provisions of such ordinances, rules and by-laws, and such ordinances, rules and by-laws are hereby declared to be and have the force of law: *provided*, they are not repugnant to the constitution and laws of the United States or of this state, and for these purposes shall have authority by ordinances, resolutions or by-laws.

1st. To license and regulate the exhibition of common showmen or shows of any kind, or the exhibition of caravans, circuses, or theatrical performances, billiard tables and bowling saloons, auctioneers, hawkers and peddlers, and to provide for the abatement and removal of all nuisances or at common law, and to grant licenses for selling spirituous, vinous or fermented liquors, and regulate groceries, taverns, victualing houses all persons vending or dealing in spirituous, vinous or fermented liquors, and to repeal, modify or void the same for a violation thereof: *provided*, that the sum to be paid for any such license shall not be less than the amount fixed and provided by the laws of the state, and that no license shall be granted for a less time than one year: *and provided further*, that no person thus licensed shall sell or give away spirituous, fermented or vinous liquors on election days.

2d. To restrain and prohibit all description of gaming and fraudulent devices and practices, and all playing of cards, dice or other games of chance, for the purpose of gaming in said city, and to restrain any person or persons from vending, giving or dealing in spirituous, vinous or fermented liquors, unless duly licensed by the common council.

3d. To prevent any riots, noise, disturbance or disorderly assemblages, suppress and restrain disorderly houses or groceries and houses of ill fame, and to authorize the destruction of all instruments used for the purpose of gaming.

4th. To compel the owner or occupants of any grocery, cellar, tallow chandler shop, soap factory, tannery, stable, barn, privy, sewer or other unwholesome, nauseous house or place, to cleanse, remove or abate the same, from time to time as often as it may be deemed necessary for the health, comfort and convenience of the inhabitants of said city.

5th. To direct the location and management of slaughter houses and markets, and to prevent the erection, use or occupation of the same where the offal or filth therefrom shall discharge into the waters border-

Grant licenses.

Proviso.

Proviso.

To restrain gaming.

Prevent riots.

Abate nuisances.

Regulate slaughter houses and markets.

ing on or within said city, and to establish rates for and license venders of gunpowder, and to regulate the storage, keeping and conveying the same or other combustible material.

**Sidewalks.**

6th. To prevent the incumbering of the streets, sidewalks, lanes and alleys with carriages, sleighs, boxes, lumber, fire wood or other materials or substances whatever.

**Prevent horse racing.**

7th. To prevent horse racing, immoderate riding or driving in the streets, and to regulate the places of bathing and swimming in the waters within the limits of said city.

**Restrain horses cattle, etc from running at large.**

8th. To restrain the running at large of horses, cattle, swine, sheep, poultry and geese, and to authorize the distraining, impounding and sale of the same.

**Restrain dogs.**

9th. To prevent the running at large of dogs, and to authorize the destruction of the same in a summary manner, when at large contrary to the ordinance.

**Prevent nuisances.**

10th. To prevent persons from bringing, depositing or having within said city or placing in the waters within or adjacent to said city, any putrid carcass or other unwholesome substance, and to require the removal of the same by any person who shall have upon his premises any such substance or putrid or unsound beef, pork, fish, hides or skins of any kind, or in default, to authorize the removal thereof by some competent officer at the expense of such person or persons.

**Establish, pounds, pumps wells cisterns reservoirs, etc.**

11th. To make and establish public pounds, pumps, wells, cisterns and reservoirs, and to regulate and license hacks, cabs, drays, carts, and the charges of hackmen, cabmen, draymen and cartmen in the city, and to erect lamps and to provide for lighting the streets, public grounds and public buildings.

**Establish boards of health.**

12th. To establish and regulate boards of health, provide hospital and cemetery grounds, regulate the burial of the dead and the return of the bills of mortality, and to exempt burial grounds, set apart for public use, from taxation.

**Establish size and weight of bread.**

13th. To establish the assize and weight of bread, and to provide for the seizure and forfeiture of all the bread baked contrary thereto.

