

[No. 122, A.]

[Published March 5, 1889.]

CHAPTER 47.

AN ACT to amend chapter 257, of the laws of 1887, entitled, "An act to incorporate the city of Rice Lake."

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

SECTION 1. Section 3, of chapter 1, of said chapter 257, is hereby amended so as to read as follows: Section 3. The city shall be divided into four wards. All that portion of the city lying north of the center line of Marshall street, and east of the Chippewa Falls and Northern railway and the south half of section sixteen, and the east half of the southeast quarter of section seventeen shall constitute the first ward. All that portion of the city lying south of the center line of said Marshall street and north of a certain line running east and west twenty-two rods south of and parallel with the southeast line of said section twenty-one and east of said railway shall constitute the second ward. All that portion of the city lying south of said parallel line and east of the Menomonie river shall constitute the third ward. All the remaining portion of the city shall constitute the fourth ward.

Amendment to chapter 257, laws of 1887.

City, how divided.

SECTION 2. Section 1, of chapter 2, of said chapter 257, is hereby amended so as to read as follows: Section 1. The annual election for city and ward officers shall be held on the first Tuesday in April in each year, at such place in each ward as the common council shall direct, and the polls shall be kept open from nine o'clock in the forenoon until seven o'clock in the afternoon, and ten days' notice shall be given by the city clerk in such manner as the common council shall direct, of the time and place of holding such elections, and the city and ward officers to be chosen.

Annual election.

SECTION 3. Section 4, of chapter 2, of said chapter 257, is hereby amended so as to read as follows: Section 4. The mayor, assessor and treasurer shall be freeholders and qualified voters of the city of Rice Lake, and the aldermen and super-

City officers to be freeholders.

visors shall be freeholders in the city, and qualified voters in the ward in which they are elected. When an election shall be closed the canvassers shall proceed to count the votes cast for each and every legal candidate voted for, and shall make and certify a return thereof to the city clerk on the day following the election. The mayor and such aldermen as shall hold over shall, on the day following the annual election meet at the office of the city clerk and canvass such returns, and after such returns have been canvassed shall file in the office of the city clerk a written statement of the whole number of votes cast for each candidate therefor and a determination of the persons elected to the several offices duly subscribed by a majority of, or all the board of canvassers, and the city clerk shall within three days thereafter give notice to each person declared to be elected of his election.

Relating to
electors.

SECTION 4. Section 5, of chapter 2, of said chapter 257, is hereby amended by striking out "one year" in the fourth line and inserting "thirty days," and by striking out "thirty" in the fifth line and inserting "ten," so that the first sentence of said section shall read as follows: Section 5. No person shall be entitled to vote at any city election unless he is a qualified voter of the state of Wisconsin and has been an actual resident of the city of Rice Lake thirty days, and for ten days in the ward where he offers his vote, and the remainder of said section shall be unchanged.

Elections, how
conducted.

SECTION 5. Section 7, of chapter 2, of said chapter 257, is hereby amended to read as follows: Section 7. All elections shall be conducted by the inspectors and clerks appointed by the mayor and approved by the common council, to act as inspectors and clerks at the last general election, under the provisions of section 26, of the revised statutes, and if any of them be not present their places shall be filled as in said section 26; provided, they shall proceed to discharge the duties of inspectors and clerks in the same manner as is provided by statute for town meetings. All elections by the people shall be by ballot, on which the names of all officers voted for shall be written or printed. A plurality of votes shall constitute an election; 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 the casting of lots in the presence of the common council, at such time and in such manner as they shall direct.

