

or deposit made under subsection (4) of this section does not fully protect, the compensation insurer or uninsured employer, as the case may be, shall still be liable to the beneficiary thereof.

Section 2394—29. The commission shall cause to be printed and furnished free of charge to any employer or employe such blank forms as it shall deem requisite to facilitate or promote the efficient administration of sections 2394—3 to 2394—31, inclusive; it shall provide such proper record books or records as it shall deem required for the proper and efficient administration of sections 2394—3 to 2394—31, inclusive; all such records to be kept in the office of the commission. The commission shall cause notice of employers subject to this act to be given to employes, in such manner as the commission shall deem most effective; and the commission shall likewise cause notice to be given of the filing of any withdrawal of such election; but notwithstanding the failure to give, or the insufficiency of, any such notice, knowledge of the fact shall conclusively be imputed to all employes.

Section 2394—31. The legislature intends the contingency in subdivision (3) of section 2394—1 to be a separable part thereof, and the subdivision likewise separable from the rest of sections 2394—1 to 2394—31, inclusive, and that part of said section 2394—1 that follows subdivision (3) likewise separable from the rest of sections 2394—1 to 2394—31, inclusive; so that any part of said subdivision, or the whole, or that part which follows said subdivision (3), may fail without affecting any other part of sections 2394—1 to 2394—31, inclusive.

SECTION 2. This act shall take effect on September 1, 1917.

Approved July 10, 1917.

No. 615, S.]

[Published July 13, 1917.

CHAPTER 625

AN ACT to repeal conditionally sections 1, 2, 3, 4, 5, and 6 of chapter 51 of the laws of 1878, and to create two new sections to be numbered 1 and 2 of said chapter 51 of the laws of 1878, providing for the improvement of the Blue Mound or Spring Street Road, a county highway, in Milwaukee county.

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

SECTION 1. Sections 1, 2, 3, 4, 5, and 6 of chapter 51 of the laws of 1878 are repealed conditionally as provided in this act.

SECTION 2. Two new sections are added to chapter 51 of the laws of 1878 to be numbered and to read: (Laws of 1878, Ch. 51) Section 1. The Chicago, Milwaukee & St. Paul Railway Company is hereby required to rebuild, prior to January 1, 1918.

and maintain a bridge, with suitable railings over its railroad tracks, at the crossing of the railroad tracks with the Milwaukee and Blue Mound Road, formerly called Spring Street Road, at a point where the tracks of said railway company cross said Milwaukee and Blue Mound Road in the town of Wauwatosa, Milwaukee county, which bridge shall be rebuilt of stone, steel, concrete, or a combination of such materials, according to plans and specifications to be agreed upon by said railway company and the board of supervisors of said Milwaukee county, acting through its county state road and bridge committee, which bridge shall be thirty-six feet wide, twenty-four feet of which shall be for a roadway in the center and six feet on each side for sidewalks; and said plans and specifications shall accurately describe the material to be used and shall be agreed upon by said railway company and said board of supervisors and filed with the clerk of Milwaukee county within thirty days from and after the passage and publication of this act and in case said railway company and said board of supervisors shall fail to agree upon and file such plans and specifications within the time herein provided, such plans and specifications shall be made by the state highway commission and filed with said county clerk within sixty days from and after the publication of this act. The travel surface of said roadway and sidewalks of said bridge shall be built and constructed level, and on the same level, or height as the west end of the approach thereto to be built to the east end of said bridge by said Milwaukee county as hereinafter provided.

