

ing] to the "common council and its powers," is hereby amended so that no cattle shall be allowed to run at large between the hours of nine o'clock in the evening and five o'clock in the morning.

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

Approved April 3, 1885.

[No. 330, A.]

[Published April 11, 1885.]

CHAPTER 257.

AN ACT to amend the charter of the city of Oconomowoc, known as chapter 239, of the laws of 1879, as amended by chapter 231, of the laws of 1881, and by chapter 141, of the laws of 1882.

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

Section one, of
chapter 114,
amended.

Section 1, of chapter 141, of said laws of 1882, is amended so as to read as follows: Section 1. The amount of highway fund of any year in said city, (exclusive of poll taxes) shall be determined by resolution of the common council thereof, on or before the third Monday of November in each year, and shall be raised in money by tax on all the taxable property in said city not exceeding two mills on the dollar of the assessed valuation of the property therein for that year, exclusive of all taxes raised for building or repairing bridges or approaches thereto. Chapter 7, of said chapter 239, of the laws of 1879, is amended by adding the following sections to said chapter 7: Section 9. Whenever a petition is presented to the common council of said city on or before the second Tuesday of April in any year, signed by at least a majority of all the tax payers within the boundaries set forth in said petition, along either side of one or more connected street or streets in said city, naming the street or streets, whose aggregate amount of taxable property shall exceed one-half of all such property within the bounds designated, as appears from the last assessment roll of said city, asking that said street or streets within the bounds so set forth be sprinkled with water in a

reasonable way so as to keep down the dust therein, and prevent the same so far as practicable from flying into the stores, shops, business places and dwellings along the line of said street or streets within the bounds so designated for the time so specified, then the said common council shall have the power and shall cause the street or streets within the bounds named to be so sprinkled for the time so fixed upon, at the cost and expense of all the tax payers and owners of property within the bounds named, as shall be ascertained by said council, to be benefited thereby.

SECTION 10. As soon as practicable after said petition shall have been presented, the said council shall give notice fixing a time and place at which it will meet, for the purpose of letting on contract to the lowest and best bidder the work of sprinkling said street or streets as asked for, always reserving the right to reject any or all bids when it shall seem most to the interest of the real tax payers. Said notice shall be published for at least one week prior to said letting, either in one of the newspapers published in said city, or by notices posted up in three or more public places therein, and said council shall at said meeting or at some adjourned meeting as soon as reasonable thereafter, reject or accept one or all of said bids.

Respecting the letting of contracts.

SECTION 11. Whenever any such bids shall have been accepted, a contract shall be drawn setting forth the name of the lowest and best bidder, describing the street or streets, and boundaries thereof, to be sprinkled, the time for which it is to be done, the manner of doing it, in the language of the preceding section, the price for which it is to be done and the manner of the payment thereof, and shall be signed by said bidder and by at least two good sureties, to be approved of by said council, indorsed and signed by the mayor and clerk of the city on the back thereof as evidence of said approval and then filed with the city clerk.

Contract to be drawn.

SECTION 12. On or before the first Monday of July after any such contract shall have been completed, on notice to be published for at least one week in one or both of the ways pointed out in section 10, of this act, the said common council shall proceed to ascertain and determine, from

Notice to be published one week.

the last or any other assessment roll, and from all other practicable sources of knowledge, all persons who are tax payers within the limits of such district to be sprinkled, who will be specially benefited thereby, and it shall determine what property so assessed will be benefited, and what will not, and for that purpose said council may adjourn any such meeting from time to time not later than the third Monday of August of that year; and all taxable property found in the last assessment roll of the same year, shall be assessed to pay such sprinkling tax, which is not expressly exempted therefrom by resolution of said council particularly describing it, and such determination of said council shall be final.

Common council shall cause a tax list to be made out.

SECTION 13. After said common council shall have ascertained the total cost and expense of said sprinkling, on or before the first Monday of September of that year, the said council shall cause a tax list to be made out in duplicate and in alphabetical form as to names of the tax payers liable to such tax as above determined, from the last assessment roll, giving a description of all real estate so to be taxed, the kind of personal property determined to be liable and the value of each as found in said assessment, and the tax against each set opposite the said sum and name of owner in such proportion as the total cost and expense bears to the total amount of property so to be taxed. Then there shall be added to the foot of said tax list a direction to the city treasurer, commanding him to collect all taxes therein named on or before the first day of December of that year, naming it, signed by the mayor and clerk of said city, and then one of said tax lists so made out and signed shall be delivered to said city treasurer and the other filed in the office of the city clerk, who shall immediately charge up to said treasurer the total amount of such sprinkling tax, and thereafter each such tax shall be a lien on the property so taxed of the owner thereof till paid; and all moneys collected thereon shall be a sprinkling fund, kept as such by the treasurer, and only paid out on the proper orders of the said council.

Duty of treasurer after having received tax list.

SECTION 14. After said treasurer shall have received such tax list, he shall as soon as reasonably possible, give notice by three or more notices

posted up in as many public places in the city, that said sprinkling tax list is in his hands, and the taxes therein named are due and payable at his office in said city at any time prior to the first day of October, of that year, together with two per cent. thereon as his fees for collecting; and if not so paid by that time there will be added to said tax a penalty of ten per cent. to be collected by said treasurer as his fees for personal notice to all such delinquents.

SECTION 15. On the first Monday of December of such year the said city treasurer shall make out an alphabetical list of all such delinquent persons who have not paid such tax, giving a description of each item of property taxed against him, with the tax and penalty added set opposite, make oaths in proper form on said list that the taxes therein named have not been paid, and file the same with the city clerk, who shall place each such tax against the same property found in the general tax list of that year, and the same shall be collected against any property of such delinquent in the same manner as any other tax in said general tax list is collected.

Alphabetical list of delinquents to be made out.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1885.

[No. 403, A.]

[Published April 13, 1885.]

CHAPTER 258.

AN ACT to amend the charter of the city of Ahnapee.

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

SECTION 1. Section 29, of the charter of the city of Ahnapee is hereby amended by adding thereto the following: In all cases if the defendant shall on the return day of the process, and before any proceedings are had on his part, make oath that from prejudice or other cause he believes such police justice will not decide impartially in the matter, and shall pay to the police justice seventy-

Section twenty-nine amended.