SECTION 6. Section 5, of chapter 3, of said chapter 257, is hereby amended so as to read as follows: Section 5. The city treasurer shall perform such duties and exercise such powers as may be lawfully required of him by the ordinances of said city or the laws of this state. He shall receive all moneys belonging to the city, and keep an accurate and detailed account thereof, together with an account of all disbursements, which said accounts shall at all times be open to the inspection of the voters of said city. He shall make a 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 since the date of his last annual report; and also of the state of the treasury, which statement shall be filed with the clerk. The said treasurer shall be collector of taxes in said city, shall have the same powers and duties, and be subject to the same liabilities as treasurers of towns in this state and shall be ineligible for one year next succeeding the termination of his term of office. All moneys collected for fines, penalties, forfeitures, and licenses shall be paid to the city treasurer, and belong to the general funds in his hands and as such shall be appropriated and drawn upon by the proper officers. He shall receive for his services an annual salary to be fixed by the common council not to exceed three hundred dollars for the year and payable quarterly.

Duties of city treasurer.

SECTION 7. Section 9, of chapter 3, of said chapter 257, is hereby amended so as to read as follows: Section 9. The common council at its first regular meeting after the election in each year, or as soon thereafter as may be, shall designate one newspaper printed in said city in which shall be published all ordinances and proceedings and matters required by this act or by the by-laws and ordinances of the common council to be published in a public newspaper and shall let such printing to the lowest bidder at a cost not to exceed the legal rate. The city printer or printers immediately after the publication of any notice, ordinance, resolution or by-laws which by this act is

Official newspaper.

required to be published shall file with the city clerk a copy of such publication with his or their affidavit or the affidavit of his or their foreman, of the length of time the same has been published, and such affidavit shall be conclusive evidence of the publication of such notice, ordinance, resolution or by-law, and the clerk shall file the same in his office.

Common³
council, how
constituted.

SECTION 8. Section 1, of chapter 4, of said chapter 257, is hereby amended so as to read as follows: Section 1. The mayor and aldermen shall constitute the common council, and the style of ordinances shall be: "The common council of the city of Rice Lake does ordain;" the common council shall meet at such time and places as they by resolution shall direct. A majority of the aldermen shall constitute a quorum.

Elective
officers.

SECTION 9. Section 2, of chapter 2, of said chapter 257, is hereby amended so as to read as follows: Section 2. The elective officers of the city shall be a mayor, two aldermen from each ward, a city treasurer, a city clerk, a city attorney, one assessor, two justices of the peace, one supervisor in each ward, who shall represent his ward in the board of supervisors of Barron county, and one constable in each ward, which said officers shall hold their respective offices as follows: The mayor, city treasurer, city clerk, assessor, city attorney, supervisors and constables for one year, aldermen and justices of the peace for two years. At the annual election in 1889, one alderman in each ward shall be elected to serve one year, and one alderman elected to serve two years, and at each annual election thereafter there shall be elected in each ward one alderman who shall hold his office for two years. The term of office, except for justices of the peace, shall commence on the second Tuesday of April of the year for which said officers are elected. Each of said officers shall continue in office for his respective term and until his successor is elected and qualified. Justices of the peace shall qualify in the manner and at the time required by law for justices of the peace elected in the several towns, except that their bonds shall be approved by the mayor of the city. All other officers, except as hereinafter provided, necessary for the proper management of the affairs of the city shall be appointed by the mayor, subject to

the approval of the common council, and the term of office of all appointed officers shall expire with that of the mayor who appointed them, unless herein otherwise provided.

SECTION 10. Section 7, of chapter 4, of said chapter 257, is hereby amended so as to read as follows: Section 7. The corporate authority of said city shall be vested in one principal officer, styled the mayor, and in one board of aldermen, consisting of two aldermen from each ward, together with such officers as may be created under this act.

Amendment to chapter 4 of chapter 257.

SECTION 11. The second sentence of section 5, of chapter 7, of said chapter 257, is hereby amended so as to read as follows: " He shall receive such compensation for his services as shall be fixed by the common council, not to exceed one hundred dollars for the year, and two dollars per day for each day he serves on the board of equalization," and the remainder of said section shall remain unchanged.

Compensation.

