be public streets and alleys, and no defect or irregularity in the proceeding of opening
the same or in the direction thereof, shall affect the same.

CHAPTER 10.

FIRE DEPARTMENT.

Section 1. The common council, for the purpose of guarding against the calamities
of fire, shall the power to prescribe the limits within which wooden buildings or build-
ings of other materials that shall not be considered fire-proof, shall not be erected,
placed, raised, enlarged or repaired and to direct that all and any buildings within the lim-
its prescribed shall be made and constructed of fire-proof materials, and to prohibit the
repairing or rebuilding of wooden buildings within the fire limits whenever the same
shall have been damaged to the extent of fifty per cent. of the value thereof, and to
prescribe the manner of ascertaining such damage and to prevent and prohibit the mov-
ing of any wooden building into or within such limits, and to prescribe the penalties
for the violation of any resolution or ordinance passed under this section.

Section 2. The common council shall procure fire engines and other apparatus used
for the extinguishment of fires, and have charge and control of the same, and shall pro-
vide for and assure houses and other places for keeping the same, and shall have power
to appoint a chief engineer, define his duties, fix his salary and remove him at pleasure;
to organize fire, hook, ladder and hose companies, and disband the same; to purchase
horses and necessary apparatus and fuel for steam engines, and to provide for the ap-
pointment of a necessary number of competent persons to take the care, management of
the steamers, engines, horses, and other fire apparatus, to prescribe their duties and to
summarily remove such persons at pleasure of the common council; to prescribe the
duties of firemen and their compensation, and to make rules and regulations for their
government, and to impose reasonable fines and forfeitures upon them for a violation of
the same. Every fire company organized by the common council shall not exceed for
hand engines, forty able-bodied men and for steam engines twenty able bodied men,
and for hook and ladder companies twenty-five able bodied men between the ages of
eighteen and fifty years, and they may elect their own officers not otherwise herein pro-
vided for and shall be formed only by voluntary enlistment. Every member of each
company hereby authorized to be formed shall be exempt from service on juries and
from military duty, during the continuance of such membership, except in case of insur-
rection and invasion.

Section 3. Whenever any person shall refuse to obey any lawful order of the chief
engineer, the mayor and aldermen, fire warden, chief of police, or any policeman at any
fire, it shall be lawful for the officer giving any such order to arrest or direct orally any
policeman, constable or any citizen to arrest any such person and to confine him tem-
porarily in the police station until such fire shall be extinguished and in the same
manner such officer or any of them may arrest or direct the arrest and confinement of
any person at such fire who may be intoxicated or disorderly, and if any person shall
refuse to arrest or aid in arresting any person who shall be intoxicated or disorderly,
he shall be liable to such penalty as the common council shall prescribe, not exceeding
twenty dollars ($20.00).

Section 4. Only actual residents and persons approved by the common council of
the city of Menasha shall hereafter be admitted as a member of any company organ-
ized under this act. And upon removal from the city, of any member of any such
company, and in case of his absence from the city for a space and term of two months
at any one time, he shall immediately cease to be a member of his said company and
of the fire department of the city of Menasha.

Section 5. All the expense of the fire department shall be hereafter a city charge, and
the taxes therefore to be assessed and collected as other city taxes.

Section 6. The common council may by contract or otherwise construct and maintain
in said city, reservoirs to supply with water the city fire department by sinking artesian
wells or fountains, or may construct reservoirs to be filled in any other manner and may
purchase lands upon which to sink wells and reservoirs, deeds to be given to the city of
Menasha, and may sell and deed such property when a majority of said council may see
fit. And the common council may pass all the necessary ordinances for the pro-	ection of same and prescribe penalties for the injury or destruction to any of said prop-
certy.

Section 7. The common council shall appoint one fire warden for each ward who
shall perform such duties as the common council may prescribe, and they may, at
any time enter into any building, house, store, barn or enclosure for the purpose of in-
specting the same.

Section 8. The treasurer of the fire department shall receive and pay out all moneys
belonging to said department, and shall secure the faithful performance of his duty by
his bond to the said city in such penal sum as shall be required with sureties to be ap-
proved by the common council. Such moneys only to be paid out on order signed by
the chief engineer and countersigned by the clerk of said department.

Section 9. There shall be elected by the members of each company aforesaid, an-
ually at their annual meeting a clerk or secretary who shall, on or before the first Mon-
day in May in each year return to the city clerk a list containing the name of each
member of their respective companies, and when any member of either of said com-
panies shall cease to be a member thereof by resignation, expulsion or otherwise, notice
thereof shall be given to the city clerk.

Section 10. The city clerk is hereby required to keep a record of the members of
the several companies organized under this chapter, and such record shall consist of
the returns made by the several clerks or secretaries as above provided and no person shall
be exempt from jury duty unless the name is entered on such list. In case any per-
son, shall from any cause cease to be a member of either of said companies, the clerk
shall note that fact on the list thereof, and shall return to the county clerk of the
county of Winnebago a list of all persons who are members of either or all of said
companies exempt from jury duty, on or before the day now appointed, or which may
hereafter be appointed for the annual meeting of said board, and said board shall not
place the name of such persons on the jury list for the ensuing year.

Section 11. There shall be paid to the treasurer of the city of Menasha for the benefit
of the fire department of the city on or about the first day of February of each year, by
every person who shall act in said city as agent for, or in behalf of any individual or
association or associations of individuals, whether incorporated by the laws of this state
or by the laws of any other state, territory or country, to effect insurance against loss
or injury by fire, the sum of two dollars upon each one hundred dollars ($100), and at
that rate upon the amount of all premiums which during the year or part of the year
ending on the next preceding first day of January, shall have been received by such agent
or person or company, or by any other person or persons for him or it, which shall have
been agreed to be paid for any insurance effected or agreed to be effected or promised
by him, or such agent, or otherwise, or by such company against loss or injury by fire.

No person shall, in said city of Menasha, as the agent or otherwise, for any individual
or individuals, association or corporation agree to effect or effect any insurance upon
which the duty mentioned in the next preceding article, is required to be paid, or as
agent or otherwise procure such insurance to be effected, unless he shall have first exe-
cuted to said city of Menasha, and deposited with the clerk a bond, to be approved by
the mayor of said city of Menasha, and deposited with the clerk of said city, the penal
sum of three hundred dollars ($300), with sureties thus approved by said mayor, con-
ditioned that he will render to said clerk of the city, on or before the
first day of February next, a just and true account, verified by oath,
that the same is true and just of all premiums which during the year ending on the first
day of January next preceding such report shall have been received by him or by any
other insurance against loss or injury by fire in said city, which shall have been ef-
fected or promised by him or agreed or promised by him to be effected for any indi-
vidual or individuals, association or corporation, and that he will on such first day of
February pay to the treasurer of said city of Menasha, for the use and benefit of the
fire department two dollars ($2.00) upon every hundred dollars ($100.00) on premiums
collected and at that rate upon the amount of such premiums, each and every such
agent shall annually file such bond with said city clerk on the first secular day of Jan-
uary in each year; provided, that in lieu of an annual bond, any such agent may file a
bond, with like conditions in the penal sum of one thousand dollars ($1000.00) which
shall be a continuing bond while such agent shall engage in the insurance business in
said city, and any person who shall in said city effect, agree to effect, promise or pro-
cure any insurance specified in the preceding section, without having given such bond
shall forfeit and pay for each offense and for each insurance so effected the sum of one
hundred dollars ($100.00) and such sum shall be recovered as other penalties or for-
feitures accruing under this act; and said city may maintain an action on said bond,
or against such agent, to recover all moneys required by the previous section of this
act to be paid into the city treasury.

Section 12. Any person who shall pay any premium or agree to pay any premium
for insurance on property within said city to any person, association or corporation,
who shall not have filed the bond hereinbefore provided for, shall forfeit and pay three
times the amount of the percentage upon such premium which should be paid into
the treasury as aforesaid, to be recovered as other forfeitures under this act.

Section 13. It shall be competent for the common council to provide by ordinance,
the organization and management of volunteer fire companies, and to appropriate from
the general fund such sums as shall be deemed requisite for the aid of such companies
for procuring apparatus and outfit, and maintaining and housing the same, and to
provide suitable penalties for the violation of any of the provisions of the ordinances
passed under this section, and shall be competent for the said common council to pro-
vide for the establishment or continuance of a paid fire department to be entirely under
the control of the city government, and maintained at the sole expense of the city; and
to provide for the appointment and compensation of as many firemen as shall from
time to time be necessary.

CHAPTER 11.

BOARD OF EDUCATION.

Section 1. All territory within the present corporate limits of the city of Menasha,
and all territory which may hereafter be attached to, and incorporated in the limits of
said city, shall constitute one school district for the better regulation and management
of the public schools of said city.

Section 2. The commissioners of common schools herein named, and the superin-
dentent thereof, shall be styled the "board of education of the city of Menasha," a
majority of whom shall constitute a quorum, and shall be a corporate body in relation
to all powers and duties conferred on them by virtue of this act. The superintendent
of schools in said city shall be ex officio president of the board of education, and in
case of a tie, shall be entitled to a casting vote.

Said board of education shall appoint one of their number clerk, and fix his compen-
sation, which shall not exceed fifty dollars ($50.00) per year, and who shall hold his
office during the pleasure of said board. The said commissioners shall receive no com-
ensation for their services.

Section 3. The said superintendent of schools and the said commissioners of the
common schools so elected as aforesaid, shall, within ten days after election, take the
oath of office prescribed by the constitution of the state, and file the same with the
city clerk.

Section 4. The clerk of said board shall keep a record of the proceedings thereof, and
perform such other duties as the board may prescribe, which record or transcript there-
of, certified by the superintendent and clerk, shall be received in all courts as prima
facie evidence of the facts therein set forth, and such records and all the books and ac-
counts of said board shall at all times be subject to inspection of the city council, and of
any committee thereof.