

testify, as provided in this chapter, either within or without the state, shall neglect or refuse so to do, he may be punished as for a contempt and his pleading be stricken out and judgment given against him as upon default or failure of proof.

2. *If any officer, agent, or employe, or any person who was such officer, agent, or employe of a foreign corporation, at the time of the occurrence of the facts made the subject of the examination, be lawfully required to appear and testify, as provided in this chapter, either within or without the state, shall neglect or refuse so to do; or, if such person, when lawfully required, shall refuse and neglect to have with him any papers, books, files, records, things, and matters in the possession of such party relevant to the controversy, such party may be punished as for a contempt and in the discretion of the court, the pleading of such foreign corporation stricken out, and judgment given against it as upon default or failure of proof.*

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

Approved June 2, 1911.

No. 359, S.]

[Published June 5, 1911.

### CHAPTER 233.

AN ACT to create sections 925—95b, 925—95c, 925—95d, 925—95e, and 925—95f of the statutes, relating to payment of accounts against water departments and legalizing payments heretofore made.

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

SECTION 1. There are added to the statutes five new sections to read: Section 925—95b. When the lighting plant or waterworks, or both, in cities of the fourth class are operated under the direction of a commission, as provided in the preceding sections, all accounts against the light or water department, or both, shall be audited by such commission, and, if approved, shall be paid by orders upon the city treasurer issued and signed by the president and secretary of the commission.

SECTION 925—95c. In cities of the fourth class which own a lighting plant or waterworks, or both, the city treasurer shall keep as a separate fund all income and revenue derived from such lighting plant or waterworks, or both, and any funds specially provided therefor by the common council, and pay therefrom all orders drawn upon him by the commission operating such plant or works.

SECTION 925—95d. All orders heretofore drawn upon the city treasurer in cities of the fourth class and issued for lawful purposes by a commission operating a lighting plant or water-works, or both, under the preceding sections, and all payments heretofore made by any city treasurer upon such orders, which are or might be invalid for the reason that the accounts to pay which such orders were drawn and paid, were not allowed by the common council of such city in the manner provided by statute for the allowance of claims and accounts against such city, are hereby declared to be legal and valid to the extent that the same would have been had such accounts been allowed by the common council of such city.

SECTION 925—95e. In cities of the fourth class the commission shall have power and authority:

1. To prescribe rules of order for the regulation of their own meetings and deliberations and alter, amend, or repeal the same from time to time as they shall see proper.

2. To enact, amend, and repeal all necessary rules and regulations for the government, operation, and maintenance of such plant or works and their employes.

3. To contract for and purchase all fuel, supplies, and repairs necessary for or incident to the proper operation and maintenance of such plant or works.

4. To enact, amend, and repeal all needful rules and regulations under which the patrons of such plant or works shall be served, subject to the approval of the city council and the control of the railroad commission, as provided by law.

5. To contract to purchase, construct, and install all extensions, additions, and alterations to such plant or works whenever the same shall have been ordered and funds provided therefor by the city council.

6. To employ a superintendent for a period not to exceed one year under any one contract, and at a salary not to exceed fifteen hundred dollars per annum, unless a larger salary be expressly authorized by the common council.

7. To exercise all the powers necessarily incident to the powers herein conferred.

SECTION 925—95f. Nothing contained in sections 925—95b, 925—95c, 925—95d, or 925—95e shall be construed to affect in any way the provisions of sections 1797m—1 to 1797m—108, inclusive, of the statutes.

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

Approved June 2, 1911.