

combined, the local board may apply the proceeds to any of the purposes for which said bonds were issued in any proportion it deems necessary; provided, that whenever a natatorium shall be erected in connection therewith as herein provided, the maintenance cost of such natatorium shall be paid by the local board and the city in such proportions as shall be agreed upon by the common council and the local board, or if they cannot agree then each shall pay fifty per cent thereof. The comptroller of such city shall annually set aside, out of any taxes collected in such city for \* \* \* a vocational education fund, a sufficient sum to pay the principal and interest which may become due on any of said bonds in the year for which such taxes are collected; if the local board shall neglect to report a sufficient amount required by it for the next fiscal year to pay the principal and interest on said bond each year, the common council of such city shall nevertheless levy a sufficient tax for such purpose. It shall not be necessary for such city to comply with the provisions of chapter 65 of the statutes in making the first two bond issues, but all subsequent bond issues shall be subject to the provisions of said chapter.

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

Approved July 2, 1929.

---

No. 104, S.]

[Published July 5, 1929.]

## CHAPTER 262.

AN ACT to amend subsection (3) of section 6.35, paragraph (c) of subsection (4) of section 19.01, section 20.67, subsection (2) of section 23.09, section 32.04, section 35.21, subsection (3) of section 56.08, section 60.19, section 60.57, paragraph (b) of subsection (4) of section 62.09, subsection (20) of section 73.03, section 132.08, subsection (3) of section 180.11, section 241.10, section 247.13, the first part of subsection (1) of section 256.02, section 261.10, subsection (15) of section 272.18, section 327.15, section 358.13; to repeal sections 61.65, 66.01, 263.40, 324.30; and to renumber section 66.001 to be section 66.01, 66.006 to be subsection (14) of new section 66.01 of the statutes, all for the purpose of correcting errors, reconciling conflicts, supplying

omissions, and for repealing obsolete and unconstitutional provisions.

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

SECTION 1. Subsection (3) of section 6.35 of the statutes is amended to read: (6.35) (3) The provisions of subsections (1) and (2) as to the time of the opening and closing of polls and to the extension of such time \* \* \* shall apply to the September primary excepting that in towns the polls during such primary shall be opened at nine o'clock in the morning and closed at eight o'clock in the evening, unless \* \* \* *changed* as provided \* \* \* in subsection (2). \* \* \*

SECTION 2. Paragraph (c) of subsection (4) of section 19.01 of the statutes is amended to read: (19.01) (4) (c) In the office of the clerk of the circuit court of any county: Of the county judge, of all court commissioners, *of all divorce counsel*, of all justices of the peace, and of all other judges or judicial officers elected or appointed in and for such county, or whose jurisdiction is limited thereto;

SECTION 3. Section 20.67 of the statutes is amended by striking out the figures "252.18" and by inserting in place thereof the figures "252.08."

SECTION 4. Subsection (2) of section 23.09 of the statutes is amended to read: (23.09) (2) COMMISSION, MEMBERS, APPOINTMENT, TERM, QUALIFICATIONS. To carry out the purpose of this \* \* \* *section* and other acts for like purposes, there is created a state conservation commission of six members, three of whom shall be from the territory north, and three from the territory south of a line running east and west through the south limits of the city of Stevens Point. The members of said commission shall be appointed by the governor by and with the advice and consent of the senate. The term of office for each member of the commission shall be six years; provided, that of those first appointed two shall be appointed for two years, two for four years, and two for six years. *Thereafter and during February in each odd year, two members shall be likewise appointed and confirmed for a full term.* The commissioners appointed shall be persons having knowledge of and interest in conservation.

SECTION 5. Section 32.04 of the statutes is amended by adding at the end thereof, the following: "The petition and all subse-

quent papers in the proceeding shall be filed in the office of the clerk of the circuit court."

SECTION 6. Section 35.21 of the statutes is amended to read:  
35.21 CORRECTING TYPOGRAPHICAL ERRORS. In all official publications of Wisconsin session laws, the secretary of state shall cause all words and names to be correctly spelled in the same as printed, and shall also correct such errors as "previous" for "previously", "subsequent" for "subsequently", "is" for "are", "affect" for "effect", and the like, where such errors occur in any enrolled act, memorial or resolution; and no such correction shall be deemed an alteration of or departure from the enrolled copy. *Like corrections shall be made by the revisor in printing the Wisconsin Statutes.* On questions of orthography Webster's New International Dictionary shall be taken as the standard.

