

dence of the age of such policeman for the purposes of this section.

64. It shall be the duty of all officers, officials, and employes of such city to perform any and all acts, required to carry out the intent and purposes of this section, which it shall be necessary that any such officer, official, or employe shall perform so that the provisions of this section may be complied with and the intent and purposes thereof fulfilled.

65. Notwithstanding any other provisions of this section, if a retirement commission as stated in subsection 3 hereof, does not exist in any such city, then it shall be the duty of the commissioner of insurance of this state to examine into the affairs of the annuity and benefit fund hereby created at least once in every three years and to submit a report concerning the results of his examination to the mayor of such city who shall submit such report to the common council of such city. The expense of such examination shall be paid by the annuity and benefit fund hereby created.

SECTION 2. This act shall be amendatory of the charters of all cities of the first class in this state, and any provision in any such charter which is in conflict with or inconsistent with this act is hereby repealed. All laws and parts of laws which are in conflict with or inconsistent with this act, or any provision thereof, are hereby repealed.

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

Approved July 14, 1921.

No. 595, S.]

[Published August 9, 1921.

CHAPTER 590.

AN ACT to repeal expressly certain sections of the statutes that have been either superseded or repealed by implication; to repeal certain sections of the statutes that are duplicates of other sections; to strike out or remove obsolete and dead matter from certain sections of the statutes; to renumber and relocate certain sections of the statutes that have been improperly classified; to correct in certain sections of the statutes mistaken references to other sections; and to correct typographical errors, misprints and other errors in certain sections of the statutes.

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

SECTION 1. Sections 11.69 to 11.82 of the statutes are withdrawn.

SECTION 2. Subsection (6) of section 20.12, as created by chapter 343 of the Laws of 1921, is renumbered to be subsection (14) of said section. Subsection (15) of section 20.12, as created by chapter 545 of the Laws of 1921 is renumbered to be subsection (6) of said section. Subsection (14), which was created as subsection (12) of section 20.12 by chapter 151 of the Laws of 1921 and renumbered to be subsection (14) of said section 20.12, by chapter 545 of the Laws of 1921, is renumbered to be subsection (15) of said section 20.12.

SECTION 2a. Subsection (16) of section 20.43 of the statutes, created by chapter 365 of the Laws of 1921, is amended by striking out the word and figures "38.20 to 38.30" where they occur twice in said subsection and by inserting in each place thereof the word and figures "1435c—1 to 1435c—11".

SECTION 3. Paragraph (b) of subsection (9) of section 29.18, as amended by chapter 324 of the laws of 1921, is renumbered to be paragraph (c) of said subsection (9).

SECTION 4. Paragraph (a) of subsection (6) of section 29.19 of the statutes, created by chapter 351 of the Laws of 1921, is renumbered to be paragraph (b) of said subsection.

SECTION 5. Subsection (5) of section 29.33 of the statutes, as amended by chapter 275 of the Laws of 1921, is amended by adding after the word "namely" the following: "*In Allouez Bay, Superior Bay, St. Louis Bay, St. Louis River connected with Lake Superior,*"

SECTION 6. Sections 38.20 to 38.30, created by chapter 365 of the Laws of 1921 are renumbered and amended to read as follows:

Section 38.20 is renumbered to be section 1435c—1, and paragraph (d) of subsection (5) of said section is amended by striking out the words and figures "38.20 to 38.30 of the statutes" and by inserting in place thereof the figures and word "1435c—1 to 1435c—11".

Section 38.21 is renumbered to be section 1435c—2.

Section 38.22 is renumbered to be section 1435c—3 and subsection (1) of said section is amended by striking out the following:

“38.20 to 38.30, both inclusive of the statutes” and by inserting in place thereof the figures and word “1435c—1 to 1435c—11”.

Section 38.23 is renumbered to be section 1435c—4.

Section 38.24 is renumbered to be section 1435c—5 and is amended by striking out the word “committee” in each place where it occurs in said section, except where it occurs for the first time and by inserting in each place thereof the word “board”.

Section 38.25 is renumbered to be section 1435c—6 and subsection (1) thereof is amended by striking out the word “committee” and inserting in place the word “board”; also by striking out the figures and word “38.20 to 38.30” and by inserting in place thereof the figures and word “1435c—1 to 1435c—11”. Subsection (2) of said section is amended by striking out the second word, namely, “committee” and by inserting in place thereof the word “board”. Subsection (3) is amended by striking out the word “committee” and by inserting in place thereof the word “board”.

Section 38.26 is renumbered to be section 1435c—7.

Section 38.27 is renumbered to be section 1435c—8 and is amended by striking therefrom the words and figures “Sections 38.20 to 38.30, both inclusive” and inserting in place thereof the words and figures “Sections 1435c—1 to 1435c—11”.

Section 38.28 is renumbered to be section 1435c—9 and is amended by striking out the figures and word “38.20 to 38.30” where they occur three times in the section and by inserting in each place thereof the figures and word “1435c—1 to 1435c—11”.

Section 38.29 is renumbered to be section 1435c—10 and is amended by striking out the words and figures “38.20 to 38.30, inclusive” and by inserting in place thereof the word and figures “1435c—1 to 1435c—11”.

Section 38.30 is renumbered to be section 1435c—11.

SECTION 7. The first sentence of section 39.285 of the statutes is amended by striking out the word “that” where it occurs for the second time in said sentence and by inserting the word “first” in lieu thereof.

SECTION 8. The second sentence of subsection (1) of section 40.48 of the statutes is amended by striking therefrom the words “to be held the third Monday in March”.

SECTION 9. Paragraph (c) of subsection (7) of section 46.21 of the statutes, created by chapter 416 of the Laws of 1921 is amended by striking out the word “administration” where it oc-

curs in said paragraph and by inserting in lieu thereof the word "trustees".