SECTION 12. Section 10, of chapter 7, of said chapter 257, is hereby amended so as to read as follows: Section 10. All the general laws of this state which are now or may hereafter be in force relative to the assessment of taxes, shall be in force in said city except as otherwise herein specially provided. And the city treasurer, upon the receipt of the tax roll shall proceed to collect the taxes in like manner, and shall have like power and be subject to like requirements, liabilities and restrictions as town treasurers, except as otherwise provided in this act. All taxes may be paid to the treasurer before the tenth day of January, in each year, without any addition thereto for treasurer's fees. To the taxes paid after the tenth day of January three per cent. treasurer's fees shall be added, and should any tax be returned uncollected five per cent. treasurer's fees shall be added. All such fees, when collected, shall be paid into the treasury for the benefit of the general fund.

Assessment of taxes.

SECTION 13. Section 4, of chapter 9, of said chapter 257, is hereby amended so as to read as follows: Section 4. The common council shall have power, and it is hereby granted power to annually levy a tax of one dollar and fifty cents upon each male inhabitant of the city of Rice Lake who is over the age of twenty-one years, and under the age of

Poll tax

fifty, except ex-soldiers who served in the late war, paupers, idiots and lunatics. Such tax shall be paid in money and shall be denominated a poll tax. The common council shall levy such a tax by resolution, not later than the second Monday in May in each year. Upon the adoption of such resolution by the common council, the city clerk shall immediately proceed to make a list of all persons residing in said city who are liable to pay such tax and attach thereto a warrant directed to the street commissioner commanding him to forthwith collect such tax from all persons charged therewith upon such list, which warrant shall be signed by the mayor and countersigned by the clerk. The city clerk shall deliver such list, with his warrant attached, to the street commissioner on or before the first day of June in each year. The street commissioner, upon the receipt of such list, shall proceed to collect the poll taxes charged thereon in the same manner as overseers of highways in towns are authorized to collect highway taxes in money, and for that purpose he shall have all the powers and authority possessed by overseers of highways in towns, and he shall add to said lists the names of all persons liable to pay such tax that have been omitted, and collect in the same manner the tax of the persons so added. The poll taxes so collected shall be paid to the city treasurer by the street commissioner, and shall be expended only in building and repairing roads, streets and highways under the direction of the common council. The street commissioner shall annually, not later than the first day of December in each year, make a report in writing to the common council, giving the amount of such poll tax by him collected, the names of the persons paying, and the amount by him expended, and the place and manner of such expenditures, which report shall be verified by his affidavit.

Not to hold more than one office at a time.

SECTION 14. Section 1, of chapter 11, of said chapter 257, is hereby amended so as to read as follows: Section 1. No voter shall hold more than one elective office, nor shall he hold an elective and an appointive office under this act at the same time

Board of education.

SECTION 15. Section 1, of chapter 12, of said chapter 257, is hereby amended so as to read as follows: Section 1. There shall be appointed by the

common council for the city of Rice Lake a board of education, which shall be composed of one school commissioner from each ward and from the city at large, and a city superintendent. The commissioners now in office shall continue until as hereafter provided, and until their successors are appointed and qualified; and thereafter the terms of office of all commissioners appointed shall commence on the first Monday of July after their election and continue for three years. At the first regular meeting of the common council in June, 1889, a commissioner shall be appointed for each the second and third wards; and at the first regular meeting in June, 1890, a commissioner shall be appointed for each the first and fourth wards; and at the first regular meeting in June, 1891, a commissioner shall be appointed for the city at large, and at the first regular meeting in June in each year, there shall be appointed by the common council a commissioner or commissioners to succeed any member or members of the board of education whose term of office shall expire on the succeeding first Monday of July. At the first regular meeting of the common council in June, 1889, and annually thereafter, the common council shall appoint a city superintendent of schools, who shall hold his office one year from the succeeding first Monday in July, and until his successor is appointed and qualified.

