

herein provided, it shall not be considered reason for arresting, suspending or abolishing said corporation; but such election or organization may be held at any subsequent day, by order of the mayor; and if any of the duties enjoined by this act, or the ordinances or by-laws, or regulations of said city, to be done by any officer at any specified time, and the same are not then done or performed, the common council may appoint another time at which the said act may be done and performed.

SECTION 29. No general law contravening the provisions of this act shall be considered as repealing, amending, or modifying the same, unless such purpose be expressly set forth in such law.

SECTION 30. This act shall take effect and be in force from and after the 25th day of March, A. D. 1885.

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated, within the time prescribed by the constitution of the state, has become a law without his approval.

March 7, 1885.

ERNST G. TIMME,
Secretary of State.

[No. 127, A.]

[Published March 11, 1885.]

CHAPTER 52.

AN ACT to amend chapter 351, of the general laws of 1883, entitled, "an act to incorporate the city of Nicolet."

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

Name amended. SECTION 1. Chapter 351, of the general laws of 1883, is hereby amended by striking out the word "Nicolet" where it occurs in any section of said chapter, and insert in place thereof the word, "Nicollet."

SECTION 2. Section 4, of chapter 351, of the general laws of 1883, is hereby amended so as to read as follows: Section 4. The annual election for city and ward officers shall be held on the first Tuesday in April in each year, at such place in such ward as the common council shall designate. Ten days' notice shall be given of the time and place of holding such election. All elections under this charter shall be conducted in the same manner as the general elections for state and county officers, and the qualifications of voters shall be the same as in such general elections. No person shall, either by election or by appointment, hold any office unless such person is an actual resident of said city, and a legal voter therein. The polls shall be kept open from nine o'clock in the forenoon until sundown.

Annual election, when held.

SECTION 3. Section 5, of said act, is hereby amended by adding thereto, at the end of said section the following: No person who may have held the office of city treasurer shall be eligible to such office for the next succeeding term thereof.

Eligibility of city treasurer.

SECTION 4. Section 6, of said act, is hereby amended so as to read as follows: Section 6. Any officer removing from the city, or any ward officer removing from the ward for which he is elected, or any officer who shall neglect or refuse for ten days after notice of his election or appointment, to enter upon the discharge of the duties of his office, shall be deemed to have vacated his office, and the common council shall proceed to fill such vacancy as herein provided. Whenever a vacancy shall occur in the office of mayor or justice of the peace, such vacancy shall be filled by a new election, which shall be ordered by the common council within ten days after such vacancy shall occur. Any vacancy happening in any other office shall be filled by the common council. The person elected or appointed to fill any vacancy shall hold his office and discharge the duties thereof for the unexpired term, and with the same right and subject to the same liabilities as the person whose office he may be elected or appointed to fill.

When office shall be deemed vacated.

SECTION 5. Section 18, of said act, is hereby amended by adding thereto, at the end of said section, the following: The clerk shall annually, on or before the first Monday in May, in each and

Duties of city clerk.

every year, make, or cause to be made, a correct list and enrollment of all persons within the several wards liable to perform highway work. One copy thereof he shall deliver to the street superintendent, and one copy he shall file in his office. The amount of such poll tax shall be one dollar, or ten hours' labor for each such person.

Amendment.

SECTION 6. Section 26, of said act, is hereby amended by adding thereto, at the end of said section, the following: He shall pay to the city treasurer all moneys collected for licenses and fines, taking his receipt therefor; he shall give said receipt to the city clerk, who shall charge the amount specified in said receipt against the city treasurer, in the general fund account.

Street improve-
ments.

SECTION 7. Section 50, of said act, is hereby amended by striking out in said section the words: "All such improvements across streets, alleys and public grounds shall be made and paid out of the street fund of the city," and inserting in place thereof, the words: "All such improvements across streets, alleys and public grounds shall be made and paid out of the general fund of the city."

Street ex-
penses.

SECTION 8. Section 53, of said act, is hereby amended so as to read as follows: Section 53. The expense of keeping streets and pavements or other surface thereof in repair shall be paid out of the general fund of the city.

Duties of street
superintendent.

