

days, or both, in the discretion of the court before whom such conviction may be had.

SECTION 3. It is hereby made the duty of the district attorney in the district where any violation of this act shall occur, to institute proceedings against any such person, company, corporation, home or institution, as may violate the same, upon complaint being made to him in writing by any member or members of the state board of health.

District attorney to prosecute.

SECTION 4. All acts or parts of acts, so far as the same are in conflict with the terms and provisions of this act, are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.  
Approved April 18, 1893.

No. 628, A.]

[Published April 28, 1895.

## CHAPTER 255.

AN ACT to authorize and direct the state board of health to investigate and recommend a proper system of sewerage of the Menominee and Kinnickinnic valleys, in the county of Milwaukee; and to report thereon at the next session of the legislature.

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

SECTION 1. The state board of health is hereby authorized and directed to investigate, consider and report at the next session of the legislature upon a general system of sewerage for the relief of the valleys of the Menominee and Kinnickinnic rivers, and so much of the territory as is tributary thereto, as in the opinion of said board may be deemed advisable for the public health for the city of Milwaukee, and town or towns, village or villages adjacent thereto and within the proposed territory, or so much of said city, town or towns, village or villages, as may in the

State board of health to recommend system of sewerage.

**Expense, how paid.** opinion of said board be best relieved by the use of such system; provided, the board of supervisors of the county of Milwaukee shall appropriate the money to pay the expense thereof, as hereinafter provided.

**Territory embraced in system to be designated.** SECTION 2. It shall be the duty of said board of health, to designate the city, town or towns, village or villages, the whole or parts thereof, which shall be tributary to and embraced in the territory and system so to be reported, and to describe the same in their report with plans, specifications and maps, and they shall also show by suitable plans, specifications and maps, such trunk line or lines, and main branches thereto, as it shall recommend to be constructed.

**Methods of using system to be defined.** SECTION 8. The said board of health shall further consider, report and define the methods by which said city, town or towns, village or villages, or parts of said city, town or towns, village or villages, may utilize said trunk line and main branches as an outlet of a system of sewerage for said city, town or towns, village or villages, or such parts thereof as said board shall recommend, and show the same by such plans and maps.

**Surveys and levels to be made.** SECTION 4. The said board of health shall cause such surveys and levels to be made as will enable said board to determine approximately the location and grades of said trunk line and main branches, and also such surveys and levels of the territory which the said board shall determine should be tributary to such trunk line or lines and main branches as will enable said board to determine the method by which the said city, towns and villages, or parts thereof may respectively utilize such system, and report thereon.

**Capacity of trunk lines, etc. to be defined.** SECTION 5. Said board of health shall also recommend and define the size and capacity of the trunk line or lines and main branches, and the materials of which they should be constructed, the manner of construction, and such other particulars as will enable the board to determine the probable expense thereof.

**Certain conditional contracts for use of system may be made.** SECTION 6. The said board of health is hereby authorized to enter into a conditional contract with the board of the national home for disabled volunteer soldiers, near Milwaukee, for the use of such system of sewerage by said home, with

the board of supervisors of Milwaukee county for the use of said system of sewerage by the county hospital, by the Milwaukee county hospital for the chronic insane, and by the almshouse, either or any of them, and with the board of trustees of the Milwaukee hospital for insane for the use of said system, and said board of supervisors of Milwaukee county, and said trustees of said Milwaukee hospital for insane are hereby authorized and empowered to enter into a like conditional contract with the said state board of health, upon such terms as may be agreed upon, which contracts shall be subject to the ratification and approval of the legislature of the state of Wisconsin; and the said state board of health shall report to the next legislature the terms of any such contract as may be embraced in this section, together with their recommendation thereon.

SECTION 7. It shall be the duty of said board of health to describe the territory which in their judgment will be benefited by such system of sewerage, and which should be assessed for the purpose of raising a fund to pay for the expenses hereinafter mentioned, and for the cost of the construction of said system of sewerage, and also to recommend the manner and method of the assessment of the taxes and the collection thereof for that purpose, and in determining the method of assessment, the board may consider the special and peculiar benefits which any property may receive on account of any peculiar uses or business to which such property may be devoted, requiring the use of such sewer. And said board of health shall also recommend, if they deem advisable, the terms and conditions upon which the county of Milwaukee and the state of Wisconsin shall use such system of sewerage for the benefit of the institutions above mentioned, and what proportion, in their judgment, the county of Milwaukee and the state of Wisconsin should pay towards the construction of said sewerage system for the use thereof by the said institutions respectively.

Territory benefited to be described; taxes, etc.

SECTION 8. The said state board of health is authorized to employ such assistance as they shall deem advisable to enable them to perform the duties under this act.

May employ assistance.

**Appropriation.** SECTION 9. The county board of supervisors of Milwaukee county is hereby authorized to levy and appropriate out of any funds not otherwise appropriated, the sum of not exceeding ten thousand dollars, for the purpose of carrying out the provisions of this act, which sum shall be deemed a part of the expense of the construction of such sewer system, and the same shall be repaid to the said county of Milwaukee, with interest thereon at the rate per cent. *per annum* received by said county on its deposits, out of the funds to be hereafter raised for the construction of such sewer system.

**Account of expenses, etc.** SECTION 10. The said board of health shall keep an itemized account of the expenses incurred by them under this act, and shall from time to time, report the same to the said board of supervisors of Milwaukee county, and upon the approval of the same by said board of supervisors, said board of supervisors shall cause the amount thereof to be paid said state board of health, not exceeding in all, however, the sum of ten thousand dollars.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved April 18, 1893.

No. 683, A.]

[Published April 28, 1893.

## CHAPTER 256.

AN ACT to amend sections 3314, 3321, 3322 and 3324, of chapter 143, of the Annotated Statutes, entitled "Of liens."

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

**Amends sec.  
3314, S. & B's.  
Anno. State.**

SECTION 1. Section 3314 of the Annotated Statutes, is hereby amended by inserting after the word "well" where the same occurs in the tenth, fifteenth, twenty-first and twenty-sixth