

trying the action when the same was tried, then such judge shall not settle the bill of exceptions therein but the party proposing such bill of exceptions may designate a judge of an adjoining circuit who shall settle the same in the manner prescribed herein where the same is settled by the judge of the court where the action was tried, or such judge where the action was tried may in his discretion, upon application of the party proposing the bill of exceptions, grant a new trial in said action, provided application for a new trial be made at the first term of the court in the county where the action was tried, succeeding the death, removal from the state or incapacity of such judge, accompanied by the affidavit of said party, his agent or attorney, that said application is made in good faith and not for the purpose of delay, upon condition that the party applying for a new trial pay the cost taxed in the judgment in said action.

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

Approved May 4, 1901.

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No. 248, S.]

[Published May 7, 1901.

## CHAPTER 297.

AN ACT to provide for a state board of commissioners for the St. Louis World's Fair, at St. Louis, Missouri, and to make an appropriation therefor.

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

**Commission, number of members.** SECTION 1. A commission is hereby constituted to be known as the state board of managers of the St. Louis World's Fair, to be held in St. Louis, Missouri, in 1903, to consist of five persons, residents of Wisconsin.

**Governor to appoint; organization of; removal of member.** SECTION 2. The members of such board shall be appointed by the governor, within thirty days after the passage and publication of this act. Said board shall hold its first meeting at such time and place as the governor shall appoint, shall organize by the election of a president, vice-president, secretary and treasurer and by the adoption of such by-laws and regulations as may be

deemed necessary. Any member of the board may at any time be removed by the governor for cause, and any vacancy which may occur therein shall be filled by appointment of the governor. Three members of the board shall constitute a quorum for the transaction of business.

**Members to receive compensation for expenses only.** SECTION 3. The members of said board shall receive no compensation for their services, but their actual expenses for transportation and subsistence when they are necessarily absent from their homes, shall be paid from the moneys appropriated by this act.

**Bond of treasurer.** SECTION 4. The treasurer of the board shall, before he shall be entitled to receive the moneys hereby appropriated, execute and deliver to the governor a bond in the sum of double the amount of the appropriation, with at least two sureties who shall justify their responsibility, which bond shall be approved by the governor, and conditioned for the faithful performance of the duties of said treasurer, and the faithful accounting to the state of Wisconsin for all moneys which shall come into his hands.

**Disbursement of moneys, how made.** SECTION 5. No money shall be disbursed by the treasurer, except upon the order of the president of the board, countersigned by the secretary, accompanied by an itemized statement showing upon what account and for what purpose the same is paid. All accounts for traveling expenses and subsistence shall have attached thereto the affidavit of the person claiming the same that such traveling expenses have been actually incurred on account of the business of said board, and that no claim therefor has been theretofore made.

**Reports and final accounting.** SECTION 6. The treasurer of the board shall from time to time, whenever called upon by the president of the board, make full report to said board, and the said board shall make a full report of all its proceedings, receipts and expenditures from time to time to the governor at any time upon his written request. Within six months after the close of said World's Fair, the board shall sell and dispose of all structures, buildings and other property, and file with the said secretary of state a full and complete report and account of all its proceedings, receipts and expenditures, together with all vouchers therefor. The treasurer of the board shall pay over to the secretary of state, all moneys which shall remain in his hands. The secretary of state shall audit his accounts, and if found correct shall endorse his approval thereon, and shall re-

ceive such moneys as shall be paid by the said treasurer and turn the same into the state treasury.

**Duties of commission.** SECTION 7. The duties of said board shall be to provide suitable building or buildings, to be erected upon such space as may be allotted to the state of Wisconsin for its use upon the ground of said St. Louis World's Fair, and to the performance of such details relating to the representation of citizens of the state of Wisconsin in the said St. Louis World's Fair as may be from time to time necessary, and said board shall have charge and control of all buildings and other property of the state when erected, purchased or otherwise acquired or placed in its custody. The said secretary of the board shall be custodian of the building or buildings when erected or otherwise acquired, and shall receive such compensation for his services as the said board may determine. The said board may employ such other help as may be necessary to maintain and care for such building or buildings.

**Appropriation; how secured.** SECTION 8. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of twenty-five thousand dollars, or so much thereof as may be necessary to carry out the provisions of this act. The said board shall cause from time to time, estimates to be made of the expenses to the payment of which the money is to be applied, which estimate shall be signed by the president, by the secretary of the board, and be filed by the governor, and if the governor shall approve thereof, shall endorse his approval thereupon and file the same with the secretary of state, and thereupon the secretary of state shall audit the same and draw his warrant upon the treasury of the state for the payment of the same, and such estimates shall not exceed in all the sum hereby appropriated to the treasurer of said board for the purpose of carrying out the provisions of this act.

**Personal liability of commission; liability of state.** SECTION 9. No member of said board, whether an officer or otherwise shall be personally liable for any debt or obligation which may be created or incurred by said board, and nothing in this act shall be so construed as to create any liability of the state, direct or indirect, for any obligation incurred, nor for any claim for aid or for pecuniary assistance from this state, in support or liquidation of any debts or obligations created by said board in excess of the appropriation made by this act.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved May 4, 1901.