SECTION 7. Subsection (3) of section 56.08 of the statutes is amended to read: (56.08) (3) The county jail of such county is extended to any place within the county where said work is provided, and the sheriff shall at all times have the custody of such prisoners. \* \* \*

SECTION 8. Section 60.19 of the statutes is amended to read:  
60.19 ELECTION OF OFFICERS. At the annual town meeting there shall be elected in each town the following officers, viz.: Three supervisors, one of whom shall be designated on the ballots as chairman, a town clerk, a treasurer, an assessor \* \* \* (or two or three, if the town board at their last meeting before such election shall have so ordered), \* \* \* so many constables, not exceeding three, as shall have been ordered by the last preceding annual town meeting. In all counties which contain a population of not less than one hundred thousand such election shall be held biennially in the even-numbered years, and town officers shall hold office for two years. No person not an elector of the town shall hold any town office, and no person shall hold the offices of treasurer and assessor at the same time.

SECTION 9. Section 60.57 of the statutes is amended to read:  
60.57 JUSTICES; NUMBER; TERMS. There shall be two justices of the peace in each town, of whom one shall be elected at each annual town meeting. *In towns containing a city of the fourth class or a village wholly within its limits, a justice of the peace residing within such city or village shall be elected annually, by the town meeting.* Their term of office shall be two

years from the first Monday of May next following such town meeting; provided, that in all counties which contain a population of \* \* \* one hundred thousand no justices of the peace shall be elected in the odd-numbered years, except to fill vacancies, and that in the even-numbered years two justices of the peace shall be elected for the term of two years.

SECTION 10. Section 61.65 of the statutes is repealed.

SECTION 11. Paragraph (b) of subsection (4) of section 62.09 of the statutes is amended to read: (62.09) (4) (b) The treasurer, comptroller, chief of police and such others as the statutes or the council may direct, shall execute and file an official bond in such sum as the council may determine, with two or more sureties. The council may at any time require new and additional bonds of any officer. All official bonds must be approved by the mayor, and when so approved shall be filed within ten days after the officer executing the same shall have been notified of his election or appointment; and \* \* \* *official bonds filed with the city clerk* shall be recorded by \* \* \* *him* in a book kept for that purpose.

SECTION 12. Section 66.01 of the statutes is repealed; and section 66.001 of the statutes is renumbered to be section 66.01; and section 66.006 is renumbered subsection (14) of new section 66.01.

SECTION 13. Subsection (20) of section 73.03 of the statutes is amended by inserting in the first line thereof, the word "property" after the word "personal".

SECTION 14. Section 132.08 of the statutes is amended by substituting the word "filling" for the word "filing" where it occurs in line eleven.

SECTION 15. Subsection (3) of section 180.11 of the statutes is amended to read: (180.11) (3) SAME; EXCEPTIONS. But any corporation organized to deal in real property or in fixtures, improvements or chattels real, or to mortgage, pledge or dispose of the same in any manner whatsoever, may sell, mortgage, pledge or otherwise dispose of the same *by instruments executed in the manner provided by section 235.19* or in such manner as shall be provided \* \* \* *in the articles of incorporation*, without further authorization by the members of any such corporation.

SECTION 16. Section 241.10 of the statutes is amended to read: 241.10 FILING CHATTEL MORTGAGES. Every mortgage

of personal property or a copy thereof may be filed in the office of the clerk of the town, city or village where the mortgagor resides, or in case he is a nonresident of the state then in the office of the clerk of the town, city or village where the property mortgaged may be at the time of the execution of such mortgage; \* \* \* such clerk shall indorse on such mortgage or copy the time of receiving the same and keep the same in his office for the inspection of all persons; such clerk shall also make the entries as required in section 60.45, subsection (10), *and shall be paid the fees provided by section 60.47; provided, that no such chattel mortgage or copy shall be accepted for filing in the office of the clerk of cities of the first class unless the debt secured by the mortgage is five dollars or more.* Mortgages so filed in the office of such clerk shall be as valid and binding upon all persons as if the property thereby mortgaged had been, immediately upon the execution of such mortgage, delivered to, and the possession thereof retained by, the mortgagee.

