

in the county jail not more than six months, or by both fine and imprisonment.

(Am. 1911, c. 664, s. 64.)

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

Approved June 16, 1911.

No. 864, A.]

[Published June 20, 1911.

CHAPTER 408.

AN ACT to create and establish the office of city forester in cities of the first class, and to prescribe the powers and duties thereof.

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

SECTION 1. In all cities of the first class, whether operating under general or special charter, having authority to levy a tax for park purposes, and having a board of park commissioners, such board of park commissioners shall have full power and authority over that part of each and every street, the grade of which has been established by the city in said cities, lying between the lot line and the curb, except so much as is covered by the sidewalk itself, and shall have full power and authority over the trees and shrubs planted or to be planted in the part of the streets so described, together with the center or side plots in all boulevards and parkways, with the right and power to make such rules and regulations as may be necessary for the proper planting, and the care of such trees and shrubs, as hereinafter outlined.

SECTION 2. In pursuance of the purposes of this act, the said board of park commissioners shall, within one year from the time this act takes effect, appoint a city forester, who shall have direct charge of all the work that said park commission may find necessary in carrying out the provisions of this act. Said board of park commissioners shall have power and authority to fix the term and compensation for said city forester. The board of park commissioners shall have the power to employ as many assistants for the city forester, as the work may require, and to fix their compensation. It shall have authority also, to purchase all the machinery, tools and implements that may be necessary in the conduct of the work, and to create any proper expenses.

SECTION 3. The common council shall have power to set aside a sum sufficient to pay the salary of a city forester and his assistants, the cost of the machinery, tools and implements, and

such other proper expenses as may be created in carrying out the work herein provided for.

SECTION 4. The said city forester, under the power and direction of the board of park commissioners, shall have power to plant trees and shrubs, transplant or remove trees and shrubs, living or dead, and to trim, spray and otherwise care for all trees and shrubs on the streets, avenues, alleys and public places in the city, under conditions hereinafter stated, or according to the rules and conditions to be made by the board of park commissioners.

SECTION 5. When the board of park commissioners shall propose the setting out, the planting or removing of any shade tree, or the material changing of the same in any highway, it shall give notice to the owner or his agent of any property affected by this act when he can be found, or to the tenant when said owner or agent cannot be found, of a time at which such contemplated work is to be considered, specifying in detail the highways or portions thereof, upon which trees are proposed to be planted, removed or changed, and also in detail the nature and character of the changes and improvements contemplated, in the official newspaper of said city, once each week for at least two weeks prior to the date of such meeting.

SECTION 6. The entire cost of protecting, trimming, renewing and planting trees and shrubs, and the general care of lawns and plantations between the lot line and the curb in front of each lot and parcel of land, and on center and side plots on boulevards, shall be chargeable and assessed upon the lots or parcels of land abutting upon any such street, avenue or boulevard within the forestry districts, the creation of which is hereinafter provided for. Such assessments shall be made in the manner provided in section 19, of chapter 7, of the charter of the city of Milwaukee, except as herein otherwise provided. Whenever, before an assessment is made, it is necessary to provide the first cost of any work herein provided, such expense shall be defrayed out of any available funds the park board may have to its credit.

SECTION 7. For the proper performance of the duties devolving upon it, under the provisions of this act, the board of park commissioners shall have authority to make and publish such rules and regulations for the care of, and to prevent injury to trees on the highways of said cities, as it may deem necessary, and to create such forestry districts within said cities as may be necessary, and it shall be the duty of said board to recommend to the common council of said cities, the enactment of such ordinances as may be necessary, to prescribe suitable fines and penalties for violations thereof.

SECTION 8. The board of park commissioners shall keep a strict account of the cost of planting, trimming, removing or spraying trees or shrubs as herein authorized, which is to be assessed against the lots or parcels of land abutting on such streets, avenues or boulevards, and it shall be the duty of said board to promptly transmit a copy of such account to the commissioner of public works. Such commissioner shall include such assessment or assessments in his annual schedule submitted to the common council to be levied and collected as other special assessments are levied and collected, and such assessments shall be collectible by the duly constituted authorities of said cities, as liens for taxes upon real property are now collected. All such special taxes shall be paid to the city treasurer and credited by him to the park and boulevard fund and shall not be diverted for any other purpose.

SECTION 9. All acts and parts of acts, including the provisions of any special charter, conflicting with any of the provisions of this act, are repealed in so far as they are inconsistent therewith.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved June 16, 1911.

No. 884, A.]

[Published June 20, 1911.]

CHAPTER 409.

AN ACT to amend section 447 of the statutes, relating to the branches to be taught in every district school.

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

SECTION 1. Section 447 of the statutes is amended to read: Section 447. Orthography, orthoepy, reading, writing, *English grammar and composition*, geography, arithmetic, elements of agriculture, * * * *history and civil government of the United States and of the state of Wisconsin*, and such other branches as the board may determine, shall be taught in every district school. All instruction shall be in the English language, except that the district board or the board of education may, in their discretion, cause any foreign language to be taught by a competent teacher to such pupils as desire it, not to exceed one hour * * * *each day* * * *. District boards, town boards of school directors and boards of education may provide for kindergartens, for instruction and training of primary grades, in separate departments or otherwise.