

[No. 703, A.]

[Published April 25, 1889.]

## CHAPTER 435.

AN ACT to amend chapter 152, of the laws of 1883, entitled, "An act to revise, consolidate and amend the city charter of the city of Fond du Lac," and the several acts amendatory thereof.

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

Amendment to chap. 152, laws of 1883.

Sidewalk superintendent to keep record of moneys.;

SECTION 1. Section 12, of sub-chapter 7, of chapter 152, of the laws of 1883, is hereby amended by adding at the end of said section 12, the following: The sidewalk superintendent shall keep a correct account of all moneys collected by him, and all work done and material furnished by him and used under his supervision in the execution of his duties. He shall report in writing to the council at the first of each month, showing the materials furnished and the prices, and by whom furnished, and also the work done and by whom, and where, and the cost thereof, and the amount, if any, collected therefor, and from whom collected, and shall file such report with the city clerk. All claims for such labor and materials shall be paid upon the order of the common council in favor of the person furnishing such material or performing such labor. And the sidewalk superintendent shall in no case pay for any such labor or material; but shall at the time of filing his monthly report, pay over to the city treasurer all moneys that may be collected by him in the execution of his duties.

Amendment to chap. 152, laws of 1883, as amended by chap. 299, laws of 1885.

Chief of police, duties.

SECTION 2. Section 2, of sub-chapter 16, of chapter 152, of the laws of 1883, as amended by section 13, of chapter 299, of the laws of 1885, is hereby amended so as to read as follows: Section 2. The chief of police, under the mayor, shall be the chief executive officer of the police department; he shall have the custody of the police station, city pound, and the general supervision and direction of the police force of the city. He may apprehend, without process, any person or persons while offending within his view against

any law of this state, or against the laws, ordinances, by-laws, or regulations of the city and bring the person or persons so offending before one of the justices of the peace of said city having jurisdiction, and enter the proper complaint against him or them, for trial. He shall have power to commit for safe-keeping and detain in the police station, every person so arrested, until he can be arraigned before a justice of the peace or shall be discharged on bail or upon the written order of the mayor; but he shall in no case commit a prisoner to the police station before arraigning him before one of the justices of the peace of said city having jurisdiction, and lodging a complaint against him, except when the arrest is made out of office hours of such justice, or the justice is not found in his office or is unable or refuses to permit the prisoner to be arraigned or examined, or the prisoner's condition is such by reason of intoxication or otherwise, as to render him unfit to be arraigned, or for some other good and sufficient reason the peace and good order of the city will be better promoted and preserved by such commitment or detention; but he shall in no case detain a prisoner in the police station for an unreasonable time before arraigning him before one of said justices, when such justice can be found in his office during his office hours, and the prisoner's condition will permit of his trial or examination. He shall possess the power of constables at common and statute law, so far as serving process within the city or writs in criminal actions; but shall receive no fees for serving any process, making any arrest or performing any duty, from the city, except the salary provided for him, and he shall, in addition, perform all duties that may be prescribed by any ordinance, by-law, regulation or direction of the common council. He shall repair to fires, all riots and tumultuous assemblies, take charge of the police present, protect property, preserve peace, disperse mobs, and arrest all persons who are disorderly and engaged in the disturbance of the peace. He shall report all complaints against policemen for misconduct, improper discharge of or delinquency in duty, and shall cause to be obeyed all rules and regulations provided for the police department. He shall have charge of all

the prisoners committed to the police station under sentence or otherwise, and shall faithfully see that all of the directions of the common council in relation to the manner of punishment of criminals is carried out. He shall receive as compensation for his services such salary as the common council may prescribe, and no other. It shall be his duty to receive, execute and return all processes or writs for the collection of taxes on personal property within the city, that may be placed in his hands by, or by direction of the city treasurer.

Amend chap.  
152, laws of  
1883.

SECTION 3. Section 1, of sub-chapter 18, of chapter 152, of the laws of 1883, is hereby amended by adding at the end of said section the following: Nor unless notice in writing, by the person injured or claiming damage, shall have first been given to such owner, if a resident of said city, or to his resident agent in charge of such property if he have one, within thirty days from the time such injury shall have happened, stating the place where and the time when such injury occurred, and the amount of damages claimed; but when the person so injured shall in consequence thereof be bereft of reason, the notice shall not be required until thirty days after he has been fully restored to consciousness.

1889, c 435 s 4  
104 30 45

Amend sub-  
chap. 18, chap.  
152, laws of  
1883.

SECTION 4. Sub-chapter 18, of said chapter 152, of the laws of 1883, is hereby amended by inserting between sections 6 and 7 the following: Section 6b. No action shall lie against the city of Fond du Lac on account of any injury or damage to any person or property, occurring by reason of the insufficiency or want of repair of any highway, bridge, street, sidewalk or other public way in the city of Fond du Lac, or on account of any obstruction or defect therein, unless such action shall be commenced within one year from the happening of such injury, nor unless notice shall have first been given in writing to the street commissioner or sidewalk superintendent of the city, or an alderman of the ward within which the injury or damage shall have occurred, within thirty days from the time such injury or damage shall have happened, stating the place where and the time when such injury or damage occurred and the nature and circumstances thereof, and that the person injured will claim dam-

2-235-601

ages therefor. But when the person so injured shall, in consequence thereof, be bereft of reason, the notice shall not be required until thirty days after he has been fully restored to consciousness.

SECTION 5. No general law of this state shall be construed or taken to amend, modify, alter or repeal this act or any provision thereof, unless such purpose be set out in such law and reference made therein to this act. And all general laws and all acts or parts of acts which are inconsistent or in conflict with the provisions of this act are hereby repealed so far as the same apply to the city of Fond du Lac.

No general law  
to affect this  
act.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 16, 1889.

[No. 605, A.]

[Published April 20, 1889.]

## CHAPTER 437.

AN ACT to amend an act entitled "an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof."

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

SECTION 1. Section 2, of chapter 1, of an act entitled, "An act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof," is hereby amended by inserting before the words, "thence south on the range line, between the ranges twenty-one (21) and twenty-two (22)." the following: "Thence south on the range line, between the ranges twenty-one (21) and twenty-two (22), two thousand four hundred fifty-one twenty-eight one-hundredths (2451 28-100) feet to a point, thence south forty-six degrees, fifty-eight minutes (46° 58') west, two hundred seventy-five thirty-nine one-hundredths (275 39-100) feet to a point in the center of Fond du

Amend the  
charter of the  
city of  
Milwaukee.