**Protect sidewalks.**

14th. To prevent all persons riding or driving any horse, ox, mule, cattle or any other animal on the sidewalks in said city, or in any way doing damage to said walks.

**Prevent use of fire arms and exhibition of fire works.**

15th. To prevent shooting off fire-arms or crackers, and to prevent the exhibition of fireworks in any situation which may be considered by the council danger-

ous to the city or any property therein, or annoying to the citizens thereof.

16th. To restrain drunkards, immoderate drinking or obscenity in the streets or public places, and to provide for arresting, removing or punishing any person or persons guilty of the same.

To restrain drunkenness or obscenity.

17th. To restrain and regulate runners and solicitors for boats, stages, cars, public houses and other establishments.

To restrain and regulate runners.

18th. To make rules and ordinances for the government and regulation of the police of the city.

To regulate police.

19th. To establish public markets and make rules and regulations for the government of the same; to appoint suitable officers for overseeing and regulating such markets and to punish and restrain all persons from interrupting or interfering with the due observance of such rules and regulations; to license and regulate butchers' stalls, shops and stands, for the sale of game, poultry, meats, fish and other provisions.

Establish markets.

20th. To regulate the place and manner of weighing and selling hay, and measuring and selling fuel, lime and other gross commodities, and to appoint suitable persons to superintend and conduct the same.

Regulate the sale of hay, wood, etc.

21st. To compel the owners of buildings or grounds, or the occupants, where the same are occupied, to remove snow, dirt or rubbish from the sidewalks, streets or alleys opposite thereto, and to compel such owner or occupant to remove from the lot owned or occupied by him all such substances as the board of health shall direct, and in default to authorize the removal or destruction of the objectional substances by some officer of the city at the expense of such owner or occupant.

Protect sidewalks from obstructions.

22d. To regulate, prevent and control the landing of persons from boats, cars and stages, wherein are contagious or infectious diseases or disorders, or to make such disposition of such persons as to preserve the health of the city.

Prevent spread of contagious diseases.

23d. To regulate the time, place and manner of holding public auctions or vendues, and establish, determine and collect licenses therefor.

Regulate public auctions.

24th. To appoint watchmen and prescribe their duties.

25th. To provide by ordinance for a standard of weights and measures, and for the punishment of false weights and measures.

Standard of weights and measures.

26th. To provide for the appointment of a city attorney, and prescribe his duty.

City attorney.

27th. The common council shall have jurisdiction over the entire waters bordering on or within said city,

To have sanitary jurisdiction of waters

bordering on  
the city.

so as to prevent any deterioration of the waters or any nuisance being cast therein by which the health of the inhabitants of the city or the purity of the water shall be impaired, and to regulate the construction of piers or wharves on the Wisconsin river within the limits of said city, and to prescribe and control the prices to be charged for pierage or wharfage thereon.

28th. To have a common seal and alter the same at pleasure.

Ordinances, etc  
how passed.

To be publish-  
ed.

SECTION 4. All laws, ordinances, regulations, resolutions and by-laws shall be passed by an affirmative vote of a majority of the common council, and shall be signed by the mayor, and shall be published in a paper or papers, to be selected by the council, printed in the county of Wood, before the same shall be in force; and within fifteen days thereafter they shall be recorded by the city clerk in books to be provided for that purpose, but before any of the said laws, ordinances, regulations or by-laws shall be recorded, the publication thereof respectively, within the same time shall be proved by the affidavit of the foreman or publisher of each newspaper, and the said affidavit shall be recorded therewith, and at all times shall be deemed and taken as sufficient evidence of the time and manner of such publication.

Abatement of  
nuisances.

SECTION 5. The power conferred upon the said council to provide for the abatement or removal of nuisances, shall not bar or hinder suits, prosecutions or proceedings in the courts according to law. Gambling houses, houses of ill-fame, disorderly taverns, and houses or places where spirituous, vinous or fermented liquors are sold, without license required therefor; [and] houses or buildings of any kind wherein more than twenty-five pounds of gunpowder are deposited, stored or kept at any one time, are hereby declared and shall be deemed public or common nuisances.

