

3. That the item or service has been actually supplied or rendered in conformity with such authorization.

4. That the claim is just and valid pursuant to law. The comptroller or clerk may require the submission of such proof and evidence to support the foregoing as in his discretion he may deem necessary.

(b) Such ordinance shall require that the clerk or comptroller shall file with the governing body not less than monthly a list of the claims approved, showing the date paid, name of claimant, purpose, and amount.

(c) The ordinance shall provide that the governing body of the city or village shall authorize an annual detailed audit of its financial transactions and accounts by the municipal accounting division of the state department of taxation pursuant to section 73.03 (14) or by a public accountant licensed under the provisions of chapter 135 the designation to be made by the governing body.

(d) Such system shall be operative only if the comptroller or clerk is covered by a fidelity bond of not less than \$5,000 in villages and cities of the fourth class, of not less than \$10,000 in cities of the third class, and of not less than \$20,000 in cities of the second class.

(e) Whenever such an alternative procedure has been adopted by ordinance in conformity with this section, then the claim procedure required by sections 62.09 (10), 62.11, 62.12, 62.25, 61.25 (6) and 61.51 and other relevant provisions shall not be applicable in such city or village.

Approved April 21, 1945.

No. 122, S.]

[Published April 24, 1945.

### CHAPTER 69.

AN ACT to amend section 16 of chapter 219, laws of 1927, relating to the procedure in the county court of Polk county. *The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Section 16 of chapter 219, laws of 1927, is amended to read: (Chapter 219, Laws of 1927) Section 16. \* \* \* *After issue is joined in any civil action or proceeding, the case shall*

be noticed for trial and placed on the calendar of the court for each term thereof in the same manner as civil actions and proceedings are noticed for trial and placed on the calendar for the circuit court. Upon the opening of the term of court, each case shall be set for trial on a day certain and if the case be one triable by a jury, the court shall require the parties to determine and elect whether they wish a trial by jury, and if a jury is elected, of what number; and if a trial by jury is demanded by either party to the action and the said parties do not agree on a jury of less number, the court may at that time or at any time afterward direct that a jury be selected, as herein provided in such case, and issue a venire therefor returnable at the time fixed for the trial of the action; provided, that the issues of fact joined upon any complaint, indictment or information may be tried by the court without a jury or by a jury of less than 12 men whenever the accused in writing or by statement in open court entered in the minutes consents thereto. \* \* \*

Approved April 21, 1945.

No. 182, S.]

[Published April 24, 1945.]

### CHAPTER 70.

AN ACT to create 220.25 (3a); to renumber 220.25 (5) (e) to be 220.25 (6); and to amend 220.25 (6) (as renumbered) of the statutes, relating to the escheat of bank deposits.

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

SECTION 1. 220.25 (3a) of the statutes is created to read:

220.25 (3a) (a) The cashier or managing officer of every banking institution which has made a report as required by subsection (3) (b) shall, between March 1 and April 1 of each year, turn over to the state treasurer all funds or other property so reported; but if the person making the report or the owner of the property shall certify to the state treasurer by sworn statement that any or all of the statutory conditions necessary to create a presumption that the owner has died intestate without heirs, or has abandoned the property, do not exist, or shall certify the existence of any fact or circumstance which has a substantial tendency to rebut such presumption, then the cashier or managing