

for that year; provided, however, that the total amount of such tax shall not in any one year exceed four mills on the dollar of the assessed valuation of the taxable property in said city as it appears upon the assessment roll for that year, unless a greater sum shall have been authorized to be raised by a vote in favor of such greater sum, of a majority of the qualified electors of said city had and taken in the manner provided in section 4, of chapter 9, of this act. The clerk of said city shall, on or before the third Monday of the said month of November in each year, deliver to the town clerk of the town in which said city is situated, a certified copy, under his signature, of all resolutions of said common council determining the amount of taxes, general and special, to be levied and assessed in said city for that year, together with a description of the territory included within the corporate limits of said city.

SECTION 4. Sections 4, 5, 6, 7, 8, 9, 10 and 11, of chapter 12, of chapter 247, of the laws of Wisconsin, for the year 1878, are hereby repealed. Repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

Approved April 9, 1885.

[No. 325, A.]

[Published April 14, 1885.]

CHAPTER 378.

AN ACT in relation to the police force and fire department of the city of Milwaukee.

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

SECTION 1 There shall be in the city of Milwaukee, a board of fire and police commissioners, consisting of four citizens, not more than two of whom shall belong to the same political party, when appointed. No salary or other compensation for services shall be paid to any member of such board. Three members of the board shall constitute a quorum necessary for the transaction of business. It shall be the duty of the mayor of said city, before the first Monday of July, 1885, to

Board of fire
and police com-
missioners.

appoint four members of said board, designating the term of office of each, one to hold one year, one to hold two years, one to hold three years and one to hold four years from the first Monday of July, 1885, and all until their respective successors shall be appointed and qualified. After the present year it shall be the duty of the mayor, each year before the first Monday in July to appoint one member of said board, whose term of office shall be four years from the first Monday in July in that year, and until his successor is appointed and qualified. Every person appointed a member of said board shall, before entering upon the duties of his office, take and subscribe the oath of office prescribed by the constitution of the state, and file the same duly certified by the officer administering it, with the clerk of the city.

No appointments to be made except with approval of board.

SECTION 2. After the first Monday in July, 1885, no person shall be appointed to any position, either on the police force or in the fire department of said city, except with the approval of said board.

Adoption of rules and regulations.

SECTION 3. As soon as possible after the first members of said board shall enter upon their offices, said board shall prepare and adopt such rules and regulations to govern the selection and appointment of persons to be thereafter employed on either the police force or the fire department of said city, as in the judgment of said board shall be adapted to secure the best service for the public in each department. Such rules and regulations shall provide for ascertaining, as far as possible, the physical qualifications, the habits and the reputation, and standing and experience of all applicants for positions, and they may provide for the competitive examination of some or all in such subjects as shall be deemed proper for the purpose of best determining their qualifications for the positions sought. Such rules and regulations may provide for the classification of positions in the service and for a special course of inquiry and examination for candidates for each class. All rules and regulations adopted shall be subject to modification or repeal by the board at any time.

Examinations to be free to all citizens of the U. S.

SECTION 4. The board shall cause the rules and regulations so prepared and adopted and all changes therein, to be printed and distributed as

they shall deem necessary and the expense thereof shall be certified by the board to the city comptroller and shall be paid by the city. Such rules and regulations shall specify the date when they will take effect, and thereafter all selections of persons for employment, or appointment or promotion, either in the police force or the fire department of said city, except of the chief and first lieutenant of the police and the chief engineer and first assistant of the fire department, shall be made in accordance with such rules and regulations.

SECTION 5. The examinations which the rules and regulations shall provide for shall be public and free to all citizens of the United States with proper limitations as to residence, age, health, habits and moral character. The examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the candidates to discharge the duties of the positions in which they seek employment or to which they seek to be appointed, and may include tests of manual skill and physical strength. The board shall control all examinations and may designate suitable persons, either in the official service of the city or not, to conduct such examinations, or any of them, and may change such examiners at any time, as shall seem best.

Examinations shall be public

SECTION 6. Whenever, after the first Monday in July, 1885, a vacancy shall exist in the office of chief police or in the office of chief engineer of the fire department it shall be the duty of said board to appoint proper persons to fill such offices respectfully during good behavior subject to suspension and removal as hereinafter provided.

In case of vacancy how filled.

SECTION 7. Whenever, after the first Monday in July, 1885, a vacancy shall exist in the office of first lieutenant of the police, the chief of the police shall nominate and with the approval of said board, shall appoint a suitable person to such office, to hold during good behavior, subject to suspension and removal as hereinafter provided.

Vacancy in office of lieutenant of police.

SECTION 8. Whenever, after the first Monday in July, 1885, a vacancy shall exist in the office of first assistant engineer of the fire department, the chief engineer shall nominate and with the approval of the board shall appoint a suitable person to that office, to hold during good behavior

First assistant engineer.

subject to suspension and removal as hereinafter provided.