Auditing ac-  
counts.

SECTION 6. The common council shall examine, audit and adjust the accounts of the clerk, treasurer, street commissioner, and all other officers and agents of the city, at such time as they may deem proper, and also at the end of each year, and before the term for which the officers of the said city are elected or appointed, shall have expired. And the common council shall require each and every such officer and agent to exhibit his books, accounts and vouchers for such examination and settlement; and if any such officer or agent shall refuse to comply with the orders of the council in the discharge of his said duties in pursuance of this section, or shall neglect or refuse to render his

Council may  
institute suits.

accounts or present his books and vouchers to said council, it shall be the duty of the common council to declare the office of such person vacant, and the common council shall order suits and proceedings at law against any officer or agent of this city who may be delinquent or defaulting in his accounts, or in the discharge of his official duties, and shall make a full record of all such settlements and adjustments.

## CHAPTER V.

### OPENING OF STREETS.

SECTION 1. The city council shall within the city limits have full power and authority to lay out, alter or discontinue any highway, street, lane, alley or public walk therein, or to grade, pave or otherwise improve the same as they may deem necessary or advisable, and to remove all obstructions in the way thereof.

Council may lay out streets, alleys and highways.

SECTION 2. The common council, in case of the laying out, altering or widening of any street, alley or public walk, shall cause to be paid to the owner or owners of any lot or land through which the same may pass, or any part of which shall be appropriated therefor, adequate compensation, out of the city treasury, for such damages as may be sustained in consequence thereof.

Owners shall be compensated for land taken.

SECTION 3. Such damages shall be ascertained and awarded by the city council, and in determining the same they shall take into consideration the benefits, if any, as well as the damages resulting from the laying out, altering or widening of such street, alley or public walk. Such award shall be in writing, signed by the mayor and city clerk, and filed in the clerk's office.

Damages, how ascertained and awarded.

SECTION 4. If any person, owning any such land, shall be dissatisfied with such award, and shall within thirty days after the filing thereof with the city clerk, serve on such clerk a notice of appeal to the circuit court therefrom, and deliver to the clerk an undertaking in the sum of not less than two hundred dollars, with at least one surety, who [shall] justify his responsibility for such sum, conditioned that he will pay all the costs of such appeal in case he does not recover a greater sum than has been awarded to him, then and in such case the clerk shall transmit all the papers and copies of record, duly certified by him, to the clerk of the circuit court of such county, and such appeal shall be heard and determined the same as appeals from justices' courts. The appellant shall also, at the time of such appeal, serve a copy of his complaint on the clerk

Owners of land may appeal from award.

Clerk shall transmit papers.

Service of complaint.

Costs, who to be taxed against.

of such city, setting forth all the material facts on which he intends to rely in the trial of such appeal, and he shall stand as plaintiff in the cause, and the city as defendant. The defendant may answer or demur to such complaint, and the pleadings and practice in such cases shall be governed by the same rules as in ordinary civil actions. If the plaintiff shall recover a greater sum than was awarded to him, he shall also recover costs as in appeals from justices' court, and the same shall be entered as a judgment against such city. If he shall recover less than such award, the defendant shall be entitled to costs as in appeals from justices' courts, and in such case the recovery of the plaintiff and the costs of the defendant shall be set off, the one against the other, and judgment shall be rendered for the difference in favor of the party to whom it shall be due.

Streets may be discontinued on petition.

SECTION 5. Upon the petition in writing of three-fourths of all the owners of lots or lands in any street or alley in such city, and not otherwise, the common council may discontinue such street or alley, or any part thereof. At least one week before acting on such petition, the council shall cause a written or printed notice to be posted in three public places of such city, stating when the petition will be acted upon, and what street or alley or part thereof is proposed to be vacated.

Notice of publication to be given.

## CHAPTER VI.

### FINANCES AND TAXATION.

City funds, how drawn out.