SECTION 10. A new subsection is added to section 59.15 of the statutes to read:

(59.15) (7) Any officer who shall receive a salary in lieu of fees shall collect the fees appertaining to the office and turn them over to the county treasurer. He shall keep such books of account as the county board may order showing the fees charged and collected.

SECTION 11. Subsection (7) of section 71.03 of the statutes, as amended by chapter 335 of the Laws of 1921, is amended to read:

(71.03) (7) Contributions or gifts actually made within the year to corporations *or associations* operating within the state * * * organized and operated exclusively for religious, charitable, scientific, or educational purposes, or to societies operating within the state for the prevention of cruelty to children or animals, no part of the net income of which inures to the benefit of any private stockholder or individual, to an amount not in excess of ten per centum of the taxpayer's taxable net income as computed without the benefit of this * * * subsection.

SECTION 12. Section 74.44 of the statutes, as amended by chapter 96 of the Laws of 1921 and repealed by section 32 of chapter 422 of the Laws of 1921 is reenacted.

SECTION 13. Subsection 2a of section 1410d—6 is repealed.

SECTION 14. Subsection 2 of section 1410d—6 of the statutes is amended by striking from the end thereof the words "and the payment of the fee as provided in subsection 2a of this section".

SECTION 15. Subsections 4 and 5 of section 1410d—6 and subsection 1 of section 1410d—7 of the statutes are amended by striking out the figures and letter "1410d—7" where they occur in said subsections and by inserting in each place thereof the figures and letter "1410d—8".

SECTION 16. The third paragraph of section 1421e of the statutes is amended by inserting in the ninth line thereof after word "as" the words "provided in".

SECTION 17. Section 1421o of the statutes is amended by inserting in the fourteenth line thereof before the last word, namely, "Petroleum" the word "which".

SECTION 18. The second sentence of subsection 8 of section 1492b of the statutes is amended to read:

(Section 1492b) 8. Such receipts shall not increase the appropriations for carrying into effect the provisions of sections * * * 1492ab to 1492ef, inclusive.

SECTION 19. The second sentence of subsection (1) of section 1492e of the statutes is amended to read:

(Section 1492e) (1) No person shall be considered a veterinary surgeon, within the meaning of sections * * * 1492ab and 1492b to * * * 1492ea, inclusive, who is not a regular graduate in good standing of some recognized veterinary college in the United States, Canada or Europe.

SECTION 19a. Subsections (29) and (30) of section 1543, created by chapter 441 of the Laws of 1921, is amended by striking therefrom the word "beverages" where it occurs once in subsection (29) and twice in subsection (30) and by inserting in each place thereof the word "liquors".

SECTION 20. Subsection (41) of section 1543 of the statutes, created by chapter 441 of the Laws of 1921, is amended by striking out the word "of" which follows the word "chapter" and insert in place thereof the word "or".

SECTION 21. Section 1636—55 of the statutes, as amended by chapter 359 of the Laws of 1921, is amended by striking out the word "in" where it appears as the seventh from the last word of the first sentence and by inserting in place thereof the word "before".

SECTION 22. Section 1684u—23 of the statutes is amended to read:

Section 1684u—23. Where there is no resale, the seller may retain the goods as his own property without obligation to account to the buyer except as provided in section 1684u—25, and the buyer shall be discharged of all obligation.

SECTION 22a. Paragraph (aa) of subsection 2 of section 1728a, as created by chapter 417 of the Laws of 1921, is reenacted and added at the end of subdivision (2) of paragraph (d) of subsection (3) of section 1728a.

SECTION 22b. Subsection 5 of section 1728a of the statutes, created by chapter 395 of the Laws of 1921, is reenacted and renumbered to be subsection 4a of said section and is amended by striking out the word and figure "subsection 1" and by inserting

in place thereof the words and figures "paragraph (a) of subsection 4".

SECTION 22c. Paragraph (2) of subsection 5 of section 1728a of the statutes, created by chapter 434 of the Laws of 1921, is repealed, and subdivision (2) of subsection 2 of section 1728a—3 as amended by chapter 323 of the Laws of 1921 is reenacted and renumbered to be paragraph (2) of subsection 5 of section 1728a.

SECTION 23. Paragraph (a) of subsection 8 of section 1728a of the statutes, created by chapter 434 of the Laws of 1921, is amended by adding after the first sentence thereof the following matter: "In any locality where the daylight savings plan has been adopted the words 'seven o'clock in the morning and six o'clock in the evening,' as hereinbefore used, shall mean seven o'clock in the morning according to daylight savings and six o'clock in the evening according to daylight savings so long as said daylight savings shall remain in force in said locality.'"

SECTION 23a. Section 1728a—2 of the statutes, created by chapter 185 of the Laws of 1921, is renumbered to be subsection 6a of section 1728a.

SECTION 23b. Section 1729r of the statutes, created by chapter 340 of the Laws of 1921, is renumbered to be paragraph (d) of section 1728c.

SECTION 24. Subsections (3) of section 1728o—2 of the statutes is repealed.

SECTION 25. Subsection (h) of section 1797—1 of the statutes is amended by striking out the words and figures "sections 990—1 to 990—32, inclusive" and by inserting in place thereof the words and figures "chapter 16 of the statutes".

SECTION 26. Section 1809f of the statutes is amended by striking out the figure and words "1 of this act" and by inserting in place thereof the figures and letter "1809e".

SECTION 27. The first clause of section 2225 of the statutes is amended to read:

(Section 2225) (first clause) Whenever any married man shall present a petition, duly verified by his oath to the circuit court * * * of the county in which he resides, showing that his wife is insane;

SECTION 28. The third sentence of subsection (8) of section 2394—9 of the statutes as amended by chapter 451 of the Laws of 1921 is amended to read:

(Section 2394—9) (8) (Third sentence) Execution shall

not be issued against the insurance carrier to satisfy any judgment covering such increased *compensation or increased* death benefits until execution has first been issued against the employer and has been returned satisfied as to any part thereof.

SECTION 29. The introductory paragraph and subsection (9) of section 2525 of the statutes are amended to read:

(Section 2525) The following persons shall * * * *be* exempt from serving as jurors:

(9) Every person drawn and summoned and having served as a grand or petit juror at any regular term of the court of record shall be disqualified from serving again as a grand or petit juror in the same county * * * *for* one year thereafter, except he shall be summoned on a special venire or as a talesman.

SECTION 30. Section 2577 of the statutes as amended by chapter 249 of the laws of 1921 is amended to read:

Section 2577. The first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the twenty-fifth day of December, the day appointed by the governor as Labor Day *and* * * * by the governor or the president of the United States as a day of public thanksgiving in each year, the day of holding the September primary election, and the day of holding the general election in November, are legal holidays. In every city of the first class the day of holding any municipal election is a legal holiday, and in every such city the afternoon of each day upon which a primary election is held for the nomination of candidates for city offices, is a half holiday. * * * Whenever any of said days shall fall on Sunday the succeeding Monday shall be the legal holiday. Appropriate special exercises may be held in all schools for one-half day on February twelfth, and on February twenty-second.

SECTION 31. Subsection (3) of section 2625 as amended by chapter 428 of the Laws of 1921, is amended by adding at the end thereof the following: "but in a circuit court consisting of branches such affidavit may contain the names and designations of two circuit judges of said circuit court."

SECTION 32. Subsection (11) of section 2637 of the statutes is amended by striking out the word and figures "section 1953" and by inserting in place thereof the words and figures "paragraph (b) of subsection (2) of section 1915".

SECTION 33. Section 3967 of the statutes is amended by strik-

ing therefrom the figures "4281b" and by inserting in place thereof "1966—33n."

SECTION 35. Section 4549 of the statutes is amended by inserting the word "town" after the word "county" in the second line of said section.

SECTION 36. Section 4580m of the statutes is amended by adding at the end thereof a new sentence to read: "If the female is a ward of the state at the time the offense is committed, the punishment shall be not more than twenty-five years in state prison and not less than ten years." And section 4580n, created by chapter 405 of the Laws of 1921 is repealed.

SECTION 37. Section 4734 of the statutes is amended by inserting the word "which" after the word "municipal".

SECTION 38. Chapter 200 of the laws of 1881 is repealed.

SECTION 39. Section 4 of chapter 221 of the Laws of 1921 is amended by striking therefrom the figures "2523—11" and inserting in place thereof the figures "2523—12".

SECTION 40. Chapter 316 of the Laws of 1921 is repealed.

SECTION 41. Chapter 355 of the Laws of 1921 is amended by striking out the figures "(40)" where they appear in the title and the body of the act and inserting in lieu thereof the figures "(26)"; also by striking out the figures "1038" where they appear in the title and the body of the act and by inserting in lieu thereof the figures "70.11".

SECTION 42. Section 3 of chapter 365 of the laws of 1921 is amended by striking out the figures "38.28" and by inserting in place thereof the figures "1435c—9".

SECTION 43. Section 11 of chapter 422 of the Laws of 1921 is repealed and a new section is created to read:

"SECTION 11. Section 35.27 of the statutes is amended by adding at the end of the tabulation thereof the following: 'Of the state highway commission ! 4500 ! 500'".

SECTION 44. Section 19 of chapter 422 of the Laws of 1921 is amended by striking out the letter "(a)" which follows the figures "(16)" in the first line.

SECTION 45. Chapters 80 and 179 of the statutes of 1919 are withdrawn from the statutes and shall not be hereafter printed in the statutes so long as the national bankruptcy act remains in force.

SECTION 46. Chapter 88 of the statutes of 1919, is withdrawn from the statutes and shall not be hereafter printed in the statutes.

SECTION 47. Those chapters of Wisconsin Statutes of 1919 which are enumerated below are renumbered as follows:

Chapter 64i is renumbered to be chapter 76a.

Chapter 64ii is renumbered to be chapter 76aa.

Chapter 64j is renumbered to be chapter 76b.

Chapter 66jj is renumbered to be chapter 76bb.

Chapter 64k is renumbered to be chapter 76c.

Chapter 64kk is renumbered to be chapter 76cc.

Chapter 64L is renumbered to be chapter 76d.

Chapter 64LL is renumbered to be chapter 76dd.

Chapter 64m is renumbered to be chapter 76e.

Chapter 64mm is renumbered to be chapter 76ee.

Chapter 64n is renumbered to be chapter 76f.

Chapter 64nn is renumbered to be chapter 76ff.

Chapter 64o is renumbered to be chapter 76g.

Chapter 64oo is renumbered to be chapter 76gg.

Chapter 64pp is renumbered to be chapter 76h.

Chapter 66 is renumbered to be chapter 76hh.

Chapter 67 is renumbered to be chapter 76i.

Chapter 68 is renumbered to be chapter 76ii.

Chapter 69 is renumbered to be chapter 76j.

Chapter 71 is renumbered to be chapter 76jj.

Chapter 72 is renumbered to be chapter 76k.

Chapter 73 is renumbered to be chapter 76kk.

Chapter 73a is renumbered to be chapter 76L.

Chapter 73b is renumbered to be chapter 76LL.

Chapter 73b—1 is renumbered to be chapter 76m.

Chapter 73b—2 created by chapter 13 of the Laws of 1921 is renumbered to be chapter 76mm.

Chapter 73c is renumbered to be chapter 76n.

Chapter 74 is renumbered to be chapter 76nn.

Chapter 75 is renumbered to be chapter 76o.

Chapter 76 is renumbered to be chapter 76oo.

SECTION 48. Subsection (8) of section 20.24, as amended by section 2 of chapter 452 of the Laws of 1921, is amended by striking out the word "ten" where it appears in the third line and by inserting in place thereof the word "twenty".

Section 49. Section 43.215 of the statutes, created by chapter 398 of the Laws of 1921, is renumbered to be subsection (4) of section 43.32 and is amended by striking out the words and figures "sections 43.17 to 43.21, inclusive" and by inserting in place there-

of the words "this section"; also by striking out the words and figures "sections 43.24 to 43.34, inclusive" and by inserting in place thereof the word and figures "section 43.25."

SECTION 50. Subsection (2) of section 43.24 of the statutes, created by chapter 398 of the Laws of 1921 is renumbered to be subsection (4) of section 43.25.

SECTION 51. Subsection (3) of section 43.24 of the statutes, created by chapter 398 of the Laws of 1921, is renumbered to be subsection (3) of section 43.25 and is amended by striking therefrom the words and figures "under any provision of this section or of section 43.31".

SECTION 52. Subsection (4) of section 43.27 of the statutes is amended to read:

(43.27) (4) The board may appoint a librarian and such other assistants and employes as they deem necessary and prescribe their duties and compensation. *The librarian in charge of a library established by a county shall hold a first grade certificate as provided in section 43.165.*

SECTION 53. Subsection (3) of section 43.30 of the statutes is amended to read:

(43.30) (3) Whenever the annual sum appropriated by such other municipality pursuant to subsection (2) equals or exceeds one-sixth of the net annual income of such library during the preceding fiscal year, the mayor, village president, or town or county chairman of such other municipality, with the approval of the governing body thereof, shall appoint from among the citizens of such municipality an additional member of the library board of said library, *and when such sum equals or exceeds one-third of such net annual income, two additional members*, for a term of three years from the first day of July next succeeding such appointment, and thereafter for successive terms of three years each; but whenever such appropriation made is less than the * * * *one-third* herein specified the office of *one* such additional member of the board *and if less than the one-sixth the office of both* shall be vacant from and after the first day of July next thereafter.

SECTION 54. Section 43.415 of the statutes, created by chapter 333 of the Laws of 1921, is renumbered to be subsection (3) of section 43.41 and is amended by striking out the words "however incorporated".

SECTION 55. Paragraphs (b) and (c) of subsection (1) of section 62.05 of the statutes are amended to read:

(62.05) (1) (b) Cities of * * * *thirty-nine* thousand and less than one hundred and fifty thousand population shall constitute cities of the second class.

(c) Cities of ten thousand and less than * * * *thirty-nine* thousand population shall constitute cities of the third class.

SECTION 56. Paragraph (d) of subsection (6) of section 62.09 of the statutes is amended to read:

(62.09) (6) (d) No officer receiving a salary shall receive for services of any kind rendered the city any other compensation, but he may receive moneys from a pension fund, *or for services rendered the school board of the city in any night school, social center, summer school or other extension activity.*

SECTION 57. Subsection (5) of section 62.26 of the statutes is amended to read:

(62.26) (5) EMPLOYEES' SALARIES. The council shall by ordinance fix the compensation of employes, and may by ordinance order the same paid semimonthly. * * * *The provisions of paragraph (d) of subsection (6) of section 62.09 shall apply to employes.*

SECTION 58. Subsection (8) of section 62.13 of the statutes is amended by adding at the end thereof the following matter: "In cities of the second and third classes having a full paid fire department the force shall be divided into two platoons, each of which shall be on duty alternatively. The board shall fix the hours of duty, which shall be as nearly equal as practicable, and no fireman shall be continuously on duty longer than the board shall have thus determined except in case of a peril which in the judgment of the officer in charge makes it a positive necessity."

SECTION 59. Section 949—46x, created by chapter 236 of the Laws of 1921 is added to section 314 of chapter 242 of the Laws of 1921 in its numerical order.

SECTION 60. Subsection (7) of section 62.26 of the statutes is amended by changing the period at the end thereof to a comma and adding the following matter: "and the filing of a copy thereof in the office of the secretary of state."

SECTION 61. Paragraph (a) of subsection (8) of section 66.06 of the statutes is amended by adding at the end thereof the following matter: "The character or duration of the franchise, permit or grant under which any public utility is operated, shall not affect the power to acquire the same hereunder. Two or more public utilities owned by the same person or corporation or two or

more public utilities subject to the same lien or charge, may be acquired as a single enterprise under any proceeding heretofore begun or hereafter commenced, and the board or council may at any time agree with the owner or owners of any public utility or utilities as to the agreed value thereof, and to contract to purchase or acquire the same hereunder at such value, upon such terms and conditions as may be mutually agreed upon between said board or council and said owner or owners”.

SECTION 62. A new subdivision of paragraph (b) of subsection (9) of section 66.06 of the statutes is created:

(66.06) (9) (b) (14) The ordinance required by subdivision (3) of this paragraph may also authorize and set apart bonds hereunder equal to the amount of any secured debt or charge subject to which a public utility or utilities may be purchased or acquired in any proceedings heretofore begun or hereafter commenced, and shall set aside for interest and sinking fund from the income and revenues of the public utilities, a sum sufficient to comply with the requirements of the instrument creating the lien or securing the charge, or if such instrument does not make any provision therefor, said ordinance shall fix and determine the amount which shall be set aside into secured debt account from month to month for interest on the secured debt or charge, and a fixed amount or proportion not exceeding a stated sum, which shall be not less than one per cent of the principal, to be set aside into said account to pay the principal of the secured debt or charge. Any surplus after satisfying the secured debt or charge, may be transferred to bond and interest redemption account. Public utility bonds set aside for such debt may from time to time be issued to an amount sufficient with the amount then in such sinking fund, to pay and retire the said debt or any portion thereof; such bonds may be so issued at not less than par in exchange for, or satisfaction of, the secured debt or charge, or may be sold in the manner herein provided, and the proceeds applied in payment of the same at maturity or before maturity by agreement with the holder. A municipality acquiring a public utility hereunder shall not assume any liability for the payment of a secured debt or charge, other than the obligation to apply the revenues in the manner prescribed in the ordinance. The board or council and the owner or owners of any public utility acquired hereunder may, upon such terms and conditions as are satisfactory contract that public utility bonds to provide

for such secured debt or claim, or for the whole purchase price shall be deposited with a trustee or depository and released from such deposit from time to time on such terms and conditions as are necessary to secure the payment and retirement of the secured debt or claim or any portion thereof.

SECTION 63. A new paragraph is added to subsection (10) of section 66.06 to read:

(66.06) (10) (f) Two or more public utilities acquired as a single enterprise hereunder may be operated as a single enterprise.

SECTION 64. Paragraphs (a) to (d) of subsection (15) of section 66.06 of the statutes are amended to read:

(66.06) (15) UTILITY DISTRICTS. (a) *Towns, villages and cities of the fourth class may establish utility districts and thereafter the expense of highways (not including bridges), sewers, sidewalks, street lighting, and water for fire protection, or either, as board or council shall direct, not chargeable to private property, shall be paid out of the fund of the proper districts.*

(b) *The fund of each district shall be provided by taxation of the property in such district, upon an annual estimate by the department in charge of public works in cities and villages, and by the superintendent of highways in towns, filed by October first. Separate account shall be kept of each district fund.*

(c) *In towns a majority vote and in villages and cities a three-fourths vote of all the members of the board or council shall be required to thus establish utility districts and by a like vote districts may be vacated, altered, or consolidated.*

(d) *Before the vote shall be effective to establish, vacate, alter or consolidate, the procedure prescribed in subsections (2) to (5) of section 62.18 shall be had, both as to the plan and the purposes which the district shall embrace, except that the plan need be approved by the state board of health only as to sewers. In towns the superintendent of highways shall perform the duties hereby imposed upon the board of public works and the notice may be given by posting in three most public places in said town, one of which shall be in the proposed district, at least two weeks prior to such meeting.*

SECTION 65. Section 925—6a of the statutes, created by chapter 272 of the Laws of 1921, is withdrawn from the statutes without repealing the origin of said section which chapter is continued in force without modification or amendment.

SECTION 66. Subsection (80) of section 925—52 of the stat-

utes, created by chapter 183 of the Laws of 1921, is repealed on and after January 1, 1922.

SECTION 67. Section 926—16 of the statutes, created by chapter 387, of the Laws of 1921, is withdrawn from the statutes without repealing the origin of said subsection which chapter is continued in force without modification or amendment.

SECTION 68. Section 926—158 of the statutes, created by chapter 276 of the Laws of 1921, is withdrawn from the statutes without repealing the origin of said subsection which chapter is continued in force without modification or amendment.

SECTION 69. Section 926—190 of the statutes, created by chapter 367 of the Laws of 1921 is withdrawn from the statutes without repealing the origin of said section which chapter is continued in force without modification or amendment.

SECTION 70. Subsection 4 of section 937f of the statutes created by chapter 269 of the Laws of 1921, is renumbered to be subsection (4) COMFORT STATIONS AND REST ROOMS of section 43.49 and is amended by striking therefrom the following matter: "and provide the necessary money by taxes or otherwise to build such comfort stations and rest rooms."

SECTION 71. Subsection (4) of section 43.49 of the statutes is renumbered to be subsection (5) of said section 43.49.

SECTION 72. Section 959—35j of the statutes, created by chapter 435 of the Laws of 1921, is withdrawn from the statutes without repealing the origin of said section which chapter is continued in force without modification or amendment.

SECTION 73. Subsection 10m of section 959—46d of the statutes, created by chapter 123 of the Laws of 1921, is withdrawn from the statutes without repealing the origin of said subsection which chapter is continued in force without modification or amendment.

SECTION 74. Section 959—81n of the statutes, created by chapter 317 of the Laws of 1921, is renumbered to be subsection (6) PUBLIC WELFARE ASSOCIATIONS of section 66.04 and is amended by striking from the first line the words "The council of" and also the words and comma ", however organized".

SECTION 75. Subsection (6) of section 66.04 of the statutes is renumbered to be subsection (7) of said section.

SECTION 76. Section 959—81t of the statutes created by chapter 234 of the Laws of 1921, is renumbered to be subsection (21)

AERIAL LANDING FIELDS of section 66.06 and is amended by striking out the words "however organized".

SECTION 77. Chapter 177 of the laws of 1921 is amended by striking from the title thereof the following: "To create section 925—142b of the statutes" and section 1 of said chapter is amended by striking from the first and second lines the following: "A new section is added to the statutes to read: (Section 925—142b)"

SECTION 78. Section 272 of chapter 242 of the Laws of 1921 is amended by inserting after the word "statutes" in the first line the following: "as amended by chapter 258 of the Laws of 1921".

SECTION 79. Section 315a of chapter 242 of the laws of 1921 is amended by striking out the words "printing board" and inserting in place thereof the words "superintendent of public property".

SECTION 80. Chapter 290 of the Laws of 1921 is amended by striking from the title the following: "To create section 925—118b of the statutes" and section 1 of said chapter is amended by striking from the first and second lines the following: "A new section is added to the statutes to read: Section 925—118b".

SECTION 81. Subsection (9a) of section 27.11 created by chapter 373 of the Laws of 1921, is repealed on and after the first of January, 1922.

SECTION 82. Subsection (5) of section 60.18 of the statutes is amended by adding at the end thereof the following: "The power conferred by this subsection shall be exercised at an annual or special town meeting but shall not be exercised at an annual town meeting unless the town board shall have given notice of its intention to present the proposition to such meeting as is required in the case of special town meetings, nor unless the resolution or order to be voted upon shall state the total amount of bonds to be issued, the denomination thereof, the time and place of payment of the principal and of the interest, which shall not in any case exceed eight per cent per annum and shall be first publicly read to such meeting before the vote thereon shall be taken; nor shall any action be taken under this subsection unless seventy-five per cent of the electors present at such meeting vote in favor of the order or resolution."

SECTION 83. Paragraph (b) of subsection (6) of section 62.14 of the statutes is amended by striking therefrom the following words: "or any obstruction be placed therein".

SECTION 84. Paragraph (e) of subsection (2) of section 67.04 of the statutes is amended by striking therefrom the words "and except by cities of the first class".

SECTION 85. Paragraph (p) of subsection (3) of section 67.04 of the statutes is amended by striking out the words and figures "section 959—35d of the statutes" and by inserting in place thereof the words and figures "section 3 of chapter 202 of the Laws of 1917".

SECTION 86. Subsection (8) of section 67.04 of the statutes is amended to read:

(67.04) (8) By any municipality to provide for refunding of any bonds issued prior to 1913 in cases where the municipality has inadvertently failed to provide a direct annual tax or sinking fund sufficient to pay the indebtedness, principal and interest as they fall due. *Such bonds to bear a rate of interest not exceeding six per cent per annum.*

SECTION 87. Section 4.01 of the statutes, created by section 2 of chapter 470 of the Laws of 1921 is amended by adding to the third assembly district of Dane county the following villages: "Blue Mounds and Cross Plains".

SECTION 88. The last paragraph of section 29.19 of the statutes, as amended by chapter 500 of the Laws of 1921, is amended to read:

(29.19) (Last Paragraph) There shall be no close season for hook and line fishing, except for large and small-mouthed black bass, sturgeon and trout, in any of the following described waters: In the waters of the Mississippi River, *Lower Lake St. Croix and up the St. Croix River to the Dells*, the bays and bayous connected therewith and in the waters of Juneau, LaFayette, Iowa and Green counties, except in the Wisconsin River between Juneau and Adams, in the waters of Lakes Winnebago in Fond du Lac, Calumet and Winnebago counties, in Buffalo Lake; Marquette county, in Puckaway Lake in Marquette and Green Lake counties, in Lake Poygan in Winnebago and Waushara counties, in Lakes Winneconne, Big and Little Buttes des Morts in Winnebago county, in the Fox River in Marquette, Columbia, Green Lake, Waushara and Winnebago counties, in the Wolf River in Winnebago county and in Waupaca county as far as the city limits of New London, in the Rock and Crawfish Rivers and Lake Koshkonong in Rock, Jefferson and Dodge counties. During the period from March 1 to May 28, both dates inclusive, live and dead min-

nows shall not be used for bait in any of the above waters specified in Jefferson county. The open season in the Mississippi River for large and small-mouthed bass shall be June 15 to March 1. The open season for game fish in Lake Wisconsin in Columbia and Sauk counties shall be June 1 to December 1, except large and small-mouthed bass, which shall be under the provisions of the general law.

SECTION 89. Subsection (1) of section 29.28 of the statutes, as amended by chapter 514, of the Laws of 1921, is amended to read:

(29.28) (1) No person shall take, catch, or kill fish of any variety through the ice on Pardeeville Mill Pond in the town of Wyocena, Columbia county; Pine Lake, town of Hancock, and Fish Lake, towns of Hancock and Deerfield; Pleasant Lake in the town of Coloma, Waushara county, and in the town of Springfield, Marquette county; Lake Nocquebay in Marinette county; Lake Mason, commonly known as Briggsville Pond, in the counties of Adams and Marquette; Shell Lake in Washburn county; Silver Lake in the town of West Bend, Washington county; Chain of Lakes in townships thirty-seven and thirty-eight north, of range twelve west, in Washburn county; Devil's Lake and Mears Lake, and tributary streams; the waters known as Koenig's Mill Pond in sections seven, eight, seventeen and eighteen of township nine north, of range six east, town of Prairie du Sac, and Mirror Lake, in Sauk county; *Pickerel and Rolling Stone Lakes in Forest county*; Twin Lakes, in the town of Lincoln, and *Pike Lake in Polk county*; any lake in the * * * county of Langlade, except in Post Lake, any lakes in the counties of Portage and Marquette, except in Buffalo Lake. The bag limit for cisco in any lake in Waukesha county shall be twenty-five each day. * * * No person shall set, use or operate any fyke net or drop net in any waters within two miles from the shore line of Door county, excepting in that portion south of Limekiln Bluff. There shall be a close season for large and small-mouthed black bass from March 1 to June 15 in Sturgeon Bay and Sawyer's Harbor in Door county. The provisions of subsection (3) of section 29.14 shall not apply to Door county.

SECTION 90. Subsection (2) of section 29.31 of the statutes, as amended by chapter 132 of the Laws of 1921, is amended to read:

(29.31) (2) Dip nets not exceeding eight feet in diameter

with meshes of not less than three inches may be used for taking, catching or killing rough fish in the Fond du Lac River within three miles of its mouth; in Silver Creek in the town of Ripon, Fond du Lac county, from the old Arcade dam to the Green Lake county line; in the Big Wolf River; in Butternut Lake, Ashland and Price counties; in the Manitowoc River from its mouth up to Ripp's Bridge in the town of Rockland, Manitowoc county; in the Milwaukee River from its mouth to a point twenty miles inland *and in that part of the Rock River lying in Jefferson and Dodge counties; the Crawfish River from its mouth up to bridge number four in the town of Beaver Dam, Dodge county,* and in all the streams and rivers flowing into Lake Michigan and Green Bay in that part of such streams beginning at the mouth and extending ten miles inland. *Fyke nets may be used in Lake Koshkonong under section 29.62 between the fifteenth day of November and the following first day of October.*

SECTION 91. Subsection (5) of section 45.25 of the statutes, as created by chapter 305 of the Laws of 1921 is amended by striking out the words "paragraph (a) of" where they appear therein.

SECTION 92. Subsection (5) of section 20.03 of the statutes as amended by chapter 305 of the Laws of 1921 is amended by striking out the figures "20.45" and inserting in place thereof the figures "45.25"; also by striking out the words "paragraph (a) of"; where they appear therein.

SECTION 93. A new subsection is added to section 59.08 of the statutes to read:

(59.08) (4a) To alter or discontinue any street, slip, or alley in any recorded plat in any town in such county, not within any incorporated city or village, in the same manner and with like effect as provided in sections 61.38 and 61.39.

SECTION 94. Subsection (1) of section 62.10 of the statutes is repealed and section 925—46a of the statutes, as created by chapter (Bill No. 310—S) of the Laws of 1921, is renumbered to be subsection (1) of section 62.10 and the subsection numbers "1", "2", "3" and "4" are changed to be respectively, "(a)", "(b)", "(c)" and "(d)".

SECTION 95. Subsection (1) of section 62.26 of the statutes is amended by striking therefrom the last sentence, to wit: "The provisions of sections 61.36, 61.37 and 61.38 shall apply to cities."

SECTION 96. A new subsection is added to section 62.22 of the statutes to read:

(62.22) (6) VILLAGE STATUTES TO APPLY. The provisions of sections 61.36, 61.37 and 61.38 shall apply to cities.

SECTION 97. Paragraph (h) of subsection (16) of section 66.06 of the statutes is amended by adding at the end thereof the following: "In cities of the third and fourth classes said fixtures may be installed at intervals as regular as is reasonably practicable at distances not to exceed two hundred feet measured along the center of the street, and may be placed in pairs on each side of street or placed alternately on opposite sides of street or in boulevard in center of street or in arches over the street."

SECTION 98. Section 926—195 of the statutes, as created by chapter 589 of the Laws of 1921, is withdrawn from the statutes without repealing the origin of said section which chapter is continued in force without modification or amendment.

SECTION 99. Section 1131—1 of the statutes, created by chapter 508 of the Laws of 1921, is renumbered to be section 74.345 and is amended by striking therefrom the figures "1130" and by inserting in place thereof the figures "74.33".

SECTION 100. Section 1189—1 of the statutes, as created by chapter 485 of the Laws of 1921 is renumbered to be section 75.285 and is amended by striking therefrom the figures "1188" and by inserting in place thereof the figures "75.27".

SECTION 101. Chapter 485 of the Laws of 1921 is amended by striking from the title and from section 2 of said chapter the figures "1131a" and "1170a" and inserting in place thereof respectively the figures "74.35" and "75.08".

SECTION 102. Subsection (3) of section 1747e of the statutes, as created by chapter 458 of the Laws of 1921 is renumbered to be subsection (3) of section 20.08 and is amended by striking out the words "this act" and by inserting in place thereof the word and figures "section 1747e".

SECTION 103. Chapter 510 of the Laws of 1921 is amended by striking from the title thereof the figures "1211—37" and by inserting in place thereof the figures "76.36". Section 1 of said chapter is amended by striking from the first line the figures "1211—37" where they occur twice and by inserting in each place thereof the figures "76.36"; by striking from the eighth line of said section 1 the figures "1211—35" and by inserting in place thereof the figures "76.34"; by striking from the eleventh line the

following matter "section 1211—31. (1)" and by inserting in place thereof the words and figures "subsection (1) of section 76.30"; and by striking from the fourteenth line the figures "1211—32" and by inserting in place thereof the figures "76.31".

SECTION 104. Subsections (1) and (10) of section 959—17q of the statutes, created by chapter 557 of the Laws of 1921 are consolidated and renumbered to be paragraph (a) of subsection (8) of section 62.23 and revised to read:

(62.23) (8) BOARD OF APPEALS. (a) The council may by resolution establish a board of appeals to consist of five members appointed by the mayor for terms of three years without compensation, one of whom shall be an architect or structural engineer of not less than ten years' practical experience. The mayor shall designate one of the members chairman. The board shall employ a secretary and other subordinates.

SECTION 105. Subsections (2) to (9), inclusive, of section 959—17q of the statutes created by chapter 557 of the Laws of 1921, are renumbered respectively to be paragraphs (b) to (i) of subsection (8) of section 62.23 and paragraph (b) thereof is revised to read:

(62.23) (8) (b) The board of appeals shall review any order requiring decision or determination made by an administrative official charged with the enforcement of any ordinance adopted pursuant to subsections (1) to (7) of this section. Such board shall also hear and determine all matters referred to them or upon which they are required to pass under any ordinance of the council adopted pursuant to such subsections. The concurring vote of four members of such board shall be necessary to reverse any order requiring decision or determination of any such administrative official or to decide in favor of the applicant any matter upon which they are required to pass under any such ordinance or to effect any variation of such ordinance. Every decision of such board, shall, however, be subject to review by certiorari. Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of the city.

SECTION 106. Section 959—17q of the statutes, as created by chapter 557 of the Laws of 1921, is added to section 314 of chapter 242 of the Laws of 1921 in its numerical order.

SECTION 107. Subsections (8) to (12) of section 62.23 of the

statutes are renumbered respectively to be subsections (9) to (12) of said section.

SECTION 108. Section 959—39t of the statutes, created by chapter 541 of the Laws of 1921, is renumbered to be paragraph (d) of subsection (4) of section 62.13 and revised to read:

(62.13) (4) (d) The council of any city of the second or third class may provide that one or more members of the police force shall be women. The fire and police commission shall select each such police woman from a list of three names submitted by the judge having juvenile jurisdiction in such city.

SECTION 109. The unnumbered paragraph of subsection (3) of section 29.18, created by chapter 476 of the Laws of 1921, is renumbered to be subsection (4) of section 29.13.

SECTION 110. Section 1 of chapter 459 of the Laws of 1921 is amended by striking out the word "of" where it occurs for the second time in said section and by inserting in lieu thereof the word "and".

SECTION 111. The paragraph of section 42.20, of the statutes created by chapter 459 of the Laws of 1921, defining "Public schools" is amended by striking from the second from the last line the word "the" where it appears before the word "cities" and also by striking from the last line thereof the figures and words "925—xx of the statutes" and by inserting in place thereof the figures "42.55".

SECTION 112. Section 42.23 of the statutes, as created by chapter 459 of the Laws of 1921, is amended by striking therefrom the third sentence, namely: "Any vacancy shall be filled by the governor for the unexpired term."

SECTION 113. Section 42.54 of the statutes, as created by chapter 459 of the Laws of 1921, is amended by inserting the word and figures "of 1919" after the word "statutes" where it appears in said section.

SECTION 114. Section 20.251 of the statutes, created by chapter 459 of the Laws of 1921, is amended as follows:

By striking from subsections (1) and (2) thereof the figures and words "1087m—1 to 1087m—30 of the statutes" and by inserting in each place thereof the figures and word "71.01 to 71.23"; also by striking out the figures "1087m—6" and by inserting in each place thereof the figures "71.06".

By striking from subsection (3) the figures and words "1087m

—1 to 1087m—30” and by inserting in place thereof the figures and words “71.01 to 71.23”.

By striking from subsection (4) the figures and words “1087m—1 to 1087m—5 of the statutes” and by inserting in place thereof the figures and word “71.01 to 71.05”.

By striking from subsection (5) the figures “1087m—26” and by inserting in place thereof the figures “71.21”.

By striking from subsection (6) the figures and words “1087m—23 of the statutes” and by inserting in place thereof the figures “71.19”; also by striking out the figures and letters “925—xx” and by inserting in place thereof the figures “42.55”.

SECTION 115. Section 42.18, as contained in sections 309 and 310 of chapter 242 of the Laws of 1921, is reenacted and renumbered to be section 42.55 and subsection (1) thereof is repealed and subsections (2) to (19), both inclusive, are renumbered to be subsections (1) to (18) respectively. And subsection (3) renumbered to be subsection (2) is amended by adding the word “such” before the word “cities” in the second line. And subsection (5) renumbered to be subsection (4) is amended by striking out the word “their” in the nineteenth line and by inserting in place thereof the word “its”. And subsection (6) renumbered to be subsection (5) is amended by inserting the word “and” after the word “meet” in the fourth line and by striking out the word “their” in the fifth line and by inserting in place thereof the word “its”.

SECTION 116. Subsection (a) of section 1728d, created by chapter 434 of the Laws of 1921 is repealed and subsection (b) of said section 1728d is renumbered to be subsection (c). Subsection 1 of section 1728c—1 of the statutes as amended by chapter 513 of the Laws of 1921 is re-enacted and renumbered to be subsection (a) of section 1728d. Section 2 of chapter 513 of the Laws of 1921, is renumbered to be subsection (b) of said section 1728d.

SECTION 117. Paragraph (b) of subsection (2) of section 59.96 of the statutes, as created by chapter 554 of the Laws of 1921, is amended by striking out the word “Milwaukee” where it appears in the first line and by inserting in place thereof the word “metropolitan”. And paragraph (i) of subsection (6) of said section 59.96 is amended by striking therefrom the words and figures “section 694c to 694e, inclusive,” and by inserting in place thereof the word and figures “chapter 32”.

SECTION 118. Amend chapter 441, laws of 1921, by striking

out the period after the word "chapter" in the last line of subsection 9, and inserting the following: "Provided, that no licensed physician shall issue any prescription for intoxicating liquor for the use of any minor unless he shall at the same time deliver to the parent or guardian of said minor a certificate in writing stating that in his judgment intoxicating liquor is necessary for the health of said minor. Provided, further, that said liquor cannot be obtained except upon presentation by said parent or guardian of said minor of said certificate attached to said prescription."

SECTION 119. Paragraph (b) of subsection 1 of section 1636—49a of the statutes, created by chapter 537 of the Laws of 1921, is amended by inserting after the word "seven" in the last line, the words "and one-half".

SECTION 120. Subsection (13a) of section 35.84 of the statutes as amended by chapter 121 of the Laws of 1921, is amended by adding after the word "member" in the first line the words "and officer".

SECTION 121. This act shall take effect upon passage and publication.

Approved July 14, 1921.

No. 499, S.]

[Published August 9, 1921.

CHAPTER 591.

AN ACT to amend subsection (1) of section 42.18 (amended by section 309 of chapter 242, laws of 1921); to repeal section 310 of chapter 242, laws of 1921; to amend subdivision (d) of subsection (1) of section 17.23 of the statutes; to create subsections 1 and 15 of section 925—xx of the statutes; and to amend said section 925—xx, relating to teachers' annuity and retirement fund in cities of the first class.

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

SECTION 1. Subsection (1) of section 42.18 of the statutes (amended by section 309 of chapter 242, laws of 1921) is amended to read: (42.18) (1) Sections 42.01 to 42.17 shall not apply to cities of the first class. * * *

SECTION 2. Section 310 of chapter 242, laws of 1921, is repealed.

SECTION 3. Subdivision (d) of subsection (1) of section 17.23