SECTION 16. Section 12, of chapter 12, of said chapter 257, is hereby amended so as to read as follows: Section 12. The city superintendent shall be secretary of the board of education, and shall perform such duties as pertain to his office and are required of the secretary by the provisions of this act. He shall receive a compensation for his services which shall be fixed by the common council, and payable monthly out of the school funds.

City superintendent shall be secretary.

SECTION 17. There is hereby added to said chapter 12, of said chapter 257, a new section, to be designated, "Section 12a," which shall read as follows: Section 12a. The territory embraced within the city of Rice Lake is hereby declared to be and is independent of the jurisdiction of the county superintendent of schools of Barron county, and exempt from all taxation for his support and salary, and the superintendent of schools of said Barron county shall hereafter, after the termina-

County superintendent shall have no jurisdiction.

tion of the present term, be elected independent of said city of Rice Lake.

Duties of city
superintendent.

SECTION 18. There is hereby added to said section "12b," which shall read as follows: Section 12b. The duties of the city superintendent of schools shall be as follows:

1. To examine all applicants for teachers' licenses in the branches taught in the public schools of said city (and if such applicants be approved by him, to give them certificates to teach in said city), not exceeding one year from the date thereof; provided, that said superintendent shall have authority in his discretion, when not otherwise directed by the board of education, to issue such certificates to any applicant or applicants, who may have been already once examined and licensed by him, as aforesaid in any previous year, without re-examination of such applicant or applicants.

2. To annul teachers' certificates whenever he may think proper; provided, that such teacher shall have the right to appeal to the board of education.

3. To visit each school department in said city at least four times each term.

4. To report to the board of education at each regular meeting thereof, the condition of the schools under his supervision; to make such recommendations as will, in his judgment, promote the welfare of said schools, and to perform such other duties as may be required of him by the board of education.

5. He shall, between the tenth and fifteenth days of July in each year, make a statement of the number of children, male and female designated separately, over the age of four years and under the age of twenty, residing in said city on the last day of June previous to the date of such report, and shall, on or before the fifteenth of August in each year, make and transmit to the state superintendent of schools a report containing the facts required, a copy of which said report he shall present to the board of education at their first meeting after the same is made out as hereinbefore provided.

School tax.

SECTION 19. Section 8, of chapter 12, of said chapter 257, is hereby amended so as to read as

follows: Section 8. The common council of the city of Rice Lake shall have power to annually levy and collect a school tax, to meet the expenses of erecting and repairing of school houses, purchasing and hiring of sites for school houses, and supporting and maintaining the schools; but no such tax so levied shall exceed one and three-fourths per cent. of the assessed valuation of all the taxable property in the city for that year.

SECTION 20. There is hereby added to chapter 2, of said chapter 257, a new section to be designated as "Section 1a," which shall read as follows: Section 1a. The provisions of sections 21, 22, 23 and 24, of chapter 5, of the revised statutes, are hereby made applicable to charter elections in the city of Rice Lake, and no person shall be entitled to vote at any charter election under this act unless his name appears upon the registry list.

New section added to chapter 257.

SECTION 21. This act shall take effect and be in force from and after its passage and publication. Approved March 2, 1889.

[No. 97, S.]

[Published March 5, 1889.]

CHAPTER 48.

AN ACT to amend chapter 76, laws of 1885, entitled, "an act to incorporate the city of Alma."

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

SECTION 1. Section 2, of chapter 2, of chapter 76, of the laws of 1885, is hereby amended to read as follows: Section 2. The officers to be elected by the people shall be a mayor, a city clerk, city treasurer, and an assessor from the city at large, three aldermen, one constable and one justice of the peace from each ward. A marshal and one or more street commissioners, and all other necessary officers shall be appointed by the mayor and confirmed by a majority of the common council. All elective officers, excepting aldermen and justices of the peace, shall, unless elected to fill a vacancy,

Amending section 2, chapter 2, of chapter 76, laws 1885. Charter of city of Alma.

Elective officers.