SECTION 1. All funds in the city treasury, except school, state and county funds, shall be under the control of the common council, and shall be drawn out upon the order of the mayor, countersigned by the clerk, duly authorized by a vote of the common council, and in no other manner. And all orders drawn upon the treasurer shall specify the purposes for which they are drawn, and shall be payable generally out of any funds in the treasury belonging to the city, and all such orders shall be received in payment of any debt or demand due to, or tax or assessment levied by the authority of the city, except taxes levied for school and state purposes.

Purpose of orders to be specified.

Authority for contracting debt.

SECTION 2. No debt shall be contracted against the city, or order drawn upon the city treasurer, unless the same shall be authorized by a majority of the common council, and the vote authorizing the same shall be entered by ayes and noes upon the journal of the council, and no money shall be appropriated for any

Vote therefor, how taken.

purpose whatever, except such as is expressly authorized by this act.

SECTION 3. All forfeitures and penalties accruing to the city for a violation of this act or of any of the ordinances, by-laws, rules and regulations of the city, and all moneys received for licenses, shall be paid into the city treasury, and become part of the general fund, except as otherwise provided by this act. No penalty or judgment recovered in favor of the city shall be remitted or discharged except by a vote of two-thirds of all the members of the common council elect.

Fines and forfeitures, how disposed of.

Penalties, vote for remitting.

SECTION 4. All property, real or personal, within the city, except such as may be exempt by the laws of the state, shall be subject to annual taxation for the support of the city government, and the payment of its debts and liabilities, and the same shall be assessed in the manner hereinafter provided. The assessor elected under this act shall have and possess the same powers that are or may hereafter be conferred upon township assessors, except so far as they [may] be altered by this act: *provided, however*, that the common council may prescribe the form of assessment rolls, and more fully define the duties of assessors and make such rules and regulations in relation to revising, altering or perfecting such rolls as they may from time to time deem advisable.

What property subject to taxation.

Powers of city assessor.

SECTION 5. On or before the twentieth day of June of each year, the said assessor shall make out an accurate and complete assessment roll, which shall contain a description, as near as may be, of all lands, lots or parcels of land within the city, sufficient to identify the same, and also of all persons or bodies politic liable to pay taxes on personal property, and opposite to each lot or parcel of land shall be affixed the value thereof, and opposite to the name of each person or body politic shall be affixed the value of personal property assessed to each. When there are buildings on any lot or tract of land, the value of the same shall be set forth separately when so desired by the owner thereof. The assessor may assess any lot or tract of land to the owner or occupant, in such parcels or subdivisions as he may deem proper, but it shall not be necessary to enter the name of the owner opposite to any tract or parcel of land. The assessment roll shall be certified to by the assessor. The assessment roll shall show the taxable property, both real and personal.

Duty of city assessor.

Assessments on buildings.

Subdivision, how assessed.

SECTION 6. On the last Monday of June, and at such time or times as he may appoint, the assessor

Hearing objections, and revising assessments.



shall appear at the council chamber for the purpose of hearing any objections of the parties deeming themselves aggrieved by such assessment, and after hearing the same the assessor shall make such alterations or revisions as justice or equity may require.

Assessment roll, when returnable to common council.

SECTION 7. On or before the last day of July in each year, the assessor shall return his assessment roll to the common council by depositing the same with the clerk. The common council may supply omissions in said roll, and, for the purpose of equalizing the same, may alter, add to, take from and otherwise revise and correct the same.

Common council to approve assessment roll.

SECTION 8. When the assessment roll shall have been revised and corrected, the same shall be filed with the clerk, and an order approving the same shall be entered in the proceedings of the common council. On or before the first Monday of August in each year, or within ten days thereafter, the common council shall determine the amount of taxes to be levied for general city purposes, and also the amount of money necessary to be levied for school purposes, and shall, by resolution, levy the same; but no such resolution shall be adopted except by a vote of two-thirds of the members elect, which shall appear in the proceedings of the common council.

Necessary vote for tax levy.

Taxes and assessments to remain a lien upon the property, personal and real.