All other members of the force shall hold at pleasure of chief.

SECTION 9. All other members of the force in either department named, at the time when the rules and regulations shall go into effect shall continue to hold their respective positions and employments at the pleasure of their respective chiefs, and all persons subsequently appointed shall so hold. All vacancies in either department shall be filled and all new appointments shall be made by the respective chiefs with the approval of the board. Where vacancies in old offices or newly created offices can, with safety to the department, be filled by the promotion of officers or men already in the service and who have proved their fitness for the promotion, the vacancies and newly created officers shall be so filled by promotion by the respective chiefs with the approval of the board.

Salaries to be according to length of service.

SECTION 10. Provision may be made by the common council of said city by general ordinance that the salaries of officers and men in the police and fire departments of the city shall increase with the length of term of service. The salary and compensation of all officers and men in said departments shall be at all times subject to change by the common council, provided that the salary or compensation of no officer or man in the service of either department shall be decreased, except upon the previous recommendation of such change made in writing by the board to the common council. The common council shall have the power to provide for an annual pension for life for such members of either service as shall be honorably discharged from the same.

Suspension from office.

SECTION 11. The chief of police, the first lieutenant of police, the chief engineer of the fire department, and the first assistant engineer of the fire department, each and all of them, shall be subject to a suspension from office for cause by the mayor at any time. Any officer so suspended shall thereupon cease to exercise the functions of his office until he shall be reinstated. In case of such suspension, the mayor shall, at once, communicate to said board the charge or charges against the officer suspended, and the board shall at once consider and examine the same, giving the suspended officer opportunity to meet the

charges and to be heard in his own defense. After hearing the matter, the board shall determine whether the charges are sustained. If the charges shall not be sustained by the board the officer shall be immediately reinstated. If the board shall determine that the charges are sustained, they shall at once determine whether the good of the service requires that the suspended officer shall be removed from office, or shall be suspended from office without pay for a fixed period. The board shall communicate their decision to the mayor in writing. The mayor shall make it public, and the decision shall be final and conclusive in all cases.

SECTION 12. The board shall have the power and it shall be the duty of the board when all the four members thereof concur in the opinion that the good of the service, in either of the departments aforesaid, will be subserved by the removal from office of any of the officers named in section 11, to remove such officer. In such cases the removal shall be made by a notice to the officer, signed by all the members of the board, and it shall not be necessary to state any cause for such removal.

When it is duty of board to remove from office.

SECTION 13. The board shall have the power to appoint an officer to be called a chief examiner. The board shall prescribe his duties and his compensation, which shall be paid by the city on the certificate of the board. He shall be subject to removal at any time by the board, and they shall have power to change his duties and his compensation at any time, as they may deem proper. The board shall have power to fix and alter at will a compensation for any other examiners appointed by the board, and such compensation shall be paid by the city on certificate of the board.

Power of appointment.

SECTION 14. This act is to be taken as an amendment to the charter of the city of Milwaukee, being chapter 184, of the laws of 1874, and the various laws amendatory thereof, and any parts or portions of said chapter, and any provisions therein which are inconsistent with this act, or not in harmony with its provisions, are declared to be modified, amended, superseded or repealed by this act, as the intention herein declared may require.

Charter amended

SECTION 15. This act shall take effect and be in force immediately on its passage and publication.
Approved April 11, 1885.

[No. 147, S.]

[Published April 13, 1885.]

CHAPTER 386.

AN ACT to amend the charter of the city of La Crosse.

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

Section 2, of
chapter 2,
amended.

SECTION 1. The charter of the city of La Crosse as amended by chapter 173, of the general laws of the state of Wisconsin, for the year 1882, is hereby amended as follows: Section 2, of chapter 2, of the said charter is hereby amended by striking out the word, "assessor" wherever it occurs in the said section, and inserting in the place of the word, "assessor" where the same first occurs in said section, the words "tax commissioner," and by inserting in said section after the word, "qualified," in the fourteenth line of said section, the words following, to wit: "And there shall be elected at the charter election of said city to be held on the first Tuesday of April, A. D. 1886, and biennially thereafter, a tax commissioner for the city at large who shall be a resident and freeholder in said city, and who shall hold his office for two years and until his successor shall be elected and qualified. So that the said section when so amended, shall read as follows: "Section 2. The elective officers of said city shall be a mayor, clerk, treasurer, justice of the peace for the city at large, who shall be *ex officio* police justice, tax commissioner and three aldermen, and one justice of the peace and one constable for each ward, and there shall be elected at the first election after this act, and at every annual election thereafter a mayor, a clerk and a treasurer for the city at large who shall hold their respective offices for one year; and one alderman from each ward who shall hold his office for three years, and one constable for each ward who shall