

islature, stationery or postage stamps to the value of five dollars.

SECTION 2. The superintendent of public property is hereby directed to furnish stationery or postage stamps to each of the messengers employed by the legislature of the present session, not to exceed five dollars in value, to each such employee.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved February 25th, 1882.

[No. 121, A.]

[Published March 1, 1882.]

### CHAPTER 26.

AN ACT relating to the charter of the city of Wausau, and amendatory of chapter 323 of the general laws of 1880, entitled an act to revise, consolidate and amend the city charter of the city of Wausau.

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

SECTION 1. Section 1 of chapter 323 of the general laws of 1880 is hereby amended so as to read as follows: Section 1. All that district of country included in the north half of section one in township number twenty-eight north, of range seven east, and sections number twenty-three, twenty-four, twenty-five, twenty-six, thirty-five and thirty-six, in township number twenty-nine north, of range seven east, of the fourth principal meridian, in the county of Marathon and state of Wisconsin, shall be known and designated as the city of Wausau. Amendment. Section 38 of chapter 323 of the general laws of 1880 is hereby amended by adding to said section the following: 36th. To authorize the building, construction and maintaining of street railways upon any of the public streets of said city, upon such regulations and conditions as the common council of said city shall prescribe, not inconsistent with the constitution and laws of the state of Wisconsin. Section 66 of chapter 323 of the general laws of 1880 is hereby amended so as to read as follows: Section 66. The treasurer shall receive and collect as fees one per cent. upon all taxes collected by or paid to him prior to the first Monday in January in each year, and three per cent. upon all taxes paid to or collected by him after the first Monday in January, and in case of a distress and sale by him of goods and chattels for the payment of any tax, he shall collect such fees as are allowed constables on sales of goods

on execution. He shall collect the fees hereinbefore prescribed, and keep in a book to be provided for that purpose, a true account and statement, of all fees by him received or collected as such treasurer from any source whatever, and such book shall be open at all reasonable times to the inspection of any person; and he shall, when required, make a report to the common council, duly certified on oath, of all fees or other moneys received by him as such treasurer. All fees so received or collected by said treasurer shall be paid into the general fund for the use of said city. Such treasurer shall receive as a compensation for his services such sum as the common council at its first regular meeting in the month of March of each year shall determine, which compensation when so fixed shall not be increased or diminished during his term of office, except that the common council shall provide him all necessary books, blanks and stationery requisite to the discharge of his duties, and he shall receive no other or further compensation as treasurer than as herein provided.

Amendment.

SECTION 2. Title IX of said chapter 323 of the general laws of 1880 is hereby amended so as to read as follows:

#### TITLE IX.

##### OF GRADES, SIDEWALKS, PAVEMENTS, ETC.

May alter and  
change streets,  
etc.

SECTION 92. The common council of said city shall have power by ordinance to establish, alter or change the grade on any and all streets in said city, and when so established, altered or changed, it shall cause accurate profiles thereof to be made and filed with the city clerk, and all such grades shall be worked in accordance with such profiles and the ordinance establishing, altering or changing the same; provided, that whenever the grade on any street shall be changed or altered after the same shall have been established and worked, any person who shall have sustained damages in consequence of such change or alteration, shall have a claim against the city for such damage, but no action shall be commenced against the city for the same until after such claim shall have been made out and submitted to the action of the common council for allowance, in the same manner and for the same length of time as is provided by section forty-seven of the act of which this is amendatory. The said common council shall also have power by ordinance to cause gutters, sewers and pavements to be constructed in said city as hereinafter pro-

vided. Every ordinance for either of the above purposes shall be introduced at least one week before the same shall be finally acted upon.

SECTION 93. Before any new gutter, sewer, pavement, or any other street improvement, the cost of which shall exceed the sum of one hundred dollars, except the building of bridges, shall be ordered to be made or done, a petition therefor, describing the purpose, shall be presented to said council, signed by two or more owners of lots or parcels of land on such street or part thereof adjoining such proposed improvement. Upon presentation of such petition, the said common council shall fix a time and place when such petition shall be heard, not less than one week thereafter, and cause notice of such hearing to be given by publication in the official city paper or papers; and if upon such hearing the said common council shall determine that such improvement, gutter, sewer or pavement is necessary, then the same shall be made at such time, in such manner and of such materials as the common council shall by ordinance direct; provided, that this section shall not apply to the opening and grading of new streets.