SECTION 9. All taxes or assessments, general or special, levied under this act, shall be and remain a lien upon the lands and tenements upon which they may be assessed and may be collected of the owners or occupants, and upon all personal property of any person or body politic assessed for personal taxes, from the date of the warrant for the collection thereof, until such taxes shall be paid, and no sale or transfer of such real or personal property shall affect such lien. Any personal property belonging to a person taxed, may be taken and sold for the payment of taxes upon personal or real property.

City to be regarded as a town by county supervisors.

Taxes may be levied.

SECTION 10. The county board of supervisors shall have the right to regard the city of Centralia as a town, in equalizing the assessment of the several towns in said county as provided by law.

City clerk to make out statement of taxes levied by county board of supervisors.

SECTION 11. The said board of supervisors may levy a tax or taxes, as now is or may hereafter be provided by law in relation to towns, and shall cause the amount of taxes so levied, to be certified to the city or city clerk in the manner provided by law in relation to towns or town clerks, and in all transactions of the board of supervisors of said county, said city shall be

How designated

regarded as a town, except as herein otherwise provided.

SECTION 12. Upon receiving the statement of the amount of taxes so levied the city clerk shall make out upon a copy of the assessment roll a complete statement of the several taxes levied for the state, county, city or other purposes, and all special taxes levied by the common council since the making out of the last annual tax list, in separate columns as may be necessary, with the total footing carried out opposite each tract or lot of land or person named therein, which statement shall be called "the tax list of the city of Centralia," and shall be preserved by said clerk as a record in his office, and shall have the same legal force and effect as the records of the common council.

SECTION 13. The tax list made out and preserved as aforesaid, shall be *prima facie* evidence in every court of record in this state, that any act or thing required by law to be done relating to assessors or levying taxes from the election of the officers to the completion of the tax list inclusive, has been done, regular, correct, and as required by law.

Tax lists to be prima facie evidence of justice of tax.

SECTION 14. Immediately after making out the tax list aforesaid, the clerk shall make out a duplicate copy thereof, to which shall be appended a warrant signed by the mayor and clerk and sealed with the corporate seal of the city, directed to the treasurer, requiring and commanding him to collect the taxes and assessments specified in said duplicate copy of the tax list, in the manner provided by law; and said clerk shall, on or before the tenth day of December of the said year, or as soon thereafter as practicable, deliver the same to the city treasurer for collection, and make a record of said delivery of the tax list in his office.

Treasurer to collect taxes before Dec. 10th in each year.

SECTION 15. The city treasurer upon receipt of such duplicate copy of the tax list, shall proceed to collect the same in like manner, and shall have like powers, and be subject to like requirements, liabilities and restrictions as town treasurers, except as otherwise provided in this act. The city treasurer shall receive two per cent. fees upon all taxes paid to him before the first day of January, and five per cent. fees upon all taxes collected after that time, to be added to the amount of taxes, collected with the same.

City treasurer to have same powers as town treasurers in collecting taxes.

Collection fees.

SECTION 16. On or before the 15th day of February of each year, the said treasurer shall make out and return to the treasurer of Wood county, a list of all lands and lots upon which the taxes have not been paid

List of unpaid taxes, when to be made out.

- and shall also settle with and pay over all moneys properly payable to said county treasurer, in like manner as now is or may hereafter be required of town treasurers. The said treasurer shall also by the same time, make out and deliver to the city clerk a list of all delinquent personal property taxes for the same year. The county treasurer shall add the same interest, penalties or fees to such delinquent returns as allowed or required by law upon delinquent returns for the several towns: *provided*, that the common council shall have the same power given by law to the supervisors of town to extend the time in which said return shall be made.
- Delinquent tax penalties.** SECTION 17. The county treasurer shall sell all delinquent lands and lots returned from the city of Centralis, at the same time and in the same manner as other delinquent lands are sold in said county.
- Delinquent lands and lots to be sold.** SECTION 18. All real estate exempt from taxation by the laws of this state, shall be subject to all special taxes for the building of sidewalks and improvement of streets in front of the same.
- Liabie to special taxes.** SECTION 19. All lands lying within the city limits, used or kept for farming or other purposes, and not divided or laid out into lots and blocks, and all out lots not subdivided and numbered by such divisions, shall be assessed at a moderate cash value by the acre, and not proportionally higher than similar lands in the adjoining towns, and shall not be subject to any special tax.
- Farming lands how taxed.** SECTION 20. All the directions hereby given except in section nine of this chapter, for the assessing of lands and the levying, collection and return of taxes and assessments, shall be deemed only directory, and no error or informality in the proceedings of any of the officers entrusted with the same, not affecting the substantial justice of the tax itself, shall vitiate or in anywise affect the validity of the tax or assessment.
- To be deemed directory only.** SECTION 21. It shall be the duty of the county treasurer of the county of Wood, and he is hereby required, where lots, tracts, pieces or parcels of land have been returned by said city treasurer as delinquent for any general tax of this state, or for any tax authorized under this act, immediately after the sale of said delinquent lots, tracts, pieces or parcels of land by him, to pay said city treasurer the amount which may have been returned delinquent, belonging to said city, either in cash or certificates of sale of said lots, tracts, pieces or parcels of land so returned delinquent.
- County treasurer to make returns for all delinquent sales.**