SECTION 2. The county board of supervisors of the county of Milwaukee, having declared and made a portion of said Blue Mound Road, formerly called Spring Street Road, between the westerly limits of the city of Milwaukee and the westerly boundary line of Calvary Cemetery, in said town of Wauwatosa, county highway—and the acts and proceedings of said county board in that behalf are hereby legalized—the said county board of supervisors is hereby required to cause to be constructed and erected, during the year 1917, a suitable and convenient viaduct approach to the aforesaid bridge from the easterly end thereof for a distance easterly to the east end of the iron approach heretofore built and maintained by said board of supervisors under said chapter 51 of the laws of 1878, such approach to have suitable railings and to be of stone, steel, concrete, or a combination of said materials, and constructed according to plans and specifications to be agreed upon by said railway company and said Milwaukee county, acting through said committee, which approach shall be thirty-six feet wide, twenty-four feet of which

shall be for roadway in the center and six feet on each side for sidewalks and such plans and specifications shall accurately describe the material to be used and shall be agreed upon and filed with the clerk of Milwaukee county, within thirty days from and after the passage and publication of this act and in case said railway company and said county board of supervisors shall fail to agree upon and file such plans and specifications within the time herein limited, such plans and specifications shall be made by the state highway commission and filed with said county clerk within sixty days from and after the passage and publication of this act and the said state highway commission is hereby directed to act in the said contingency and in case neither the said county board of supervisors and said railway company by agreement nor said state highway commission shall make and file the plans and specifications as required by this section and by the preceding section, within the time required by this act, then this entire law shall be void and said chapter 51 of the laws of 1878 shall continue and remain in force notwithstanding the repealing clause herein contained. The travel surface of said approach herein required to be built by said county board of supervisors, shall at the east end thereof, be at the same place and at the same grade or height as was the east end of the iron approach heretofore built and maintained by said county board of supervisors under said chapter 51 of the laws of 1878 and shall ascend toward the west at a pitch or grade of four and one-half feet in one hundred feet and connect with the east end of the bridge which said railway company is by section 1 of this act required to build. Between the east end of said approach herein required to be built by said county board of supervisors and the bridge east thereof over the Menomonee river, the roadway of said Blue Mound Road shall be kept by said county board of supervisors at its present grade or level. The said county board of supervisors shall also, before January 1, 1918, cause a suitable and convenient approach to the westerly end of said railroad bridge to be constructed, which approach shall not be less than thirty-six feet wide on the top thereof and graded to a convenient grade from the westerly end of said railroad bridge until it meets and intersects the present grade of said Blue Mound Road. The said Chicago, Milwaukee & St. Paul Railway Company shall pay, upon demand, to said Milwaukee county, the difference between the cost of building said approaches to the easterly and westerly ends of said railroad bridge as required by this act to be constructed, and the cost of rebuilding the approaches in the manner and of the material required

by this act but at the height required by said chapter 51 of the laws of 1878, such difference in cost to be determined by said county board of supervisors. Said Chicago, Milwaukee & St. Paul Railway Company shall also pay to said Milwaukee county all damages and costs recovered in any action or proceeding brought by any abutting property owner against said county founded upon the taking of land by said county for approaches or by the change in grade of said approaches and bridge; provided, however, that said railway company be in due time tendered a right to defend the said action or proceeding. Compliance with this act shall constitute compliance with the decision of the Supreme Court of Wisconsin handed down November 14th, 1916, relative to the maintenance of said bridge and approaches.

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

Approved July 10, 1917.

No. 651, S.]

[Published July 13, 1917.

CHAPTER 626

AN ACT to amend subsection (8) of section 27.11 of the statutes, relating to public land commissioners in cities.

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

SECTION 1. Subsection (8) of section 27.11 of the statutes is amended to read: (Section 27.11) (8). For the purposes of * * * subsections (1) to (12), inclusive, to section 27.11, the common council shall, at the request of said board, make an initial appropriation of not to exceed twenty-five thousand dollars, * * * and thereafter the common council shall, at the request of said board, make such appropriations annually in the budget of said city as the council may deem reasonably necessary for the purpose of carrying on the work and paying the expenses of said board. Appropriations so made shall constitute a fund to be known as the public land fund, and it shall be deposited, together with all the proceeds of the operation of such board with the treasurer of such city. Said fund shall be drawn out only on an order signed by the president and secretary of such board and countersigned by the city comptroller.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 10, 1917.