

insurance department. The money so received into the treasury shall be set aside as a special fund for the maintenance of such office of state fire marshal and the expenses incident thereto. The state shall not be liable in any manner for the salary of said fire marshal, his deputies, clerks, assistants, employes, or for the maintenance of the office of fire marshal or any expenses incident thereto, and the same shall be payable only from the special fund provided for in this subsection.

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

Approved May 28, 1909.

No. 522, S.]

[Published May 29, 1909.

## CHAPTER 212.

AN ACT to amend sections 1004a, 1005, and 1218—13, relating to the collection of returns of local taxes.

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

SECTION 1. Section 1004a of the statutes is amended to read: Section 1004a. Annually, on or before the \* \* \* *twentieth* day of December, a statement in detail of all taxes levied in each town, village, city, and county during the \* \* \* year, shall be made and filed by the clerk thereof, with the secretary of state. Any such clerk failing to make the statement herein provided for, *and within the time above provided*, shall \* \* \* *be liable to his county, town, village, and city for all damages caused by his delinquency.* The secretary of state shall prepare and furnish the blanks for such statement.

SECTION 2. Section 1005 of the statutes is amended to read: Section 1005. The county clerk of each county shall, immediately upon the receipt from the secretary of state of the blanks and instructions necessary for carrying out the provisions of \* \* \* *the above section*, by town, village, and city officers, distribute the same to such officers at the expense of the county, and shall annually, \* \* \* *on or before the twentieth day of December*, make out and transmit to the secretary of state, on blanks furnished by him a tabular statement of the statistics of valuation, taxes, and indebtedness reported by the town, city, and village clerks; and also, separately, the assessed valuation of all the taxable property in his county as last fixed by the county board, the amount of all county taxes levied thereon

during the preceding year, and the purposes for which the same were levied and expended; and also a detailed statement of the bonded and other indebtedness of his county, of the accrued interest thereon, if any, remaining unpaid, and the purposes for which such indebtedness was incurred.

SECTION 3. Section 1218—13 of the statutes is amended to read: Section 1218—13. When the officers of any county, town, city, or village shall have failed to return the amount of state, county, and local taxes, levied on property therein within the time required by law, the \* \* \* *tax commission* may inspect and examine, or cause an inspection and examination of the records of such officers to procure the required information, and when no return is made and no information can be procured, the state, county, and local taxes levied in such town, city, or village in the prior year may be used in determining the aggregate taxes mentioned in section 1218—12. *Any expense incurred in procuring the information herein required shall be a special charge against the county, town, city, or village whose clerk shall have failed to furnish the information within the time prescribed and shall be collected in the same manner as other special charges.*

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

Approved May 28, 1909.

No. 853. A ]

[Published May 29, 1909

## CHAPTER 213.

AN ACT to amend section 1797m—80, section 1797m—81 and section 1797m—90 of the statutes, relating to the jurisdiction and regulation of public utilities by the Railroad Commission of Wisconsin.

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

SECTION 1. Section 1797m—80 of the statutes is amended to read: Section 1797m—80. If the municipality shall have determined to acquire an existing plant then operated under a license, permit or franchise existing at the time this act takes effect *by a vote of a majority of the electors voting thereon at any general, municipal or special election at which the question of the purchase of such plant shall have been submitted*, such municipality shall bring an action in the circuit court against the public utility as defendant praying the court for