## CHAPTER VII.

## FIRE DEPARTMENT.

SECTION 1. The common council, for the purpose of guarding against the calamity of fire, shall have power to prescribe the limits within which wooden buildings or buildings of other materials that shall not be considered fire proof, shall not be erected or repaired, and to direct that all or any buildings within the limits prescribed shall be made and constructed of fire-proof materials, and to prohibit the repairing of wooden buildings within the fire limits, when 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 damage.

Power to fix fire limits.

Repairing of wooden buildings damaged by fire.

SECTION 2. The common council shall have power to regulate the building, construction and condition of chimneys, fire-places, hearths, stoves, stove pipes, ovens, boilers and apparatus used in or 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 they shall prescribe, and to regulate the use of them in time of fire; to regulate and prevent the carrying on of any manufactories dangerous in causing or promoting fires; to compel the owners or occupants of buildings to have scuttles in the roof, and stairs and 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 a fire all idle and suspected persons, and to compel bystanders to aid in the extinguishment of fires, as the common council shall deem expedient.

Power to regulate construction of buildings, chimneys, etc.

Fire buckets.

Power of city officers at fires.

SECTION 3. The common council shall have power to purchase fire engines and other fire apparatus, 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 seventy able bodied men, between the ages of fifteen and fifty years, and may elect its own officers and form its 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 voluntary enlistments.

Council may purchase fire engines, and form fire companies.

Size of fire companies.

SECTION 4. There shall be a meeting of the mem- Annual meet-

ings of fire companies.

bers of said companies on the third Monday of April in each year, at such places as may be designated by the mayor, when they may nominate and recommend to the common council for appointment, one chief engineer and three assistant engineers, and the common council shall thereupon confirm such nominations, and the persons so appointed shall perform such duties as the common council shall prescribe.

Officers thereof.

Fire wardens, how appointed.

SECTION 5. At the same time the members of said company shall nominate, and the common council shall appoint the same, one or more fire wardens, who shall perform such duties as the common council shall prescribe: and they may at any time enter into or open any house, storehouse, or other building or enclosure, for the purpose of inspecting the same with a view to guard against fire.

Powers of fire warden.

Fines and penalties paid to fire departments.

SECTION 6. One-half of the net proceeds of all fines or penalties recovered for the breach of any ordinance, by-law or regulation made in pursuance of this chapter, shall be paid to the fire department.

Penalties for refusing to obey officers at fires.

SECTION 7. When any person shall refuse to obey any lawful order of any engineer, fire warden, mayor or alderman, at any fire, it shall be lawful for the officer giving such order, to arrest, or direct orally the constable, watchman or any citizen to arrest such person, and to 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 every person at such fire who shall be intoxicated or disorderly; and any person who shall refuse to arrest or aid in arresting any person so refusing, shall be liable to such penalty as the common council may prescribe, not exceeding fifteen dollars.

Penalties for refusing to assist in making arrests.

Sack companies how organized and controlled.

