

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

Approved April 17, 1889.

[No. 201, A.]

[Published April 27, 1889.]

CHAPTER 470.

AN ACT relating to the territory constituting school districts in Douglas county, Wisconsin, and to form the same into several school districts, and to confirm and legalize action heretofore taken in forming and organizing school districts from parts of said territory.

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

School districts in Douglas county, territory constituting.

SECTION 1. School districts originally known as school districts numbers one and two, of the town of Superior, and by operation of law afterwards becoming school district number one of the village of Superior, joint with the towns of Superior, Brule, Nebagamain and Gordon, and school district number two of the village of Superior, joint with the towns of Superior and Gordon, all in the county of Douglas, in the state of Wisconsin, are hereby dissolved, and the territory heretofore constituting said school districts numbers one and two is hereby formed into school districts named and composed as follows:

District No. 1, of the village of Superior, shall comprise all of fractional town forty-nine, range thirteen, lot one, of section twenty-four, south half of section twenty-four, sections twenty-five, twenty-six, thirty-five, thirty-six, in town forty-nine, north, range fourteen, and sections one, two, three, four, five, six, of town forty-eight, range thirteen.

District No. 2, of the city of Superior shall comprise all the territory of fractional township forty-nine, north of range fourteen west, except that included in district number one as above set forth,

also sections one, two, three, four, five and six, town forty-eight, range fourteen.

District No. 1, of the town of Brule, shall comprise south half of town forty-eight, range eleven, and north half of town forty-seven, range eleven.

District No. 2, the south half of town forty-eight, range ten, and north half of town forty-seven, range ten.

District No. 3, fractional town forty-nine, range twelve, sections one to eighteen inclusive, in town forty-eight, range twelve, sections five, six, seven, eight, seventeen, eighteen, in town forty-eight, range eleven, and sections thirty-one, thirty-two, and fractional sections twenty-nine, thirty, in town forty-nine, range eleven.

District No 4, the south half of town forty-eight, range twelve, and north half of town forty-seven, range twelve.

District No. 5, fractional sections thirteen, twenty-one, twenty-two, twenty-three, twenty-eight, whole sections, twenty-six, thirty-five, thirty-six, twenty-four, twenty-five, thirty-three, thirty-four, twenty-seven, in town forty-nine, range eleven; also fractional sections seventeen, eighteen, and whole sections, nineteen, twenty, twenty-nine, thirty, thirty-one, thirty-two, in town forty-nine, range ten. Also sections five, six, seven, eight, seventeen, eighteen, in town forty-eight, range ten. Also sections one, two, three, four, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, in town forty-eight, range eleven.

District No. 6, fractional sections one, two, three, nine, ten, and whole sections eleven, twelve, thirteen, fourteen, fifteen, sixteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, thirty-three, thirty-four, thirty-five, thirty-six, in town forty-nine, range ten, and sections one, two, three, four, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, in town forty-eight, range ten.

District No. 1, of the town of Nebagamain shall comprise town forty-five, range twelve; the south half of township forty-five, range eleven, and township forty-five, range ten.

District No. 2, the south one-half of town forty-seven, range eleven, and north one-half of town forty-six, range eleven, the south half of town

forty-seven, range ten, and all of town forty-six, range ten.

District No. 3, the south one-half of town forty-seven, range twelve, all of town forty-six, range twelve, the south half of town forty-six, range eleven and the north one-half of town forty-five range eleven.

District No. 1, of the town of Gordon shall comprise the entire territory of said town.

District No. 1, of the town of Superior shall comprise sections seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, in town forty-eight, range thirteen, also sections one, two, three, four, five and six, town forty-seven, range thirteen, town forty-eight, range fourteen, except sections one, two, three, four, five and six, and all of town forty-eight, range fifteen in Douglas county.

District No 2, town forty-seven, range thirteen, except sections one, two, three, four, five and six, town forty-seven, range fourteen, and town forty-seven, range fifteen.

District No. 3, town forty-six, range thirteen, town forty-six, range fourteen, and town forty-six, range fifteen.

Legalizing acts relating to organization of district.

SECTION 2. The action of the legal voters in the several school districts heretofore organized in the village of Superior, and in the towns of Superior, Brule and Nabagamain in districts formed from parts of the territory mentioned in the first section of this act, is hereby declared to be legal and valid, so far as the organization of the districts, and provisions for the maintenance of public schools is concerned, and the officers now in office in the respective school districts in said towns are hereby declared to be legal school officers of the districts for which they were each respectively elected, and for the terms for which they were chosen, with all the authority and rights, and subject to the obligations conferred and imposed by law upon school district officers.

District, how organized.

SECTION 3. The inhabitants of any school district hereinbefore named and created, which shall

not have already been organized or attempted so to be, shall within sixty days from and after the passage and publication of this act, organize in conformity with existing laws relating to the organization of school districts. And the several school district clerks, who shall be elected at the time of such organization, shall within five days after their election and qualification as such officers, file in the office of the town clerk of their respective towns, a certified copy of the record of such organization. The several town boards of supervisors of the towns of Superior, Brule and Nebagamain, shall hold a meeting ninety days after the passage and publication of this act, and if at such meeting it shall appear that in any of the school districts hereinbefore named and created, no organization has been had pursuant to the laws of this state as hereinbefore provided, or otherwise, then such town board shall proceed to attach all of the territory in any school districts hereinbefore described and created, which shall not have been so organized, to the several school districts in their respective towns which shall have been organized. Such action on the part of said respective town boards, shall be by an order to be made by them and recorded in the minutes of their proceedings at such meeting. And the town clerks of said respective towns of Superior, Brule, and Nebagamain, shall immediately after the making of such order, make out and deliver to each of the school district clerks of the several organized school districts in said towns, a certified copy of said order. Whenever it shall become necessary to alter the boundaries of any school district formed by this act, or to organize any school district thus formed but not heretofore organized, or to change the form of school government in any of the towns herein mentioned, such boundaries shall be altered, such organizations shall be effected, and such change in form of school government made, in accordance with existing provisions of law relating thereto; and all claims arising by reason of the formation and organization of any school district having no school-house out of territory theretofore belonging to a school district having a school house and other property and retaining the same, shall be adjusted in the same manner, as provided by law,

Duties of
boards and
clerks.

as though the claim had arisen through the action of town boards of supervisors in forming and organizing such school districts.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1889.

[No. 93, A.]

[Published April 20, 1889.]

CHAPTER 471.

AN ACT relating to actions against municipal corporations and others, in certain cases.

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

Actions against municipal corporations for injuries resulting from defects in highways, streets, etc., who properly liable—proceedings in.

SECTION 1. Whenever any injury has happened or shall happen to any person or property in any city or municipal corporation or towns by reason of any defect in any highway, street, alley or public ground; or for any other cause for which such city or municipal corporation or towns would be liable, and such defect, incumbrance or other cause of such injury shall be caused by, arise from, or be produced by the wrong, default or negligence of any person or corporations or towns, such person or corporation or towns so guilty of such wrong, default, or negligence, shall be primarily liable for all damages arising from such injury; but such city or municipal corporation or towns may be sued in the same action with the one so primarily liable and be complained against as if primarily liable. If said city or municipal corporation or towns shall answer that it is not primarily liable, showing who is, and the verdict or finding shall be that it is liable, but not primarily, then the court shall enter judgment for the amount stated in the verdict or finding against all the defendants against whom the verdict shall be found or the finding shall be made; but the court shall stay execution against such city or municipal corporation or towns, until execution against those found to be primarily