

county highways in making contracts for the improvements of any such highways, shall be governed by such directions, as to the amount to be expended and the plans of improvements, as may be contained in the resolutions of the city, village, borough or town, which shall furnish money for such improvements: *provided*, that no part of the money raised as a highway fund in said county, shall be expended upon the streets of any incorporated city, village or borough: *provided*, that in case any incorporated town in Outagamie county shall have incurred indebtedness by reason of bonds legally issued to any railway company, it shall be lawful for such town to apply any part or the whole of said highway tax raised within such town, in discharge of such indebtedness.

If authorities fail to give notice, overseer may expend moneys.

SECTION 2. Should any city, village, borough or town, fail to give direction for the expenditure of the money raised therein, as contemplated by the first section of this act, for more than thirty days after the payment of the tax for any year to the county treasurer, and to give notice thereof to the overseer, he shall be authorized to expend the said moneys with the approval of the county board of supervisors, as provided in the sixth section of said act.

SECTION 3. This act shall take effect from and after its passage.

Approved February 18, 1871.

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## CHAPTER 20.

[*Published February 20, 1871.*]

AN ACT to amend section one of chapter 153 of the revised statutes, entitled "of liens of mechanics and others."

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

Amended.

SECTION 1. That section one of chapter 153 of revised statutes shall be amended so as to read as follows: Every dwelling house or other building hereafter constructed, erected, repaired or removed; all

machinery hereafter erected in such a manner as to become a fixture within the state of Wisconsin, together with the right, title and interest of the person or persons owning such dwelling house, building or machinery in and to the lands upon which the same shall be situated, not exceeding forty acres, or if in the limits of any incorporated city or village plat, the lot on which such dwelling house, building or machinery shall be situated, not exceeding one acre, shall be subject to the payment of all debts contracted for or by reason of any work done or any material found or provided by any brick-layer, stone-cutter, mason, lime merchant, carpenter, plasterer, painter and glazier, lumber merchant, iron monger, plumber, electrician, gas-fitter, tinsmith or any other person employed in erecting or furnishing materials in the erection, construction, protection or repairing or removing of such dwelling house, building or machinery, before any other lien which originated subsequent to the commencement of such house, building or repairs or removal.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved February 18, 1871.

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## CHAPTER 21.

[Published February 21, 1871.]

AN ACT to consolidate and amend the laws relating to trespassing on state lands.

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

SECTION 1. The commissioners of school and university lands are hereby authorized and empowered to appoint such number of clerks, not exceeding four, as they may determine to be necessary, for the purpose of protecting the school, university, swamp and overflowed lands belonging to the state, or any lands in which the state may have an interest, legal or equit-

May appoint clerks for the protection of school lands.