

of said city, who shall constitute and be known as the board of city service commissioners of such city, and shall designate one of the persons so appointed to serve for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year, from the first Monday of July in the year of their appointment and until their respective successors are appointed and qualified; and in each and every year after such first appointment, the mayor shall, in like manner, in the month of June, appoint one person as the successor of the commissioner whose term shall expire in that year, to serve as such commissioner for four years from the first Monday of July then next ensuing, and until his successor is appointed and qualified. Three commissioners shall constitute a quorum necessary for the transaction of business. Any vacancy in the office of commissioner occurring during the term shall be filled for the unexpired term by appointment by the mayor and all appointments, both original and to fill vacancies, shall be so made that not more than two commissioners shall at the time of the appointment be members of the same political party. Said commissioners shall hold no lucrative office or employment under the United States, the state of Wisconsin, or any municipal corporation or political division thereof, and each commissioner shall before entering upon the discharge of the duties of his office and within ten days after receiving notice of his appointment, take and subscribe the oath of office prescribed by the constitution of this state, and file the same, duly certified by the officer administering it with the city clerk of his city. \* \* \* *Each commissioner may receive compensation to be fixed by the common council.*

SECTION 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect upon passage and publication.

Approved May 25, 1915.

No. 558, A.]

[Published May 27, 1915.

## CHAPTER 136.

AN ACT to amend subsection 1 of section 1797—12e and section 1797—12h of the statutes, relating to railroad crossings and fouling points.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Subsection 1 of section 1797—12e and section 1797—12h of the statutes are amended to read: (Section 1797—12e)

1. Whenever a petition is lodged with the commission by the common council of any city, the village board of any village, the town board of any town, *the county board of supervisors of any county*, within or bordering upon which a highway or street crosses, or is crossed by a railroad, or within or bordering upon which a highway or street is proposed to be laid out across a railroad, or whenever such petition is so lodged by any railroad company whose track crosses or is about to cross, or is crossed, or about to be crossed by a street or highway, to the effect that public safety requires an alteration in such crossing, its approaches, the method of crossing, the location of the highway or crossing, the closing of a highway crossing, and the substitution of another therefor, not at a grade, or the removal of obstructions to the view at such crossing, or requires the determination of the mode and manner of making such new crossing, and praying that the same may be ordered, it shall be the duty of the commission to give notice to the proper party or parties in interest other than the petitioner, of the filing of such petition, and to proceed to investigate the same and to order a hearing thereon in the manner provided for hearings in section 1797—12, and after such hearing the commission shall determine what alteration in such crossing, approaches, mode of crossing, location of highway crossing, closing of highway crossing, and the substitution of another therefor not at grade, or removal of obstructions to sight at crossing, if any, shall be made, and by whom made, and in case of new crossings the mode and manner of making them.

Section 1797—12h. Whenever a petition is lodged with the commission by the common council of any city, the village board of any village, \* \* \* the town board of any town or *the county board of supervisors of any county* within which a railroad track crosses another railroad track at grade, or whenever such petition is so lodged by any railroad company whose track crosses or is crossed at grade by the track of another railroad company, to the effect that public safety requires an alteration in such grade crossing, or the installation, operation, and maintenance of some suitable protective appliance at such grade crossing, it shall be the duty of the commission to give notice to the proper party or parties in interest other than the petitioner of the filing of such petition, and to proceed to investigate the same and to order a hearing thereon in the manner provided for hearings in section 1797—12, and after such hearing the commission shall determine what alteration in such crossing or mode of crossing, if any, shall be made, and by whom made and maintained, or what suitable protective appliance shall be installed, operated, and maintained at such crossing and by whom installed, operated,

and maintained. The commission shall fix the proportion of the cost and expense of such change in grade and the maintenance of the crossing or of the installation, operation, and maintenance of such safety appliance which shall be paid by the railroad companies, respectively.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 25, 1915.

No. 594, A.]

[Published May 27, 1915.

## CHAPTER 137.

AN ACT to amend section 6 of chapter 313, laws of 1895, as amended by chapter 218, laws of 1897, and by chapter 547, laws of 1911, relating to civil service in cities.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 6 of chapter 313, laws of 1895, as amended by chapter 218, laws of 1897, and by chapter 547, laws of 1911, is amended to read: (Ch. 313, laws of 1895) Section 6. Officers who are elected by the people, or who by the statutes are required to be elected by the city council, inspectors and clerks of election, members of any board of education, the superintendents and teachers of schools, heads of any principal departments of the city, all members of the law, fire, and police departments, officers and clerks entrusted with the handling of money for which their superior officer is required to give bond, *persons employed temporarily in the office of the city treasurer or city clerk to assist in making out the tax roll*, one private secretary of the mayor and any other officers, clerks, or employes in the service of the city whose positions, in the judgments of the said city service commissioners cannot, for the time being be subjected, with advantage to the public service, to the general rules prepared under this act, shall not be affected as to their election, selection, or appointment, by such rules made by said commissioners. When any position to be filled involves fiduciary responsibility other than the handling of money, the appointing officer may require the appointee to furnish him a bond or other security for the faithful performance of his duty, the amount to be fixed by the appointing officer with the approval of the mayor, and shall notify the city service commission of the amount and conditions thereof and other details thereof, provided, however, that any surety company, the bonds of which are accepted by the judge of any court of record in this state, shall be sufficient security on any such bond, and