SECTION 9. Section 62, of said act, is hereby amended so as to read as follows: Section 62. The street superintendent shall take the oath of office prescribed for the aldermen, and shall within five days from the date of his appointment, give a bond to the city in the penal sum of one thousand dollars, with good and sufficient sureties, to be approved by the council, conditioned for the faithful performance of the duties of his office, and for such other duties as may be required of him by the council, and for the proper expenditure of the money which may be collected or come into his hands by virtue of his office. He may add to the list of persons liable to perform highway work, furnished him by the clerk as provided in this act, the names of persons liable to perform said highway work not included in such list. It shall be the duty of the street superintendent to give at least three days' notice to

each person mentioned in said list, either personally or in writing left at his usual place of abode, of the time and place within the city such labor shall be required, and said street superintendent may require all persons offering to pay in labor, to furnish a spade, shovel, ax or hoe; every person intending to pay his said tax in labor, who shall, upon notice, appear and work agreeably to the direction of said street superintendent, shall be credited on his tax one dollar for each day's work of ten hours actually performed by him. If any person notified shall neglect to appear and work on any street, highway or lane at the time and place specified in the notice required to be given, such person shall not thereafter be entitled to pay his highway tax for that year in labor. It shall be the duty of said street superintendent to collect the money of the persons so liable to perform highway work, where they elect to pay the same, or to commute the same as now provided by law. In case any person who may be liable to pay a poll tax as provided for in this act, shall refuse to work or pay the same it shall be the duty of said street superintendent to proceed and collect the same in the manner now provided for in section 911, of chapter 40, of the revised statutes of 1878, and subsequent acts amendatory thereto, and the same powers are conferred upon said street superintendent in collecting the same as are conferred upon town and village treasurers by said section and act. Said money, when so collected, to be paid into the treasury of said city of Nicollet, and become a part of the general fund of said city.

SECTION 10. Section 87, of said act, is hereby amended so as to read as follows: Section 87. The assessor shall complete and return his assessment roll to the board of review of said city on or before the first Monday in August in each year.

Duties of assessor amended.

SECTION 11. Section 95, of said act, is hereby amended so as to read as follows: Section 95. The city treasurer, upon the 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

Duties of city treasurer amended.

as otherwise provided in this act. The city treasurer shall receive one per cent. fees upon all taxes paid to him before the 10th day of January, and three per cent. fees upon all taxes collected after that time, to be added to the amount of taxes, and collected with the same, which shall be in full for all services performed by said treasurer under this act, or the ordinances of this city.

Disposition of
penalties.

SECTION 12. Section 115, of said act, is hereby amended so as to read as follows: Section 115. All forfeitures and penalties accruing to the city for a violation of this act, or any of the ordinances, by-laws, rules and regulations of the city, shall be paid into the city treasury and become a part of the general fund, except as provided in sections 65, 66, 67, 68, 69, 70, and 71, of said act.

Bridges belong-
ing to city.

SECTION 13. Section 133, of said act, is hereby amended so as to read as follows: Section 133. All bridges belonging to the said city of Nicollet shall be under the jurisdiction of the corporate authorities thereof. All expenses for keeping said bridges in repair shall be paid out of the general fund of the city.

Poor laws.

SECTION 14. Section 134, of said act, is hereby amended so as to read as follows: Section 134. The laws of the state for the relief and support of the poor in towns, shall apply to said city of Nicollet, and the common council shall appoint at least two of its number, who shall organize and act as a poor board, with the mayor as president thereof. Said board shall be governed by such rules as the common council may prescribe, and in respect to the poor of the city, shall have the same powers, be subject to the same liabilities, and governed by the same laws as supervisors of towns.

Compensation
of aldermen.

SECTION 15. Section 137, of said act, is hereby amended so as to read as follows: Section 137. No compensation or salary shall be paid to the mayor or aldermen of said city except as provided in section 117, of said act.

Repealing sec-
tion.

SECTION 16. Anything contained in chapter 351, of the laws of Wisconsin for 1883, or any act amendatory thereof, conflicting with the foregoing amendments, are hereby repealed.

Approved March 9, 1885.