SECTION 94. Every such ordinance shall particularly describe the improvement, gutter, sewer or pavement to be made, and direct the time in which it shall be done and materials out of which the same shall be constructed, and manner of construction, and each owner of any lot or parcel of ground adjoining the proposed improvement, gutter, sewer, or pavement shall construct the same in front of his own premises; and in case of pavements, shall build and construct the same to the center of the street, and such work shall be done as prescribed in such ordinance and according to the established grade of the street upon which the same is located.

SECTION 94a. Sidewalks shall be constructed, reconstructed or repaired, upon the proper grade of any street in said city, of such width and in such manner and of such materials and in such time as the common council by ordinance shall direct, by the owner or owners of any lot or piece of ground in front of which such sidewalk shall be ordered.

SECTION 95. If the owner of any lot or piece of ground against which such improvement or sidewalk is to be made by such ordinance shall not construct such sidewalk or make such pavement, gutter or other improvement, in the manner, out of the materials,

Shall describe the improvement.

Proper grade.

Shall cause sidewalks to be built.

and at or before the time designated, and according to the ordinance, the said common council shall cause such sidewalk to be built, or pavement, gutter or other improvement to be made forthwith at the expense of the owner so being in default; and the street commissioner or any person designated by said council shall superintend, hire competent men, buy suitable materials, and cause, under the direction of said council, such sidewalk to be built, or such other improvement to be made, and shall keep an accurate account of the expense in full, street commissioner's fees and all, against each person so in default, and make out a statement of the same against each, and after the said statement shall be duly verified by said street commissioner or other person so designated, he shall deliver the same to the city clerk, who shall in making out the next tax roll of the city after such delivery of statement, enter such unpaid expense in a column of such tax roll opposite to the description of the land against which such sidewalk or other improvement shall have been made, which expense so entered shall be a lien on said land the same as any other tax, and be collected the same as any other tax, and paid over and held by the city treasurer in the general fund of said city and paid out as such.

Repairing side-walks, gutters, etc.

SECTION 96. Whenever a sidewalk or gutter shall be out of repair, and so remain for twenty-four hours, which in the opinion of the street commissioner, will not cost exceeding five dollars, in front of any one lot or piece of ground, and shall be dangerous to public safety or travel, it shall be the duty of the street commissioner to repair the same immediately, and certify the cost of the same against the owner of the lot or land to the city clerk, who shall enter the sum in the next tax roll against the proper lot, as a tax, which shall be a lien thereon, and collect the same as is mentioned in the foregoing section.

Let to the lowest bidder.

SECTION 97. The common council may, in its discretion by an affirmative vote, let to the lowest responsible bidder the construction of any sidewalk or gutter, or the making of any other improvement on or along any street or highway in the city, which shall be so mentioned or called for in the petition as above spoken of for the same, or may also so let the building of any sidewalk or gutter, or the making of any improvement in such street, in case of any default in doing the same, in accordance with the ordinance authorizing the same, and the expense of doing such work

and of making such improvements, shall be collected against each lot owner fronting on the same, on the verified statement of such bidder, in the same manner as provided in section 95.

SECTION 98. All the work mentioned in this chapter shall be done under the supervision of the street committee, and shall be approved by it before the same shall be accepted by said common council; and the cost and expenses of making all surveys, taking all levels and making all plans, plots or profiles for such work shall be chargeable to and paid by the city.

Done under supervision of street committee.

SECTION 99. The common council shall also, on complaint being made by any person or to any member thereof, or on its own knowledge, or that of any member thereof, that any sidewalk already established in the city is out of repair, that the same is dangerous and unsafe for public travel, and the cost of such repair will exceed the sum of five dollars, shall, by resolution, authorize and compel the owner or owners thereof to rebuild and repair the same without delay; and in case any such owner neglects or refuses to so rebuild or repair such sidewalk within three days after being notified of such resolution, the common council shall cause the street commissioner, or some other person designated by it, to rebuild or repair the same forthwith, and to certify the cost in full for the same against each lot so being in default, in the same manner as provided in section 95 of this title, and the city clerk shall place the same in the next tax roll in the same manner as therein provided; provided, that all kinds of real estate in the city exempt by the laws of the state from taxation for general purposes shall not be exempt from the burdens imposed by this chapter, but shall be subject to and pay such taxes for such improvements, gutters, sewers, pavements and sidewalks, or repairs on the same, as other real estate in the city in case the owner or owners thereof neglect to build or construct the same as hereinbefore provided.

Owners of sidewalks compelled to repair.

SECTION 3. This act shall take effect and be in force after its passage and publication.

Approved February 27, 1882.