

during the preceding year, and the purposes for which the same were levied and expended; and also a detailed statement of the bonded and other indebtedness of his county, of the accrued interest thereon, if any, remaining unpaid, and the purposes for which such indebtedness was incurred.

SECTION 3. Section 1218—13 of the statutes is amended to read: Section 1218—13. When the officers of any county, town, city, or village shall have failed to return the amount of state, county, and local taxes, levied on property therein within the time required by law, the \* \* \* *tax commission* may inspect and examine, or cause an inspection and examination of the records of such officers to procure the required information, and when no return is made and no information can be procured, the state, county, and local taxes levied in such town, city, or village in the prior year may be used in determining the aggregate taxes mentioned in section 1218—12. *Any expense incurred in procuring the information herein required shall be a special charge against the county, town, city, or village whose clerk shall have failed to furnish the information within the time prescribed and shall be collected in the same manner as other special charges.*

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved May 28, 1909.

No. 853. A ]

[Published May 29, 1909

## CHAPTER 213.

AN ACT to amend section 1797m—80, section 1797m—81 and section 1797m—90 of the statutes, relating to the jurisdiction and regulation of public utilities by the Railroad Commission of Wisconsin.

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

SECTION 1. Section 1797m—80 of the statutes is amended to read: Section 1797m—80. If the municipality shall have determined to acquire an existing plant then operated under a license, permit or franchise existing at the time this act takes effect *by a vote of a majority of the electors voting thereon at any general, municipal or special election at which the question of the purchase of such plant shall have been submitted*, such municipality shall bring an action in the circuit court against the public utility as defendant praying the court for

an adjudication as to the necessity of such taking by the municipality, in which action the complaint shall be served with the summons. The public utility shall serve and file its answer to such complaint within ten days after the service thereof, whereupon such action shall be at issue and stand ready for trial upon ten days' notice by either party. Unless the parties thereto waive a jury, the question as to the necessity of the taking of such property by the municipality shall be as speedily as possible submitted to a jury.

SECTION 2. Section 1797m—81 of the statutes is amended to read: Section 1797m—81. If the municipality shall have determined to acquire an existing plant *in the manner provided in the preceding section*, and the public utility owning such plant shall have consented to the taking over of such plant by the municipality by acceptance of an indeterminate permit as provided herein, or, in case such public utility shall not have waived or consented to such taking, if the jury shall have found a necessity exists for the taking of such plant, then the municipality shall give speedy notice of such determination and of such consent or such verdict of a jury to the public utility and to the commission.

SECTION 3. Section 1797m—90 of the statutes is amended to read: Section 1797m—90. It shall be unlawful for any public utility to demand, charge, collect or receive from any person, firm or corporation less compensation for any service rendered or to be rendered by said public utility in consideration of the furnishing by said person, firm or corporation of any part of the facilities incident thereto; provided nothing herein shall be construed as prohibiting any public utility from renting any facilities incident to the production, transmission, delivery or furnishing of heat, light, water or power or the conveyance of telephone messages and paying a reasonable rental therefor, *or as requiring any public utility to furnish any part of such appliances which are situated in and upon the premises of any consumer or user, except telephone station equipment upon the subscribers' premises, and unless otherwise ordered by the commission meters and appliances for measurements of any product or service.*

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved May 28, 1909.