

said Margaret Bowen, deceased, and entitled to said fund, or if any proceedings are then pending to recover said sum, said payment shall not be paid to the said Griffith Roberts until said proceedings shall have terminated adversely to the claimant.

Certificate of county judge. SECTION 3. The certificate of the county judge of Winnebago county, to the effect that there has been no further order or judgment made in the matter of the estate of Margaret Bowen, deceased, determining who are the heirs of said Margaret Bowen, and that no proceedings are now pending to determine who are the heirs of said Margaret Bowen, made after the 16th day of August, A. D. 1906, shall be sufficient proof of such fact to authorize the payment of said money to said Griffith Bowen.

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

Approved May 2, 1903.

No. 402, A.]

[Published May 5, 1903.

CHAPTER 149.

AN ACT to amend 925—21a of the statutes of 1898, relating to the detachment of territory from cities.

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

Detachment of territory; debts, property. SECTION 1. Section 925—21a of the statutes of 1898 is hereby amended so as to read as follows: Section 925—21a. Upon the petition of a majority of property owners owning three-fourth of the taxable real estate which it is proposed to detach, according to the last tax roll, within the corporate limits of a city of the second, third or fourth class, whether incorporated under the provisions of this chapter or by special charter, and which said taxable property is within a section adjacent to the boundary lines of any such city, the common council may by ordinance detach such real estate from such city. Such ordinance shall require for its adoption the affirmative vote of three-fourths of all the

members of such common council and if so adopted, the said property shall be detached from such city and attached to the town or towns to which the same shall be annexed and shall be taxable therein. Provided, however, that if a petition signed by five per cent. of the electors of such city be presented to such the common council, within ninety (90) days after the passage of such ordinance, demanding that such question be submitted to the electors of such city then such common council shall cause such question to be submitted to the electors of such city at the next ensuing election, and in case a majority of the electors voting on such question shall vote in favor of such proposition, then and thereafter said property shall be detached therefrom and attached to the town or towns to which the same by reason thereof becomes annexed and shall be taxable therein.

It is further provided that such common council may by a majority vote of all its members submit to the electors of such city at the next ensuing municipal election the question of detaching such real estate from such city, and in case a majority of the electors voting on such question shall vote in favor of such proposition, then and thereafter said property shall be detached therefrom and attached to the town or towns to which the same by reason thereof becomes annexed and shall be taxable therein. Any indebtedness properly chargeable to such detached territory may be adjusted between such city and the town or towns as provided by section 925—21a or 925—20, and the proceedings for such adjustment may be begun by either the town or city. Any property interest of such detached territory shall vest in the city.

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

Approved May 2, 1903.