

condition of produce received, upon application of any person, firm, association, or corporation shipping, receiving, or financially interested in, such produce. Such regulations shall designate the classes of persons qualified and authorized to make such investigations and issue such certificates, except that any such investigation shall be made and any such certificate shall be issued by at least two disinterested persons in any case where such investigation is not made by an officer or employee of the department of agriculture and markets. A certificate made in compliance with such regulations shall be prima facie evidence in all courts of the truth of the statements therein contained as to the quality and condition of the produce; but if any such certificate is put in evidence by any party, in any civil or criminal proceeding, the opposite party shall be permitted to cross-examine any person signing such certificate, called as a witness at the instance of either party, as to his qualifications and authority and as to the truth of the statements contained in such certificate.

The department of agriculture and markets is hereby authorized and directed to enforce this act. It is hereby made the duty of all district attorneys to prosecute cases arising under this act.

The department of agriculture and markets may make such rules and regulations as they may deem advisable to carry out the provisions of this act.

If any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the act and the applicability of such provisions to other persons and circumstances shall not be affected thereby.

SECTION 2. This act shall become effective upon passage and publication.

Approved May 10, 1933.

No. 66, S.]

[Published May 13, 1933.

CHAPTER 113.

AN ACT to amend subsection (9) of section 67.04 and to create subsection (9) of section 67.12 of the statutes, relating to bonding by communities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Subsection (9) of section 67.04 of the statutes is amended to read: (67.04) (9) By any municipality to provide a sum not exceeding the amount of all funds belonging to such municipality which have lawfully been deposited in a bank, and which are not available to such municipality because such bank has been placed in the hands of the commissioner of banking * * * or is operating under a stabilization and readjustment agreement approved by the commissioner, or because such bank has sold a part or all of its assets to another bank which has agreed to pay a part or all of the deposit liability of such selling bank on a deferred payment basis, or because such bank, being a national bank, has been placed in the hands of the comptroller of the currency or is operating under a stabilization and readjustment agreement approved by the state board of deposits.

SECTION 2. A new subsection is added to section 67.12 of the statutes to read: (67.12) (9) TEMPORARY BORROWING BY GOVERNING BOARDS. (a) Notwithstanding the requirements of subsection (2) of this section, the governing board of any county or other municipality which is authorized to borrow money may borrow a sum not exceeding the amount of all funds belonging to such municipality which have been lawfully deposited in a bank and which are not available because such bank is in the hands of the commissioner of banking, or is operating under a stabilization and readjustment agreement approved by the commissioner or because such bank, with approval of the commissioner of banking, has sold a part or all of its assets to another bank which has agreed to pay a part or all of the deposit liability of such selling bank on a deferred payment basis, or because such bank, being a national bank, has been placed in the hands of the comptroller of the currency as provided by federal statute, or because such national bank is operating under a stabilization and readjustment agreement approved by the state board of deposits. The sum so borrowed shall be repaid, with interest at the agreed rate, on or before one year from the date of the loan and shall be secured by lawfully authorized orders or promissory notes, each order or promissory note when paid to be received and returned to the treasurer or fiscal agent of the municipality; provided, that deferred certificates of deposit issued to such municipality under the deferred payment plan of any bank in this state which has been approved by the commissioner of banking may be pledged as collateral security for such loans. When so secured such loans shall be repaid on or before the latest

maturity date of the deferred certificates of deposit pledged as collateral, and shall be payable in installments equal in amount to each of such deferred certificates of deposit and payable on the various maturity dates of the deferred certificates of deposit.

(b) Any governing board about to solicit a loan under the provisions of this subsection shall first adopt and record a resolution specifying the purpose and amount of the loan and levying an irrepealable tax for such amount. Such tax shall be carried into the next tax roll of the municipality and collected as other taxes, and the proceeds thereof shall be kept in a distinct and separate fund and shall be used for the sole purpose of paying such temporary indebtedness. Provided, that if such loan is collaterally secured by deferred certificates of deposit as provided in paragraph (a) then the tax to be levied shall be a direct annual tax in an amount sufficient to pay the interest on such debt as it falls due and also to pay each installment on principal as it matures. Any sums collected by taxation to be used for the payment of interest and installments of principal not required in any year for that purpose shall be held by the municipality to be used for that purpose in any succeeding year, and the tax provided for in this section shall be collected in such succeeding year only in an amount sufficient, together with such balance to pay the interest and installments of principal due in that year.

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

Approved May 11, 1933.

No. 77, S.]

[Published May 13, 1933.

CHAPTER 114.

AN ACT to amend section 74.49 of the statutes, relating to tax sales after dissolution of injunctions restraining the same in cities authorized to sell property for the non-payment of taxes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 74.49 of the statutes is amended to read: 74.49 Whenever any officer shall have been enjoined from selling any lands subject to sale for unpaid taxes or assessments of any kind or nature and such injunction shall have been dissolved, if such taxes or assessments, with interest and charges thereon, shall