

the incorporation of such village, the court shall deny the application, after satisfying itself that such petition has been signed by a majority of the freeholders and the owners of more than one-half of the property by assessed value in the territory proposed to be incorporated, providing, however, that this section shall not apply to counties having a population of 250,000 or over.

(2) *If such a petition is not filed, the court shall hear all parties interested for or against such application who shall seasonably appear; may in its discretion adjourn such hearing from time to time, direct a resurvey to be made or another census taken by whomsoever it shall appoint, and refer any question for examination and report thereon.*

(3) *If the court shall, * * * deny such application, it may, in its discretion, by order, compel the applicants to pay such disbursements or any part thereof as shall have been incurred by the parties opposing the same. No petition for the incorporation of substantially the same territory shall be entertained for one year following the date of the denial of such application or the date of any election at which incorporation was rejected by the electors.*

SECTION 2. A new section is added to the statutes to read: 67.22 No bonds shall be issued in any cases, where, within thirty days after the adoption of the initial resolution provided for in subsection (1) or (2) of section 67.06, a petition is filed with the clerk of the municipality contemplating the issuance of bonds, signed by a majority of the resident freeholders and by the owners of more than one-half of the property by assessed value therein requesting that such bond issue be not made.

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

Approved May 18, 1927.

No. 371, S.]

[Published May 20, 1927.

CHAPTER 139.

AN ACT to repeal and recreate section 226.10 of the statutes, relating to the validating of certain acts of foreign corporations. *The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 226.10 of the statutes is repealed.

SECTION 2. A new section is added to the statutes to be numbered and to read: 226.10 (1) Any corporation organized otherwise than under the laws of this state, having acquired, or attempted to acquire, legal title by deed, or lease to any real property in this state, before complying with the terms of section 226.02 of the statutes, and which is now not required to comply with said section or which has thereafter, and before the passage of this section, complied with said section, shall be and is hereby relieved from any disability provided in said statute or prohibition therein contained, so far as said section relates to the acquisition and holding of the property so acquired, or attempted to be acquired, and the title so acquired, or attempted to be acquired, is hereby confirmed. Any corporation required but which failed to comply with section 226.02 of the statutes and which has heretofore transferred any real property directly or by mesne conveyances to any person or corporation not required to comply, or which at the time of said conveyances to it shall have complied with said section, shall be and hereby is relieved from any disability provided in said statute as to, but only as to, the property so transferred, and the title so transferred or attempted to be transferred, is hereby confirmed.

(2) Any person claiming that the legal title of any corporation or of any person claiming by, through, or under such corporation, to any real property acquired, or attempted to be acquired, is invalid by reason of the failure of any corporation coming within the terms of subsection (1) of this section, to comply with section 226.02 of the statutes, shall commence action to recover the property, or to declare the legal title of said corporation void, or interpose a defense on such grounds, within one year from the passage and publication of this section, and in case of failure to do so his right of action or defense, based upon the failure to comply with said section by any such corporation, shall be deemed to have expired; provided that this subsection shall not affect any action now pending.

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

Approved May 18, 1927.