SECTION 8. The common council shall have power to organize a sack company, which shall be known as sack company number one, to consist of not more than twenty members. Such company shall constitute a part of the fire department, and shall be subject to the control of the chief engineer. The members of the company, either collectively or individually, are hereby authorized and empowered to act as a special police in and for the city of Centralia, and are hereby vested with all the power and authority which now [is] or may hereafter be vested in any police officer of said city, and shall be entitled to all the rights and immunities of members of the fire department. At fires they shall take charge of all property which may be exposed or endangered, and shall, so far as may be in

May act as special police.

Their duties at fires.

their power, preserve the same from injury or destruction. Said company may from time to time adopt such by-laws and regulations as they may deem necessary, not inconsistent with this act, and the laws of this state. The members of said company shall not be entitled to any pay or compensation [for services] rendered in their official capacity. They shall, in case of riot or disturbance of the peace, have free 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. The members of said company shall severally take an oath or affirmation that they will faithfully discharge the duties of the said office, and when any member of said company shall cease to be a member thereof, by resignation, expulsion or otherwise, notice thereof shall be given to the city clerk, who shall preserve a record of the members of said company.

Privileges of  
members of  
sack companies

## CHAPTER VIII.

### MISCELLANEOUS PROVISIONS.

SECTION 1. All work for the city may be let by contract to the lowest responsible bidder, at the option of the council, and due notice shall be given of the time and place of letting such contract.

City work to  
let to lowest  
bidder.

SECTION 2. All actions brought to recover any property or forfeiture under this act or the ordinances, by-laws, police or health regulations, made in pursuance thereof, shall be brought in the corporate name of the city. It shall be lawful to declare generally in debt for such a forfeiture, stating the clause of this act or by-law or ordinance under which the penalty or forfeiture is claimed, and to give the special matter in evidence under it. All prosecutions may be commenced by summons or by warrant as the exigencies of the case may seem to require: *provided*, that nothing herein contained shall be so construed as to prevent any peace officer from arresting without process any person found in a state of intoxication or guilty of immoderate drinking, improper reveling, obscenity or noisy, boisterous or disorderly conduct in the streets or public places, and taking such person or persons forthwith before the police justice, or keeping them in confinement until such justice can reasonably hear and dispose of such offenders.

Actions, how,  
and in what  
name brought.

Prosecutions  
how com-  
menced.

Arrests may be  
made, etc.

SECTION 3. Execution shall issue forthwith on the rendition of judgment, unless the same be stayed or appealed according to the laws of this state. The exe-

When execu-  
tions shall  
issue.

cution, except in cases ex-contractio, shall require the defendant in such action, in case no goods or chattels, lands or tenements, whereof the judgment can be collected, can be found, to be imprisoned in the jail of Wood county for a term not exceeding three months, in the discretion of the justice or judge rendering judgment, unless the same be sooner paid or discharged by the common council. The expenses attendant upon such imprisonment to be defrayed by the city.

Defendant may be imprisoned.

Competent witnesses.

SECTION 4. No person shall be an incompetent judge, justice, witness or juror by reason of his being an inhabitant of said city, in any proceeding or action in which the city shall be a party in interest.

Failure to hold elections, how corrected.

SECTION 5. If any election by the people or common council shall not for any cause be held at the time or in the manner herein prescribed, or if the common council shall fail to organize as herein provided, it shall not be considered reason for arresting, suspending or abolishing said corporation; but such election or organization may be had on any subsequent day by order of the mayor, and if any of the duties enjoined by this act or the ordinances or by-laws of the city to be done by any officer at any time specified, and the same are not done and performed, the common council may appoint another time at which said acts may be done or performed.

Service, how made in suits and actions.

SECTION 6. Whenever any suit or action shall be commenced against said city, the service thereof may be made by leaving a copy of the process with the mayor, and it shall be the duty of the mayor forthwith to inform the common council thereof, or take such other proceedings as the ordinances or resolutions of said council may provide.

City may lease, purchase, sell or hold real and personal property.

SECTION 7. Said city may lease, purchase or hold real or personal property, sufficient for the convenience of the inhabitants thereof, and may sell and convey the same, and the same shall be free from taxation.

