

No. 247, S.]

[Published March 26, 1917.

## CHAPTER 38

AN ACT to amend the first paragraph of subsection (1) of section 20.53 of the statutes, making an appropriation for the state banking department.

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

SECTION 1. The first paragraph of subsection (1) of section 20.53 of the statutes is amended to read:

(20.53) (1) On July 1, \* \* \* 1917, forty-eight thousand dollars, and annually, beginning July 1, \* \* \* 1918, fifty-four thousand dollars, for the execution of its functions. Of this there is allotted:

SECTION 2. This act shall take effect upon July 1, 1917.

Approved March 23, 1917.

No. 314, S.]

[Published March 26, 1917.

## CHAPTER 39

AN ACT to detach certain territory from the town of Homestead and the town of Florence in Florence county, and to create the town of Aurora; to provide for town meetings therein and for the final settlement between said towns.

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

SECTION 1. All that portion of the present town of Homestead and the town of Florence, situated in Florence county, in the state of Wisconsin, and described as follows, to wit: All of township thirty-eight north of range nineteen east of the fourth principal meridian in the state of Wisconsin, and now forming part of the present town of Homestead, and all that part of township thirty-nine north of range nineteen east of the fourth principal meridian in the state of Wisconsin lying and being south of the Pine River and now forming part of the present town of Florence, in said county, is hereby set off and detached from the said towns of Homestead and Florence, respectively, and created and constituted a separate town to be known and designated as the town of Aurora.

SECTION 2. The qualified electors of the town of Aurora shall meet at the town hall located in section ten, township thirty-eight north, range nineteen on the first Tuesday in April, 1917, and the qualified electors of the town of Homestead shall meet at the schoolhouse in district number one on the northeast quarter of the northeast quarter of section eleven in township thirty-

eight north, range eighteen east, on the first Tuesday of April, 1917, and at each of such meetings in each of the respective towns shall elect by ballot town officers for each of their respective towns; and the qualified electors of each of said towns shall have the power to do any and all things that the qualified electors of any duly organized town have power to do. Notice of such first town meeting shall be given by the clerk of the town of Homestead by posting notice thereof in at least three public places in each of said towns.

SECTION 3. When said town meeting shall have been held as herein provided and the town officers required by law fully elected and qualified the said town of Aurora shall be deemed and shall be duly organized and shall possess all the rights, powers, privileges and authority, and shall be subject to all the liabilities of other towns of said state.

SECTION 4. The assets, credits, indebtedness and liabilities as between said towns of Aurora and Homestead, shall be apportioned according to the provisions of section 672 of the statutes, except that in fixing the per cent of assets and credits accrued and indebtedness and liabilities chargeable to said town of Aurora, the apportionment and division shall be made pro rata according to the assessment roll of the town of Homestead for the year 1916. And the town board of the town found to be indebted to the other shall have the power to levy a tax upon all the taxable property in the town so found to be indebted to pay such indebtedness.

SECTION 5. The supervisors of the town of Aurora and the supervisors of the town of Homestead shall, on the 16th day of April, A. D. 1917, at ten o'clock in the forenoon, meet at the town hall in the town of Aurora for the purpose of making a settlement between said towns according to the provisions of this act, and at said meeting, or any subsequent or adjourned meeting, held by said town boards of supervisors, any three of the supervisors shall have full power and authority to send for and have brought before them at such meeting any persons, books, papers and records necessarily involved or needed in the settlement between said two towns. The town clerk of the town of Homestead shall be and act as clerk of such joint meeting, and the clerk of the new town of Aurora shall be present and assist as such clerk, and sufficient duplicates or copies of all proceedings had shall be made, in order that each town shall have at least one for the use and information of the town clerk and town board of supervisors thereof. Each town shall be chargeable with the expense for the service of its own officers only, and

the bills therefor shall be audited and paid by the respective towns of Homestead and Aurora as other bills are by law authorized to be paid.

SECTION 6. This act shall take effect upon passage and publication.

Approved March 23, 1917.

No. 45, S.]

[Published March 28, 1917.

## CHAPTER 40

AN ACT to create sections 927—21 to 927—25, inclusive, of the statutes, relating to the sale or lease of public utility plants and equipment by municipalities.

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

SECTION 1. There are added to the statutes five new sections to be numbered and to read: Section 927—21. 1. Any public utility plant or any part thereof, owned by any town, village or city, may be sold (otherwise than upon foreclosure) or leased by any such municipality as provided in sections 927—21 to 927—25, inclusive.

2. The municipality may enter into a preliminary agreement with any proposed purchaser or lessee of such plant or part thereof, subject to the approval of the railroad commission and the electors of such municipality, as hereinafter provided. Such preliminary agreement shall contain the provision that the selling price or rental to be paid shall be a stated amount, unless the amount fixed by the railroad commission for purposes of sale or lease is greater than the said stated amount and, in that event, that the selling price or rental to be paid to the municipality shall be that fixed by the commission.

Section 927—22. 1. Before any town, village or city shall enter into such preliminary agreement providing for the sale or lease of any such plant or part thereof, the common council, board of aldermen, the board of trustees, the town or village board, or the governing body of such town, village or city shall authorize the execution of such preliminary agreement by a resolution or ordinance adopted at a regular meeting by a vote of at least a majority of the members-elect. At least one week prior to such meeting the proposed resolution or ordinance shall be published in the official paper of the town, village or city, or if there is no such official paper such proposed resolution or ordinance shall be posted in four of the most public places in such town, village or city at least ten days prior to such meeting.

2. Such resolution or ordinance shall contain a statement as