prohibition of special and private laws see notes to sec. 31, art. IV; on election, term, and removal of county officers see notes to sec. 4, art. VII; on division of counties see notes to sec. 7, art. XIII; on removal of county seats see notes to sec. 6, art. XIII; and on the division of the state into counties, and their boundaries, see notes to various sections of this chapter.

6. The right of a county to challenge acts of the legislature is sharply restricted, since the county is a creature of the state and exists in a large measure to help handle the state's burdens of political organization and civil administration. State v. Mutter, 23 W 347, 127 NW 347 (1920).

This section states the common-law rule that a legal assembly of the members of a municipal governing body is made up of a majority of all its members. This is the universal rule applicable to all corporations, public or private. Wherever the common-law rule has been changed by statute, language uniformly occurs which is so plain as to leave very little, if any, room for judicial construction. Under this section it was held that a majority vote of a quorum but less than a majority of all the members of the board constitutes the legal action of the whole board. St. Amelius Orphan Asylum v. Milwaukee County, 107 W 353, 82 NW 704.

Commissioners appointed by the county board to act with the town board in the building of a bridge cannot alone or acting with the board bind the county by contract. Johnson v. Buffalo County, 111 W 263, 87 NW 240.

An oral motion when adopted by a county board or city council becomes a resolution. Meade v. Dane County, 158 W 652, 145 NW 239. Sec. 652, Stats. 1911, contemplates that some powers of a county board may be exercised by a committee, but it does not attempt to define the extent of such power of delegation. First S. & T. Co. v. Milwaukee County, 158 W 207, 148 NW 22, 1920.

Where a motion to accept a bid for furnishing furniture for the courthouse is voted on, 7 voting in the affirmative, 5 in the negative, 2 not voting, it is not carried, the statute requiring a determination by a majority of those present. 2 Atty. Gen. 251.

The county board may delegate power to a committee to attend to the erection of a new building or the addition to the courthouse. 6 Atty. Gen. 652.

The county board is empowered to employ a graduate trained nurse. This may be done by the board direct or in pursuance of a resolution or an ordinance. 7 Atty. Gen. 613.

A county board may not adopt a rule requiring a larger vote than is required by statute to authorize expenditures by that body. 12 Atty. Gen. 24.

Even though rules of parliamentary proce-