

nished for this purpose so that the state board of health may make a comparative table of the healthfulness or unhealthfulness of all cities and all incorporated villages.

Penalty. SECTION 3. Any health officer or clerk who refuses or neglects to comply with the provisions of this act shall, upon conviction, be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) for each offense.

Duty of district attorney. SECTION 4. It shall be the duty of the district attorney, to prosecute such delinquent officer, upon complaint to enforce the provisions of this act.

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

Approved May 16, 1905.

No. 284, A.]

[Published May 18, 1905.

CHAPTER 209.

AN ACT amendatory of subdivision 34 of section 925—52 of the statutes of 1898, relating to powers of city common councils and providing for heating city buildings and other buildings in cities.

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

Powers of common council. SECTION 1. Subdivision 34 of section 925—52 of the statutes of 1898 is hereby amended so as to read as follows: 34. To provide for lighting the streets, public grounds and buildings with gas or otherwise, *and heating buildings with steam or otherwise*, and for furnishing light *and heat* to the inhabitants of such city, upon such terms as may be provided by ordinance; and for such purpose may own and operate its own lighting *and heating* plants, or contract by ordinance or otherwise with any person, persons, company or corporation, for a term not exceeding ten years at any one time, at such price, on such terms and subject to such limitations as may

be prescribed by such ordinance or contract; provided, that the foregoing provision for furnishing light *and heat* to the inhabitants shall not apply to cities of the first class.

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

Approved May 16, 1905.

No. 323, A.]

[Published May 18, 1905

CHAPTER 210.

AN ACT amendatory of chapter 312 of the laws of 1901, relating to the levy of a special highway tax in towns and to provide for county aid in constructing permanent highways.

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

County aid for, how obtained. SECTION 1. Section 2 of chapter 312 of the laws of 1901 is hereby amended to read as follows: Section 2. Whenever the supervisors of any town shall file with the county board of the county in which such town is situated, a petition setting forth that such town, in addition to levying the usual highway taxes has voted to cover any main traveled highway, after the same has been properly graded at the expense of said town, not less than twenty-four feet wide, with gravel, crushed rock or clay and gravel to a depth of not less than four inches, and not less than eight feet in width, and that said town has provided for the payment of one-half of the cost of covering said main traveled highway with gravel, crushed rock or clay and gravel, the county board shall appropriate the other half of such cost and cause such sum to be levied upon all the taxable property in the county, as will with the amount provided for by said town be sufficient to defray the expense of covering said main traveled highway or highways designated in said petition. Such money when collected, shall be paid out on order signed by the chairman of the county board and county clerk whenever said town supervisors shall notify them that the work has been completed and accepted. The county board shall, at the time of making