

services gratuitously in case of emergency or to prevent an authorized practitioner of an adjoining state from practicing in this state when his services are requested. Any person who shall violate the provisions of this section shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars or by imprisonment in the county jail not less than thirty nor more than ninety days or both.

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

Approved March 30, 1899.

No. 32, S.]

[Published April 1, 1899.

CHAPTER 83.

AN ACT to authorize the purchase of tools and machinery for making roads in certain cases, and to prescribe the manner of payment therefor, and the use and care of the same.

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

SECTION 1. Subdivision No. 2 of section 1223 of the revised statutes is hereby amended by inserting in lieu of the word "procure" in the first line thereof, the word "purchase" and by inserting after the word "material" in the first line thereof, the words "on such terms as may seem proper" so that when so amended such subdivision shall read as follows: 2. To purchase machinery, implements, stone, gravel and other material on such terms as may seem proper, and hire such machinery, laborers and animals as may be required to make and repair highways and bridges; and for these purposes they shall have the power to purchase gravel pits and stone

Town board authorized to purchase road making machinery and materials.

quarries and take the title thereto in the name of the town; and if such pits and quarries cannot be purchased, title thereto may be acquired in the manner provided in section 1226b.

When town chairman may purchase said machinery and materials.

How paid for.

SECTION 2. After section 1223 of the revised statutes there shall be inserted the following section to be designated section 1223a. Section 1223a. In any town in which the whole or any part of the highway tax is paid in labor, the chairman of the town board thereof may, upon being petitioned in writing by a majority of the tax payers of one or more superintendent districts of such town, representing more than one-half of the taxable property in such district or in each of such districts (to be ascertained from the last preceding assessment roll, and certified to as such by the town clerk of such town) and by the superintendent or superintendents of highways of each such district contract for and purchase upon credit or otherwise, a road machine or wheeled scrapers, or both of them, for the use of such district or districts, which implements shall be used, owned and cared for by such district, or such districts jointly. Such implements shall be paid for out of the highway tax of the district or districts for which the same are purchased, and may be paid for in not to exceed five annual installments. If purchased for more than one district the amount paid by each shall be in proportion to the amount of highway tax paid by each. A copy of the note or contract issued upon such purchase shall be filed in the office of the town clerk in which such superintendent district or districts are situated, and it shall be the duty of such town clerk to present a statement of the sum due thereon to the town board at each regular meeting held thereafter for the audit of the town claims and charges, and the town board shall audit such sum. Not more than one-half of the highway tax of any district shall be applied to the payment therefor in any one year. The portion of such tax so applied shall be required to be paid in money and shall

be assessed and levied upon the property of such district or districts, and collected in the same manner as other town charges are assessed, levied and collected, except that the amount thereof shall be put into a separate column upon the tax roll and the town board shall cause the same so certified to by the town clerk to be levied upon the taxable property of such superintendent district or districts. The chairman of such town board shall, with the assistance of the superintendent of highways in any superintendent district which is to be charged with the payment of such machines after the completion of the assessment roll and ten days before the regular meeting of the town board for the levying of taxes, make and deliver to the supervisors of such town a list of all persons in such district or districts who are named in the last assessment roll as being liable to assessment for taxes to be levied for the payment of such implements. It shall be the duty of each town to provide suitable places for the storage and proper housing of all tools, implements and machinery owned by the town or by the districts therein, and to cause such tools, implements and machinery to be stored and housed therein at all times when not in use; and such tools, implements and machinery when purchased by a district or districts shall be under the care and control of the superintendents thereof, who shall take proper care thereof.

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

Approved March 30, 1899.