

No. 307, A.]

[Published May 4, 1911.]

CHAPTER 59.

AN ACT to provide for street sprinkling in all cities of the first and second class in this state, whether organized under special charter or under the general laws of the state pertaining to cities of the first and second class, and to provide for the payment thereof by special assessments.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The common council of any city of the first and second class in this state, whether organized under special charter or under the general laws, may at any time provide by resolution or ordinance, by a majority recorded vote of the aldermen of such city, whether the streets, or any certain streets, or portions of streets within the corporate limits of such city, shall be flushed, watered or sprinkled with water or solution, in whole or in part, during the current year.

SECTION 2. Whenever the common council of any such city shall by resolution or ordinance determine that the streets, or certain parts of streets within such city, shall be so flushed, watered or sprinkled during the then current year, the board of public works of such city shall provide for such flushing, sprinkling or watering of such streets or parts of streets so determined upon by such common council, during the then current year during such months or parts of months, and in such manner and with such fluids as such board of public works may adjudge to be conducive to public comfort and welfare. The expense of such flushing, watering or sprinkling, and the proportion of such expense to be borne by the owners of lots or parcels of land abutting upon such streets or portions of streets, and the rate to be assessed upon each lineal foot of real estate upon such streets or portion thereof, shall be estimated and determined by the board of public works, and such determination shall be based upon the actual expense of such flushing, water or sprinkling, including all labor, apparatus, materials and solution used except water, and the expense so determined shall be assessed upon the real estate abutting upon the streets or portions of the streets, flushed, watered or sprinkled, in proportion to the number of lineal feet fronting upon the street or portion thereof so watered or sprinkled.

SECTION 3. The cost of flushing, watering or sprinkling such streets or parts of streets at intersections of streets and alley crossings, public grounds, and to the middle of such streets adja-

cent to public grounds, shall be paid out of the street and alley fund of such city, or such other fund as such city may have in lieu of such street and alley fund.

SECTION 4. It shall be the duty of the said board of public works of such city to keep a strict account of the cost of such work done upon such streets, or portions thereof, in front of such lots or parcels of land abutting upon such streets or portions thereof, and report to the city comptroller of such city on the fifteenth day of November in each year, stating and certifying the description of the lands, parts of lots or parcels of land in front of which flushing, watering or sprinkling chargeable thereto shall have been done and the amount chargeable to each such piece of property, and the said comptroller shall at the time of making his annual report to the common council of the lots or parcels of land subject to special tax or assessment, include therein the said lots or parcels of land so reported to him by the board of public works, with the amount chargeable thereto for such flushing, watering or sprinkling during the preceding year, and such amount shall be levied on the lots or parcels of land respectively to which they are so chargeable, in like manner as other special taxes are levied in said city.

SECTION 5. Each assessment so levied as in the foregoing section provided, until collected, shall be a valid lien on such lots, parts of lots or parcels of land, and when collected shall be credited to the street and alley fund of such city, or such fund as such city may have in lieu thereof.

SECTION 6. Whenever the board of public works of such city is authorized to do or cause to be done any such flushing, watering or sprinkling of streets as aforesaid, and charge or assess the expense upon the lots or parcels of land abutting upon such streets or portions thereof, upon which such sprinkling of water is done, the expense of such work shall in the first place be defrayed out of the general fund of such city.

SECTION 7. This act is amendatory of the charters of the various cities to which it applies or may hereafter become applicable, and any provision of said charters inconsistent herewith are hereby modified, amended or repealed by this act to the extent necessary to give full force and effect to the intent hereof. Nothing herein shall be construed as in any way affecting the power of cities under existing statutes to compel street railways to sprinkle certain portions of any streets, and power is hereby conferred upon cities to compel the watering, sprinkling and flushing of streets by street railways with such fluids as such cities may adjudge to be conducive to public comfort and welfare.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved May 3, 1911

No. 336, A.]

[Published May 4, 1911.

CHAPTER 60.

AN ACT to repeal section 2, of chapter 346, laws of 1909, and to create section 1455o of the statutes, relating to the deposit of trust funds for the perpetual care of graves.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 2, of chapter 346, laws of 1909, is repealed.

SECTION 2. There is added to the statutes a new section to read: Section 1455o. The provisions of sections 1455j, 1455k, 1455l, 1455m and 1455n shall not be in force in counties having a population of one hundred fifty thousand and upwards, excepting as to incorporated cemetery associations controlling cemeteries located wholly within the boundaries of cities of the fourth class in such counties.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 3, 1911

No. 101, A.]

[Published May 4, 1911.

CHAPTER 61.

AN ACT to amend subsection 1, of section 762m, of the statutes, relating to county abstractors.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection 1, of section 762m, of the statutes, is amended to read: (Section 762m) 1. Whenever any county * * * shall adopt tract indices and a chain of title system, the county board of supervisors of any such county may create a department to be known as an abstract department, either in connection with or independent of the office of the register of deeds, as said county board shall deem advisable. The county board may elect a competent person for a term of two years, who shall be known as the county abstractor, who shall have charge of and operate said abstract department, that the county board shall cause to be furnished a seal for said county abstractor, and that said county abstractor shall place said seal on each and every abstract issued by him. *Within twenty days after his*