Apportioning taxes.

SECTION 8. All taxes apportioned, levied or assessed in or against the town of Centralia previous to the organization of the city of Centralia, shall in all respects be collected in the same manner as though this act had not passed; and to carry out this provision, the officers of said town and the county of Wood shall have the same rights, powers and duties as though this act were not passed.

Providing for settlement between city and town of Centralia.

SECTION 9. The town business of the present town of Centralia, up to the time of the taking effect of this act, shall be settled by the town of Centralia as constituted by this act, and the amount of funds remaining

or the indebtedness of the town shall be apportioned between the town of Centralia as constituted by this act, and the said city of Centralia, according to the amount of taxable property belonging to each, as taken from the assessment roll of the present year; and the records of the present town of Centralia shall remain with the clerk of said town, and the city of Centralia shall be entitled to take copies of said records, and such copies shall have the same effect, when certified to by the clerk having the custody of the same, as the original records would have.

SECTION 10. The mayor and aldermen of said city are hereby prohibited from being in any manner interested in any contract made by the authority of said city.

Officers prohibited from holding contracts.

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 by 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 required to be paid therefor, nor shall any license be issued for dealing in, selling or vending spirituous, vinous or malt liquors until the same shall have been authorized by the common council and the applicant shall have filed his receipt as aforesaid, together with a bond as required by the laws of this state, which bond shall be approved, either by the mayor [or] common council, and the minimum sum fixed by the laws of this state to be paid for any such license, shall be paid to the city treasurer in money. Every such license shall contain a clause prohibiting the selling, vending or giving away of any spirituous, vinous or malt liquors on general or special election days.

Licenses, how executed and issued.

Conditions of all licenses.

SECTION 12. The use of the jail of Wood county until otherwise provided, shall be granted to said city for the confinement of offenders, and every such offender shall be delivered to the sheriff of said county, for whose custody, safe keeping and delivery the said sheriff shall be responsible as in other cases.

City to have use of Wood county jail.

SECTION 13. No real or personal property of any inhabitant of said city, or any individual or corporation shall be levied upon or sold by virtue of any execution issued to satisfy or collect any debt, obligation or contract of said city. The same provisions of statute that apply to towns in regard to paupers shall apply to said city.

Real and personal property exempt from execution for city debt.

SECTION 14. Each ward of the said city of Centra-

Ward supervisors.



lia shall at its annual election in each year, elect one supervisor who shall be a member of the county board of supervisors of the county of Wood.

Ward boundaries, how changed.

SECTION 15. The common council shall have the right at any time after said city shall have been organized, by ordinance to change the boundaries of the said several wards of said city.

Justices may hold office, etc.

SECTION 16. Any justice of the peace of said city may hold his office within the limits of any ward of the city; and the removal of any justice of the peace, alderman or supervisor from the ward for which he was elected to any other ward in said city, shall not vacate his office.

Justices terms.

SECTION 17. Any justice of the peace or other officer of the town of Centralia, whose term of office shall not have expired at the time this act shall take effect, may hold and exercise the duties of his office for the residue of his term of office in the same manner as though this act had not been passed.

Date of separation between city and town of Centralia.

SECTION 18. From and after the first Tuesday of April, A. D. 1874, the connection between the town of Centralia and that part of said town included within the city limits, for all town purposes shall be dissolved. The duties now and hereafter imposed upon supervisors and other town officers, so far as they relate to the city of Centralia, shall be performed by the common council and other officers of said city. All that part of the town of Centralia not included within the city limits, shall constitute the town of Centralia, and the first town meeting shall be held on the day now fixed by law, at such place as the supervisors of said town may direct.

SECTION 19. This act shall be considered a public one, and shall be construed favorably in all courts and places.

SECTION 20. This act shall take effect and be in force from and after its passage.

Approved March 12, 1874.

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## CHAPTER 276.

AN ACT to authorize John Edwards to erect and maintain a dam and boom and piers in the Wisconsin river.

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

Height and lo-

SECTION 1. John Edwards, his associates, heirs and