SECTION 17. Section 247.13 of the statutes is amended to read: 247.13 DIVORCE COUNSEL; APPOINTMENT; OATH; MILWAUKEE COUNTY. In each county of the state the circuit judge or judges in and for such county shall by order filed in the office of the clerk of the circuit court on or before the first Monday of July of each year, appoint some reputable attorney of recognized ability and standing at the bar, divorce counsel for such county. Before entering upon the discharge of his duties such counsel shall take and file \* \* \* *the official oath.* The person so appointed shall continue to act until his successor is appointed and duly qualified. Provided that in any county having a population of two hundred and fifty thousand or more \* \* \* there shall be no appointment of divorce counsel, but the district attorney or any assistant district attorney shall be the divorce counsel thereof and perform all the duties of such office.

SECTION 18. The first part of subsection (1) of section 256.02 of the statutes is amended to read: 256.02 FORM OF JUDICIAL OFFICERS' OATH. (1) Every person elected or appointed justice of the supreme court, or judge of the circuit court, or judge of a county court, or judge of a superior or municipal court, or judge of the district court or civil court of Milwaukee county, or judge of any other court of record, *or justice of the peace,* shall take, subscribe, and file the following oath:

SECTION 19. Section 261.10 of the statutes is amended to read: 261.10 PROCEEDINGS AFTER ORDER FOR CHANGE OF VENUE. When the place of trial is changed, all further proceedings shall be had in the county to which it is changed, unless otherwise provided by the consent of the parties in writing, duly filed, or by the order of the court. All process, pleadings or other papers, and copies of all entries, orders and minutes in the books of the clerk in such action shall be certified and transmitted by the clerk of the court to the like clerk in the county to which the place of trial is changed, with a statement of his fees therefor in the action, which shall be paid before transmission by the party procuring such change, except in the case mentioned in \* \* \* subsection (1) of section 261.04, \* \* \* *in which case the plaintiff shall pay such fees and the change shall be complete on the making of the order.* The change, *in other cases,* shall be complete on filing the papers transmitted. If such transmission be not made within twenty days from the making of the order to change the place of trial, \* \* \* unless such time be extended, \* \* \* *the moving party shall lose his right to the change* except in the case mentioned in \* \* \* subsection (1) of section 261.04, \* \* \* and no *order for a change for the same cause shall thereafter be made* \* \* \* and the *moving party* \* \* \* shall pay the costs of the application within ten days after the expiration of said twenty days; \* \* \* *but the other party, may,* \* \* \* within forty days from the time of the making of the order granting the change, \* \* \* *pay the clerk fees and have the papers certified and transmitted* \* \* \* to the court mentioned in such order.

SECTION 20. Section 263.40 of the statutes is repealed.

SECTION 21. Subsection (15) of section 272.18 of the statutes is amended to read: (272.18) (15) Sixty per cent of the earnings of any person having a family dependent upon him for support at the time of the commencement of proceedings for the collection of debt, including the earnings of any minor child or children whose earnings contribute to the support of such family, but not exceeding sixty dollars for the month preceding the issue of any writ or attachment, execution, garnishment or the institution of proceedings supplementary to execution, and one hundred eighty dollars for the preceding three months. \* \* \* An additional amount of ten dollars for such preceding month and thirty dollars for such preceding three months *shall be al-*

*lowed* for each child under sixteen years of age dependent upon him for support. In computing the foregoing exemptions, the earnings for any month shall be considered reduced by the amount of any sum recovered during that month in any action mentioned in this subsection. The debtor shall not be entitled to the exemption under this subsection, unless it shall be shown that he is actually and reasonably contributing according to his means and circumstances to the support of said family. The garnishee shall recover costs when the property to be reached is exempt from execution against the principal debtor at the time of serving the process on the garnishee.

SECTION 22. Section 324.30 of the statutes is repealed.

SECTION 23. Section 327.15 of the statutes is amended to read:  
327.15 JUDGMENTS OF FOREIGN COURTS OF RECORD. The records and judicial proceedings of any court of the United States, or of any state or territory or district thereof *and of any foreign country* and copies thereof, shall be admissible in evidence in all cases in this state when authenticated or certified in the manner directed by sections 327.07 and 327.08 or by acts of congress, *or the laws of such state, territory or district, or of such foreign country.*

SECTION 24. Section 358.13 of the statutes is amended by striking out the words "provided, that this limitation shall not become effective until one year after its passage and publication" where they appear in the last two lines.

SECTION 25. . This act shall take effect upon passage and publication.

Approved July 2, 1929.