

[No. 36, A.]

[Published March 3, 1882.]

CHAPTER 31.

AN ACT to amend chapter 240 of the laws of 1879, entitled an act to revise, consolidate and amend the city charter of the city of Fond du Lac.

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

SECTION 1. Subdivision 5, of section 27, in title ^{Amended.} IV. of said chapter 240 of the laws 1879, is hereby amended so as to read as follows: 5. To provide for the public lighting of said city and for the lighting of all buildings owned, occupied or used by said city, by gas, electric light or other means. To make contracts with persons or corporations to supply or furnish light for said uses and purposes. To provide and maintain for said purposes by purchase, lease or otherwise, machines, towers, posts, apparatus, lamps, or either, or any of them, and other materials and supplies. To provide by lease buildings, rooms and the motive power for operating such machines and apparatus. To hire or procure necessary labor or services, and to protect and preserve the public lamps and any or all the property aforesaid, and to punish those injuring the same.

SECTION 2. Section 33, in title 4 of said chapter 240 of the laws of 1879, is hereby amended so as to read as follows: Section 33. The common council shall let by proposals to the lowest bidder and not otherwise, all contracts for services or work and materials or supplies and order payment for the same, except as is specifically otherwise provided by this act and may from time to time require any officer to furnish reports, information or estimates and to perform other and further duties than herein prescribed, if the council shall deem that the interests of the city so require. The provisions of this section shall not apply to any purchase or contract made under subdivision 5 of section 27 of this title, except as to the leasing of the motive power for operating any machines or apparatus for lighting and as to the purchase or contracts for the erection of towers, posts, lamps or other contrivances upon which lights are to be elevated or located. But no contract under the provisions of said subdivision 5, shall be made for the purchase, lease or use of any machines, towers, posts, lamps, engines or apparatus for lighting without a condition in such contract, that the common council may at its option, at any time within sixty days after the commencement of the use

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thereof in actual lighting, reject such machines, towers, posts, lamps, engines or apparatus, and rescind such contract if not satisfactory to the common council. And no contract for the purchase of any such machines, towers, posts, lamps, or apparatus shall be made, or, if made, shall be of any legal validity against the said city, without a condition therein, that no part of the purchase money therefor shall be paid or be collectible until the vendor to or contractor with the city for such machines, towers, posts, lamps, or apparatus, shall furnish the city a good and valid bond of indemnity in a penal sum of twice the purchase or contract price for such machines, towers, posts, lamps, or apparatus, executed by at least three sufficient sureties, residents of this state, who shall justify thereon in the form prescribed for appeals to the supreme court in an aggregate sum of at least twice the amount of the penal sum named in such bond and approved by the common council, to fully protect the city from all loss, damages, costs, expenses, or interruptions in the use of such machines, towers, posts, lamps, or apparatus occasioned by any suit in law or equity against the city or its officers, agents, servants, or employees, brought by any party who shall have a paramount or prior patent, interest or title which the use of such machines, towers, posts, lamps, or apparatus infringes.

Approved March 1, 1882.

[No. 51, S.]

[Published March 3, 1882.]

CHAPTER 32.

AN ACT to provide for the appointment of registers in probate.

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

Register in probate.

SECTION 1. The county judge of the county of Dane shall appoint from time to time, subject to removal, a competent person to record the proceedings of the county court of Dane county, and the person so appointed shall be officially styled and known as "register in probate." Such register in probate shall, before entering upon the duties of the office, take and subscribe the constitutional oath of office, and file the same, duly certified in the office of the clerk of the circuit court for the county of Dane, and shall execute to the county of Dane a bond in the sum of three thousand dollars, with two or more sureties, to be approved