

(Section 4562e.) (b) Any prairie chicken or prairie hen or grouse of any variety between the first day of October and the succeeding seventh day of September, in any of the following named counties, to wit: Ashland, Adams, Barron, Burnett, Buffalo, Brown, Bayfield, Chippewa, Clark, Crawford, Dodge, Dunn, Douglas, *Florence*, Grant, *Green*, Green Lake, Eau Claire, Fond du Lac, Iowa, Jackson, Juneau, Lafayette, Marathon, Marinette, Marquette, Monroe, Oconto, Outagamie, Pepin, Polk, Pierce, Portage, Richland, Rusk, Sawyer, Shawano, St. Croix, Vernon, Washburn, Waushara, Waupaca and Wood.

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

Approved July 29, 1915.

No. 322, A.]

[Published July 31, 1915.

## CHAPTER 459.

AN ACT to amend sections 921, 925—90, 926—157, 926—158 and 926—159 of the statutes, relating to bids on contracts and improvements in cities and villages.

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

SECTION 1. Sections 921, 925—90, 926—157, 926—158 and 926—159 of the statutes are amended to read: Section 921.

All contracts for the performance of any work or the purchase of any materials, in any such village, exceeding \* \* \* *five* hundred dollars, shall be let by the village board to the lowest bidder in such manner as they may prescribe.

Section 925—90. All public work, the estimated cost of which shall exceed \* \* \* *five* hundred dollars, shall be let by contract to the lowest responsible bidder; all other public work shall be let as the council may direct. When the work is directed to be let to the lowest responsible bidder or is required to be so let under the provisions of this section, the board of public works or such officers as shall be designated to discharge its duties shall advertise for proposals by publishing a notice in the official newspaper at least once in each week for at least two successive weeks. Before such proposals are advertised for, a profile of the work to be done, together with the specifications, shall be placed on file for the inspection of bidders, and a form of contract with sureties, as the same will be required to be executed by bidders, shall be prepared and a copy of the same furnished to any person desiring to bid on the work. No bid shall be received when not accompanied

by a bond with sureties executed on the part of the bidder and such sureties, which sureties shall justify as to their responsibility and by their several affidavits show that they are worth in the aggregate at least the amount mentioned in the contract in property not by law exempt from execution; provided, that a certified check in amount equal to five per cent of the bid, and a provision in the contract for the retention by the city of twenty per cent of the estimates made from time to time, may be accepted in place of sureties. The power to reject any and all bids shall be deemed to exist unless expressly waived. When no proper bids shall be received for any such work the council, by a two-thirds vote of all its members, may direct that such work be done under the supervision of such officer or officers as it shall designate.

Section 926—157. Whenever the common council of any city \* \* \* or the village board of any village, whether operating under the general or a special charter, shall, after notice duly given, receive bids for the grading of streets, construction of sewers, laying of pavements, sprinkling and cleaning of streets, or for any other public work or improvement, or for the furnishing of materials therefor, be of the opinion that such bids are fraudulent, collusive or greater in amount than the fair reasonable value of the work to be done or materials to be furnished, said common council or village board may, by resolution and by the vote of two-thirds of its members, direct and determine that the bids so received shall be rejected and that the work be done and materials to be furnished shall be performed and furnished by said city or village directly, and under the direction and supervision of the board of public works or body performing the duties usually devolving upon such board; but in any city of the first class no such bids shall be rejected or such work done or materials furnished by the city, unless the rejection of such bids, the doing of such work or the furnishing of such material by the city shall have been recommended by the commissioner of public works.

Section 926—158. Whenever the common council of any city, or village board of any village shall determine to carry on any public work or construct any improvement under the provisions of this chapter, it shall have the power to purchase and secure all necessary and proper tools and equipment with which to perform the same.

Section 926—159. The cost and expense of all work done and all materials furnished by any city or village under this chapter shall be collected in the same manner as if done and fur-

nished by any other person under contract with said city *or village*, and the power to levy special assessments to defray such cost and expense shall be the same as is now, or as hereafter may be provided under the charter of any said city, *or village or by law*; provided, however, that the amounts assessed hereunder against any lands or interests specially benefited or otherwise liable therefor shall in no case exceed the amounts which would have been assessed against the same had the lowest bid so received as aforesaid been accepted, and that so much of such cost and expense as shall be in excess of such lowest bid shall be borne by said city *or village* at large.

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

Approved July 29, 1915.

No. 329, A.]

[Published July 31, 1915.

## CHAPTER 460.

AN ACT to create sections 553m—101 to 553m—108 of the statutes, to regulate the sale, prices, and manner of supply of school textbooks, and providing a penalty.

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

SECTION 1. There are added to the statutes eight new sections to read: Section 553m—101. No person shall offer any school textbook for adoption, sale or exchange in the state of Wisconsin until he shall have complied with the following conditions:

(1) He shall file copies of all textbooks proposed to be sold in the state of Wisconsin by the company manufacturing such book, in the office of the state superintendent of public instruction with a sworn statement of the list price, the lowest wholesale price, and the lowest exchange price at which said book is sold or exchanged for an old book on the same subject of like grade and kind but of a different series in states of the United States including the state of Wisconsin.

(2) He shall file with the state superintendent of public instruction a bond running to the people of the state of Wisconsin, with a responsible surety company authorized to do business in the state of Wisconsin as surety thereon, in a penal sum to be determined by the state superintendent of public instruction, of not less than two thousand dollars nor more than ten thousand dollars, conditioned as follows: