

such board, except that the fees of witnesses shall be paid by the county.

(3) Within five days after the determination of said board, any candidate, or any elector who voted upon such constitutional amendment or proposition, as the case may be, aggrieved thereby may appeal therefrom to the circuit court of said county, by serving a notice in writing to that effect upon such other candidates * * * or persons who filed written notices of appearance with said board. Such notice shall be filed with the clerk of the circuit court, together with an undertaking by the appellant, with surety and in an amount to be approved by the clerk of said court or the judge thereof, conditioned for the payment of all costs taxed against said appellant. The circuit judge shall forthwith issue an order directing the * * * clerk of said county, or of said city, town or village, to transmit to the clerk of said court forthwith all ballots, papers and records affecting such appeal and fixing a time and place for hearing thereon, in open court or at chambers, or before a referee, not later than five days from the making of such order. Such order shall be served upon the county clerk, or the city, town or village clerk, as the case may be, and all such other candidates or persons who have appeared before said board. A reference may be ordered upon any or all questions. At the time and place so fixed the matter shall be summarily heard and determined and the costs taxed as in other civil actions.

(4) Nothing in this section shall be construed to abrogate any right or remedy that any candidate may now have affecting the trying of title to office.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 10, 1917.

No. 549, S.]

[Published July 12, 1917.

CHAPTER 622

AN ACT to renumber the present chapter 12b of the statutes relating to constitutional state officers, and to renumber and revise the sections of said chapter.

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

SECTION 1. The number and title of chapter 12b of the statutes are amended to read:

Chapter * * * 14.

* * * *Constitutional State Officers.*

GENERAL PROVISIONS.

SECTION 2. Section 128 of the statutes is divided into two sections which are renumbered to be sections 14.01 and 14.02 and are revised to read: 14.01 TIME OF CHOOSING. A governor, lieutenant governor, secretary of state, treasurer and an attorney-general shall be elected at the general election in each even-numbered year. A state superintendent shall be elected on the first Tuesday in April in the year 1917 and quadrennially thereafter.

14.02 TERMS. The regular full term of office of the state superintendent commences on the first Monday of July, and the regular full term of each other officer enumerated in section 14.01 commences on the first Monday of January, next succeeding his election.

SECTION 3. Parts of sections 138, 153, 161, and 164 of the statutes are renumbered, consolidated and revised to read: 14.03 OATHS. Each of the officers enumerated in section 14.01 shall take and subscribe the oath of office prescribed by the constitution, as follows: the governor and lieutenant governor, before entering upon the duties of his office; the secretary of state, treasurer, attorney-general and state superintendent, within twenty days after receiving notice of his election and before entering upon the duties of his office.

SECTION 4. Parts of sections 138, 153, 154 and 161 of the statutes are divided into two sections which are renumbered to be sections 14.04 and 14.05, and are revised to read: 14.04 OFFICIAL BONDS. (1) The secretary of state, treasurer and attorney-general shall each furnish a bond to the state, at the time he takes and subscribes his oath of office, conditioned for the faithful discharge of the duties of his office, and his duties as a member of the board of commissioners of the public lands, and in the investment of the funds arising therefrom, and, in the case of the secretary of state, conditioned also for the faithful discharge of his duties as auditor. The bond of each of said officers shall be further conditioned for the faithful performance by all persons appointed or employed by him in his office of their duties and trusts therein, and for the delivery over to his successor in office, or to any person authorized by law to receive the same, of all moneys, books, records, deeds, bonds, securities and other property and effects of whatsoever nature belonging to his said offices.

(2) Each of said bonds shall be subject to the approval of the governor and shall be guaranteed by resident freeholders of this state, or by a surety company as provided in section 1966—33. The amount of each such bond, and the number of sureties thereon if guaranteed by resident freeholders, shall be as follows: secretary of state, twenty-five thousand dollars, with sufficient sureties; treasurer, one hundred thousand dollars, with not less than six sureties; and the attorney-general, ten thousand dollars, with not less than three sureties.

14.05 TREASURER'S BOND; EXTENDS TO; COST OF. The bond of the treasurer shall extend to the faithful execution of the duties of the office of treasurer until his successor is elected and fully qualified; and, if he elects to give bond guaranteed by a surety company, the cost thereof and of any additional bond required of and furnished by him and so guaranteed shall be borne by the state and shall be paid out of the appropriation to the treasury department, if the cost thereof does not exceed one-fourth of one per cent, per annum, of the amount of said bond.

SECTION 5. Parts of sections 154 and 161 of the statutes are consolidated, renumbered and revised to read: **14.06 ADDITIONAL BONDS.** The attorney-general shall renew his bond in a larger amount and with additional security, and the treasurer shall give an additional bond, when required by the governor.

SECTION 6. These parts of sections 138, 153 and 161 not included in revised sections 14.03 to 14.06, inclusive, and part of section 164 of the statutes are consolidated, renumbered and revised to read: **14.07 OFFICIAL OATHS AND BONDS; WHERE FILED.** The official oaths of the governor, lieutenant governor and the state superintendent shall be filed in the office of the secretary of state. The official oaths and bonds of the secretary of state, treasurer and attorney-general shall be filed in the executive office.

SECTION 7. Parts of section 129, subsection 8 of section 141, and of section 152 and all of section 167 of the statutes are consolidated, renumbered and revised to read: **14.08 OFFICES IN CAPITOL.** The governor, secretary of state, treasurer, attorney-general and the state superintendent shall each keep his office in the state capitol.

THE GOVERNOR.

SECTION 8. All those parts of section 129 of the statutes not included in new sections 14.08 and 20.02 are divided into two sections which are renumbered to be sections 14.09 and 14.10

and are revised to read: 14.09 SECRETARY, CLERK AND COUNSEL; REMOVAL. The governor may appoint a private secretary and an executive clerk. He may appoint also an executive counsel to assist him during any session of the legislature and for thirty days after sine die adjournment thereof. He may at pleasure remove any of said appointees.

14.10 RECORDS; CUSTODIAN OF. The private secretary to the governor, for purposes of authentication, is custodian of the public records in the executive office.

SECTION 9. Section 129m of the statutes is renumbered and amended to read: 14.11 EXECUTIVE PRIVY SEAL. The executive privy seal, a *written* description of which * * * is deposited in the office of the secretary of state, * * * is the seal of the private secretary * * * to the governor, with which all his official certificates shall be authenticated.

SECTION 10. Subsection 1 of section 131 of the statutes is renumbered and amended to read: 14.12 STATE PROPERTY; LEGAL PROTECTION OF. *The governor*, whenever in * * * *his* opinion * * * the rights, interests or property of the state * * * have been or * * * are liable to be injuriously affected, * * * may require the attorney-general to institute and prosecute any proper action or * * * *proceeding* for the redress or prevention thereof; and whenever he * * * receives notice of any action or proceeding between other parties by which the rights, interests or property of the state * * * are liable to be injuriously affected, he shall inform the attorney-general thereof and require him to take such steps as may be necessary to protect * * * *such* rights, * * * interests, * * * or *property*.

SECTION 11. Subsections 2 and 3 of section 131 of the statutes are renumbered and amended to read: 14.13 EMPLOYMENT OF SPECIAL COUNSEL. * * * (1) * * * The governor, * * * *if in his* opinion * * * the public interests requires * * * *such* action, * * * may employ special counsel in the following cases:

(a) To assist the attorney-general in any action or proceeding;

(b) To act instead of the attorney-general in any action or proceeding, if the attorney-general * * * is in any way interested adversely to the state;

(c) To defend any action instituted by the attorney-general against any officer of the state;

(d) To institute and prosecute an action or proceeding which

the attorney-general, by reason of his opinion as to the validity of any law, or for any other reason, * * * deems it **his** duty to defend rather than prosecute.

* * * (2) When * * * special counsel * * * is employed, a contract in writing shall be entered into between the state and such counsel, in which shall be fixed the compensation to be paid * * * such * * * counsel by the state. * * * The contract shall be executed in behalf of the state by the governor, and shall be filed in the office of the secretary of state. Such compensation shall be charged to the legal expense appropriation provided in subsection 3 of section * * * 20.08.

SECTION 12. Section 131—1 of the statutes is renumbered and amended to read: 14.14 APPOINTMENT OF ATTORNEY. The governor * * * may employ an attorney to represent the state or any department, officer or agent thereof in any litigation in which the state has an interest. Such attorney shall be employed for such time * * * as the governor may fix. * * * and shall be under the direction of * * * and shall discharge such duties as may be assigned to him by the governor. * * *

SECTION 13. Part of section 136 and all of section 562a of the statutes are consolidated, revised, and renumbered to read: 14.15 INSPECTION AND INVESTIGATION OF INSTITUTIONS. The governor may visit and inspect at any time any public institution of this state which is supported in whole or in part by appropriations by the state; and, in the case of state institutions, he may also cause an investigation to be made of any thereof, or of any matter connected with or of any employe in any such institution, and may appoint a suitable person therefor, and shall require a written report thereof. Such investigator shall be paid not to exceed six dollars and fifty cents a day for each day actually and necessarily required in performing the duties imposed, and shall be reimbursed all actual expenses thereby incurred. The cost of any such investigation shall be charged to the appropriation for the state institution under investigation.

SECTION 14. That part of section 154 not included in revised sections 14.04, 14.05 and 14.06 is renumbered and revised to read: 14.16 REQUIRE ADDITIONAL BOND OF TREASURER. The governor shall require the treasurer to give additional bond, within such time, in such reasonable amount not exceeding the funds in the treasury, and with such security as he shall direct and approve, whenever the funds in the treasury

exceed the amount of the treasurer's bond; or whenever the governor deems the treasurer's bond insufficient by reason of the insolvency, death or removal from the state of any of the sureties, or from any other cause.

SECTION 15. That part of section 136 not included in revised section 14.15 and section 137 of the statutes are consolidated, renumbered and revised to read: 14.17 REPORTS TO LEGISLATURE. The governor shall communicate to the legislature at the commencement of each regular session the reports of all state officers, commissions, boards, and departments required by law to report to him, including the reports of state officers whose terms of office have expired covering the transactions in their respective offices from the thirtieth day of June in the last year of their terms, and, at the time of communicating said reports, shall render to the legislature a statement of all expenditures made by him out of any contingent fund appropriated for the contingent expenses of the executive office. He shall report biennially to the legislature the condition of each of the public institutions of this state which are supported in whole or in part by appropriations by the state with such recommendations as he deems proper.

SECTION 16. Section 130 of the statutes is renumbered and amended to read: 14.18 DEPOSIT OF ACTS; NOTICE. The governor shall cause all legislative acts * * * which have become laws * * * by his approval or otherwise to be deposited in the office of the secretary of state without delay, and shall inform thereof the house * * * in which * * * the respective acts * * * originated.

SECTION 17. Section 132 of the statutes is renumbered and amended to read: 14.19 REWARDS. Whenever any person convicted of or charged with any felony * * * escapes, or whenever any heinous crime has been committed, the governor may offer a reward of not to exceed five hundred dollars for the apprehension and delivery of such person or the conviction of the perpetrator of such crime; * * * If such reward * * * is claimed, whether by one or more persons, the governor shall finally determine to whom the same shall be paid, and, if to more than one person what portion to each, and shall certify his determination to the secretary of state. * * * No such offer of a reward by the governor shall impose any actionable liability on the state.

SECTION 18. Section 133 of the statutes is renumbered and amended to read: 14.20 LAND CLAIMS AGAINST UNITED STATES; RECEIPT OF PAYMENT. The gover-

nor is authorized * * * to receive from the *United States treasury department*, * * * from time to time, as he * * * sees fit to draw for the same, the five per centum of the net proceeds of sales of the public lands to which this state is or shall be entitled, pursuant to the act of congress approved August sixth, eighteen hundred and forty-six, and to execute the proper vouchers therefor. * * * When received he shall pay the same into the state treasury to the credit of the school fund.

SECTION 19. Section 135 of the statutes is repealed.

SECTION 20. Section 135a is renumbered to be section 14.21 PATENTS TO RAILROAD LANDS.

SECTION 21. Section 137a of the statutes is renumbered and amended to read: 14.22 APPOINTMENTS SUBJECT TO CONFIRMATION. Whenever the governor * * * is authorized to make any appointment to office by and with the advice and consent of the senate, and the legislature * * * is not * * * in session at the time such office should be filled, he may * * * make appointment thereto, subject to the approval of the senate at the next succeeding session of the legislature, and all such appointments shall be as valid and effectual from the time when * * * so made until twenty days after such meeting of the legislature as if he possessed the absolute power of appointment.

SECTION 22. Section 137b of the statutes is renumbered to be section 14.23 ARBOR DAY; LABOR DAY.

SECTION 23. Section 137m of the statutes is renumbered and amended to read: 14.24 CONFERENCES OF GOVERNORS. The governor * * * is * * * authorized to attend and represent the state * * * at * * * all conferences of governors, and to make such arrangements as he may deem necessary for * * * this state * * * to bear its share of the expenses of such conferences. All expenses incurred under this section shall be charged to the proper appropriation for the executive department.

THE SECRETARY OF STATE.

SECTION 24. Section 139 of the statutes is renumbered and revised to read: 14.25 ASSISTANT SECRETARY; OATH: BOND; POWERS. The secretary of state may appoint, in writing, an assistant secretary of state who may perform and execute any of the duties of the secretary of state, except as commissioner of the public lands and as auditor. The assistant secretary shall take and subscribe the oath of office prescribed

by the constitution and shall give bond to the secretary of state, in such sum and with such conditions as the said secretary prescribes, conditioned for the faithful discharge of his duties. Such oath shall be filed and preserved in the executive office.

SECTION 25. Section 138m of the statutes is renumbered and amended to read: 14.26 GREAT AND LESSER SEALS.

(1) *The state shall have a great seal and a lesser seal both of which shall be kept in the office of the secretary of state.*

(2) The great seal of the state * * * consists of a metallic disc, two and three-eighths inches in diameter, containing, within an ornamental border, the following devices and legend, * * * The coat of arms of the state, as in section 1.07 described; above the arms, in a line parallel with the border, the words, "Great Seal of the State of Wisconsin;" in the exergue, in a curved line, thirteen stars.

(3) A lesser seal, one and three-fourths inches in diameter, engraved with the device of the great seal, with the words, "Seal of the Secretary of State," in a curved line above, and the words, "State of Wisconsin," in a curved line below such device, * * * is the seal of the secretary of state, and may be used to authenticate all papers and documents issued by him, except the official acts of the governor, and such copies of the laws and records in the office of said secretary as may be required for use as evidence in any other state, territory or country.

SECTION 26. Section 142 of the statutes is renumbered and amended to read: 14.27 CUSTODIAN OF DEEDS, SECURITIES, OATHS AND BONDS. All deeds, conveyances, *abstracts of title, options and leases of land; and, unless otherwise directed by law, all bonds, mortgages and other securities, for money, belonging to this state, and all official oaths and bonds shall* * * * be deposited and preserved in the office of the secretary of state and be open to public inspection.

SECTION 27. Subsection (12) of section 141 of the statutes is renumbered and amended to read: 14.28 DESTRUCTION OF USELESS DOCUMENTS. * * * In order to secure vault space for state records, the secretary of state may, from time to time * * * *remove from the vaults in his office and destroy* any of the following * * * records: Reports on sales of real estate filed by registers of deeds; statements of taxes from county, city, town and village clerks; * * * bonds of notaries public filed over ten years prior thereto; monthly and quarterly reports by state depositories filed over two years prior thereto; all samples of state printing after audit and payment of claims; all crop reports by county clerks.

SECTION 28. The first paragraph and subsections (1), (2), (3), (4), (5), (6), (7), (9) and (10) of section 141 and sections 143 of the statutes are consolidated, renumbered and amended to read: 14.29 DUTIES OF SECRETARY. * * *

The secretary of state *shall*:

(1) *Record executive acts.* * * * Keep a record of the official acts of the executive department * * * and, * * * when required, lay the same and all matters relative thereto before either branch of the legislature.

(2) *Affix great seal; register commissions* * * * Affix the * * * *great seal* to and countersign all commissions issued and other official acts * * * done by the governor, his approbation of the laws excepted; and * * * make a register of such commissions *in a book provided by him therefor*, specifying the person to whom * * * issued, the office conferred, * * * and the date and term of the commission, * * *

(3) *Have custody of books, records, etc.* * * * Have the custody of all books, records, deeds, bonds, parchments, maps, papers and other articles and effects belonging to the state, deposited or kept in his office, and, * * * from time to time, make such provision for the arrangement and preservation thereof as * * * is necessary, and keep the same, together with all accounts and transactions of his office * * * open at all times to the inspection and examination of the governor or any committee of either or both houses of the legislature. * * *

(4) *REPORT TO GOVERNOR.* * * * Report biennially *to the governor*, within sixty days after the thirtieth day of June in each even-numbered year, * * * in connection with his report as auditor, any matters pertaining to his office as secretary not embraced in such report as auditor; * * * and, when required, furnish the governor or either branch of the legislature, in writing, * * * any information relative to the performance of the duties of his office.

* * * (5) *KEEP ENROLLED LAWS, ETC.* * * * *Safely keep* all enrolled laws and resolutions, and * * * not permit * * * any of them to be taken out of his office or inspected except in his presence, unless by order of the governor or by resolution of one or both houses of the legislature, * * * For any violation of this * * * subsection he shall forfeit the sum of one hundred dollars.

* * * (6) *CAUSE ENROLLED LAWS TO BE BOUND.* * * * Cause the original enrolled laws and joint resolutions passed at

each session of the legislature, together with the index containing the titles of the same, to be bound in suitable volumes in a substantial manner, and in the order in which they are received from the governor, and the title thereof, with the session at which the same * * * were passed, to be written or printed on the back of such volumes; and no other or further record of the official acts of the legislature, so far as relates to acts and joint resolutions, shall be required of said secretary.

(7) FURNISH TREASURER COPIES OF APPROPRIATION ACTS.

* * * Deposit in the office of the treasurer exemplified copies of all laws authorizing the payment of money out of the state treasury, immediately after the passage of the same, * * *

* * * (8) KEEP AND REPORT STATEMENT OF FEES. * * * Keep a detailed statement of all fees, * * * received by him * * * and include a *summary* of such statement, * * * in his biennial report, * * *

* * * (9) FURNISH CERTIFIED COPIES. * * * Make a copy of any law, resolution, deed, bond record, document or paper deposited or kept in his office, *upon request therefor*, * * * attach thereto his certificate, with the great or lesser seal affixed, and * * * collect therefor twelve cents per folio and twenty-five cents for such certificate.

(10) OTHER DUTIES. To perform such other duties as are imposed upon him by the constitution or by law.

SECTION 29. Section 144 is renumbered and amended to read: 14.30 SECRETARY OF STATE AS AUDITOR; DUTIES.

* * * The secretary of state as auditor *shall*:

(1) SUPERINTEND FISCAL CONCERNS. * * * Superintend and manage the fiscal concerns of the state * * * as required by law.

* * * (2) SUGGEST IMPROVEMENTS. * * * Suggest plans for the improvement and management of the public revenues.

* * * (3) SETTLE ACCOUNTS. * * * Examine and settle the accounts of all persons indebted to the state and * * * certify the amount *due* * * * to the treasurer.

* * * (4) REQUIRE RETURN OF PROPERTY. * * * Require every person who * * * has received any money, property or goods belonging to the state, and * * * has not * * * accounted therefor, to settle * * * his accounts and to return such property, money or goods to the state.

* * * (5) DIRECT COLLECTION OF MONEYS. * * * *Except as otherwise provided by law*, direct and superintend the collection of all moneys due the state.

* * * (6) KEEP SEPARATE ACCOUNTS. * * * Keep fair, clear, distinct and separate accounts of the revenues and funds of the state, and of all moneys and funds received or held by the state, and also of all expenditures, disbursements and investments thereof, showing the particulars of every expenditure, disbursement and investment.

* * * (7) KEEP ACCOUNT BETWEEN STATE AND TREASURER. * * * Keep an account between the state and treasurer and therein charge the treasurer with the balance in the treasury when he came into office, and with all moneys received by him, and all bonds and securities belonging to all public funds on deposit in the treasury, and credit him with all moneys paid by him pursuant to law.

* * * (8) KEEP AND STATE OTHER ACCOUNTS. * * * Keep and state all accounts * * * in which the state is interested.

* * * (9) COUNTERSIGN RECEIPTS. * * * Countersign all receipts for any money paid to the treasurer and enter them in his book to the credit of the county, officer or person making the payment, and charge the treasurer with the same.

(10) AUDIT CLAIMS. * * * Examine, determine and audit, * * * according to law, the claims of all persons against the state.

(11) RECORD AUDITS. * * * Enter in a book kept for that purpose a record of all accounts audited by him, showing the name of the claimant, the amount claimed, the amount allowed thereon, the number, date and amount of the warrant therefor drawn on the treasurer, and specifying the fund from which the same is to be paid.

* * * (12) KEEP APPROPRIATION ACCOUNTS. * * * Keep clear, distinct and separate accounts of all appropriations authorizing expenditures from the state treasury, which accounts shall show the * * * amounts appropriated, the amounts expended and the unexpended balance of each appropriation.

* * * (13) EXAMINE TREASURER'S BOOKS. * * * Carefully examine quarter yearly the books and accounts of the treasurer and the moneys on hand in the treasury, and all bonds and securities belonging to all public funds on deposit in the treasury, and immediately thereupon report the result of such examination in writing to the governor, specifying therein particularly the amount and kind of funds and of all such bonds and securities.

* * *

(11) BIENNIAL REPORT. *Set forth in his biennial report to the governor a statement of all money received into and paid out of the treasury during the preceding fiscal term, showing in summarized form from what sources received and for what purposes paid out; the precise state of the treasury; and such other matter of a fiscal nature as he deems useful and proper.*

SECTION 30. Sections 145, 148 and 148a of the statutes are consolidated, divided into four sections which are numbered section 14.31, section 14.32, section 14.33 and section 14.34 and are revised to read: 14.31 CLAIMS AGAINST STATE; VERIFICATION; AUDIT. (1) All claims against the state, when payment thereof out of the state treasury is authorized by law, shall be audited by the secretary of state.

(2) *Pay rolls.* Pay rolls, to be entitled to audit, shall be certified by the proper officers who shall set forth the nature of the services rendered by each person named therein.

(3) *Other claims.* Unless otherwise provided by law, all other claims to be entitled to audit shall:

(a) Specify the nature and particulars thereof.

(b) Be verified by the claimant, or by his agent appointed in writing.

(c) Include receipts for all items of expenditure of one dollar or more, unless other satisfactory evidence is accepted by the auditing officer.

(d) Include the claimant's affidavit setting forth that all items of traveling expenses were incurred in the performance of duties required by the public service, and that the amount charged for transportation or for other expenses incident to travel was actually paid out and that no part of such transportation was had upon a free pass or otherwise free of charge. The blank form of such affidavit shall be prescribed by the secretary of state.

(e) Be approved by the proper officer, if any.

(4) (a) The salaries, wages, compensation of and reimbursements to all state officers and employes, except as otherwise expressly provided, shall be paid at the end of each month for the services rendered or disbursements made during such month, or at the termination of such service, and shall be charged against the proper appropriation for the respective office, commission, board or body with which the person receiving the same is connected.

(b) All such salaries, wages or compensation not exceeding the rate of one hundred dollars per month shall be payable semi-monthly.

14.32 ITEMS NOT ALLOWED. The secretary of state shall not audit items of expenditure for tips, portorage, parlor car seats other than sleeping car berths, or for expenses not necessarily incurred in the performance of duties required by the public service; nor shall he audit items of expenditure for expenses of any officer or employe of the state or of any department or institution thereof incurred while attending any convention or other meeting held outside the state unless such expense is authorized by the governor, or specific statutory authority exists therefor.

14.33 EXAMINATION OF CLAIMANTS. The secretary of state may examine under oath the claimant or any other person relative to any claim presented against the state, and may require oral or written answers as to any facts relating to the justness of the claim, or as to the liability of the state.

14.34 AUDIT ORDER ENDORSED ON CLAIM; RECORD. The order of the secretary of state auditing any claim shall be endorsed on or annexed to such claim, shall specify the amount allowed, the fund from which the same is payable, and the law that authorizes payment of such claim out of the treasury; and said order with the claim and all evidence relative thereto shall be filed and preserved in his office.

SECTION 31. The first sentence of section 146 of the statutes is renumbered and amended to read: **14.35 WARRANTS; WHAT TO SPECIFY.** The secretary of state shall draw his warrant on the state treasurer payable to the claimant for the amount allowed by him upon every claim * * * audited * * * *under section 14.31*, specifying from what fund to be paid, * * * the particular * * * *law* which authorizes the same to be paid out of the state treasury, and the post-office address of the payee; and he shall not credit the treasurer for any sum of money paid out by him otherwise than upon such warrants.

SECTION 32. That part of section 146 of the statutes not included in revised section 14.35 is renumbered and revised to read: **14.36 WARRANTS; SIGNATURES.** Whenever it is impracticable for the secretary of state to personally sign warrants issued on the state treasury, his name may be signed thereto by one or more persons in his department designated by him; and the state treasurer, when written authority and reasons therefor are filed in his office, shall honor warrants so signed, the same as if signed in person by the secretary of state, until such authority is revoked in writing.

SECTION 33. Section 169j of the statutes is renumbered to

be section 14.37 CERTIFICATION OF BOARDS; EVIDENCE OF CORRECTNESS OF ACCOUNT.

SECTION 34. Section 147 of the statutes is renumbered and amended to read: 14.38 CLAIMS REQUIRING LEGISLATIVE ACTION. All claims * * * of every kind against the state requiring legislative action shall be made in duplicate, in the manner provided in section * * * 14.31 and shall be filed in the office of the secretary of state. * * * *The secretary of state* shall examine the same, see if ordered by competent authority, and if properly made and justly due, and as soon as practicable report the same to the legislature with such recommendation, if any, as he may deem proper, and designate the fund to which they are chargeable. Whenever a bill appropriating money for a claim * * * becomes a law the secretary of state, before drawing his warrant therefor on the treasurer, shall see that the proper account on which such appropriation is based is filed in his office.

SECTION 35. Section 146m of the statutes is renumbered and amended to read: 14.39 TRANSFER OF FUNDS APPROPRIATED. Whenever an appropriation * * * has been made from the general fund in the state treasury to any other fund therein, the secretary of state in his discretion may withhold the transfer of such appropriation or any part thereof from the general fund until the same is required to pay claims duly audited.

SECTION 36. Section 149 of the statutes is renumbered to be section 14.40 SECRETARY TO REQUIRE ACCOUNTS OF STATE MONEY, ETC.

SECTION 37. Section 151 of the statutes is repealed.

THE TREASURER.

SECTION 38. Section 155 of the statutes is renumbered and revised to read: 14.41 ASSISTANT TREASURER; OATH; BOND; POWERS. The treasurer may appoint, in writing, an assistant state treasurer who may perform and execute any of the duties of the treasurer, except as commissioner of the public lands. The assistant treasurer shall take and subscribe the oath of office prescribed by the constitution and shall give bond to the treasurer, in such sum and with such conditions as the treasurer prescribes, conditioned for the faithful discharge of his duties. The oath of the assistant treasurer and the certificate of his appointment shall be filed and preserved in the office of the secretary of state.

SECTION 39. Subsection (10) of section 157 is repealed. That

part of section 152 not included in revised section 14.08; the first paragraph and subsections (1), (2), (3), (4), (5), (7), (8), (9), (9m), (11), (12) and (13) of section 157; and section 160k of the statutes are consolidated, renumbered and amended to read: 14.42 DUTIES OF TREASURER. * * *

The treasurer shall:

(1) HAVE CUSTODY OF MONEYS. Receive and have charge of all money paid into the * * * treasury, and * * * pay out the same as directed by law.

* * * (2) ISSUE COUNTERSIGNED RECEIPTS. * * * *Issue* receipts for all money paid to him, which, before their delivery, shall be countersigned by the secretary of state; and no receipt, unless so countersigned, shall be evidence of the payment of any money into the treasury.

(3) *Pay claims as presented.* * * * Pay all claims authorized to be paid out of the treasury in the order in which they are presented, giving a preference to no one.

* * * (4) *Pay on warrants sums authorized by law.* * * * Pay out of the * * * treasury, on demand, upon the warrants of the secretary of state *and not otherwise* * * * such sums *only as are* authorized by law to be so paid, if there be appropriate funds therein to pay the same, and, when any * * * sum is required to be paid out of a particular fund, * * * *pay it* out of such fund only; * * * and upon each such warrant, when payment is made in currency, * * * take the receipt, indorsed on or annexed thereto, of the payee therein named or his authorized agent or assignee. * * *

* * * (5) ACCOUNT FOR INTEREST. * * * Pay into the treasury and account for all sums directly or indirectly received by him by virtue of his office, or as interest or compensation for the use, deposit or forbearance of any state moneys in his hands or under his control.

* * * (6) KEEP CASH AND FUND ACCOUNTS. * * * Keep, in books provided for that purpose, fair, full and separate accounts of all money received by him, clearly distinguishing the separate funds required to be kept; *keep* also a cash book, * * * *and enter therein* a detailed account of all money received * * * and disbursed, * * * *and* at the end of each week, * * * *verify such accounts* with the secretary of state.

* * * (7) PERMIT EXAMINATION OF BOOKS. * * * Permit *at all times inspection and examination* of the books, papers and transactions of his office * * * by the governor, secretary of state, attorney-general, *board of public affairs, or by*

the legislature, or any committee thereof, or of either branch thereof, * * *

* * * (8) REPORT TO GOVERNOR QUARTERLY. * * *

Report to the governor quarterly, or oftener if required, the total amount of funds in the treasury, specifying in what kind of currency they consist, the amount of each kind, and the amount belonging to each separate fund, and also what amounts are in each of the state depositories, together with the interest earned thereon, and also all defalcations and neglect of duty of any disbursing or collecting officer or agent of the state, and any information pertaining to the duties of his office he may think proper or the governor * * * may require.

* * * (9) REPORT TO GOVERNOR BIENNIALLY. * * *

Report to the governor, within ten days after the thirtieth day of * * * *June* in each even-numbered year, a * * * statement of all money received into and paid out of the treasury during the preceding fiscal term, showing under separate heads from what sources received and for what particular object or service paid out; and also the precise state of the treasury, together with such information and suggestions of a fiscal nature as he shall deem useful and proper; * * *

* * * (10) REPORT MONEYS PAID COUNTIES. * * *

Furnish * * * the county clerk of each county, *annually*, between the tenth day of * * * *July* and the first day of * * * *August* succeeding, * * * a full and complete statement of all money paid *by said treasurer to the county treasurer* during the preceding year ending on the thirtieth day of * * * *June* * * * and said statement shall be filed and recorded in said clerk's office.

* * * (11) MAKE CERTIFIED COPIES. * * * Make a certified copy of any deed, bond, document or paper filed in his office, and transcripts from the books and records kept therein, when required by any person so to do; and * * * *collect* therefor twelve cents per folio, and twenty-five cents for such certificate.

* * * (12) STAMP CHECKS AND DRAFTS. * * * Cause to be plainly printed or stamped upon all checks and drafts issued by him, the words "Void if not presented for payment within two years."

* * * (13) *Services in connection with securities held in trust.* * * * *Upon request therefor from any company, corporation, society, order or association * * * which has securities on deposit with * * * him, in trust, * * * mail to its address from time to time as the same shall become*

due, any or all interest coupons; * * * return to * * * if any or all bonds, notes or other deposits as they become due and are replaced by other securities; * * * make any indorsement of interest or otherwise on any such securities; * * * and collect therefor from the company, corporation, society, order or association making the request, * * * a fee of twenty-five cents for a single coupon cut, or for each entry of interest indorsed on a note or return of a bond, note or other security, and a fee of ten cents for each additional coupon cut, or entry of interest indorsed on a note, bond or other security. Such fees shall be paid into the state treasury as a part of the general fund, and no extra charge shall be required for postage or registered mail.

* * * (15) *Other duties.* * * * Perform all other duties imposed upon him by law.

DEPOSIT OF STATE MONEY.

SECTION 40. Section 160a of the statutes is renumbered and amended to read: 14.43 BOARD OF DEPOSITS. * * * Any national or state banking corporation which * * * is approved by * * * the "Board of Deposits," consisting of the commissioners of public lands and the governor, may, upon filing a bond * * * as hereinafter provided, and upon the compliance with all other requirements of law, become a state depository. The members of said board shall receive no additional compensation for the performance of their duties. The record of the proceedings of said board shall be kept by the secretary of state, and a duly certified copy thereof, or any part thereof, shall be admissible in evidence in any action or proceeding in any court of this state.

SECTION 41. Section 160b of the statutes is renumbered and amended to read: 14.44 STATE DEPOSITORIES; BOND; RENEWAL; CANCELLATION; EXAMINATION. * * *

(1) Every state depository, before it shall be entitled to receive any state moneys, shall file with the state treasurer a good and sufficient bond to the state of Wisconsin, conditioned for the payment upon demand, to him or his order, free of exchange, at any place in this state designated by him, of all such moneys deposited with it, and of interest thereon at the rate fixed by said board, with not less than five sureties, residents and freeholders of this state, who shall together be worth in property within this state not exempt from execution, over and above their debts and liabilities, double the amount of the penalty of said bond, and each of whom shall be worth not less than five thousand dollars; and who shall justify such responsibility by

their several affidavits; which said bond and sureties shall, before such filing, be approved by said board; or in lieu thereof a bond of a surety company authorized to do business in this state, *conditioned as above stated.* * * *

(2) The board of deposits may require the bank examiner to thoroughly investigate and report to it concerning the condition of any bank which makes application to become a state depository, and may also, as often as it deems it necessary, require such investigation and report concerning the condition of any bank which may have been designated as such depository.

(3) Every bank designated as a state depository shall renew its bond to the state treasurer every four years unless otherwise ordered by the state board of deposits. The * * * board of deposits may also require * * * new bonds at any time when they deem it necessary. When a depository * * * furnishes new bonds as security for state deposits to replace former bonds, or when it * * * desires to cancel any bond previously furnished for the purpose of reducing the total amount of its security; the state treasurer shall bring such matter before a meeting of the board of deposits. If the board, by resolution legally passed and duly recorded in its minutes, releases or cancels any bond, the state treasurer shall furnish such depository a statement under the seal of his office, releasing the makers and sureties of such bonds from any new liability under the same, which statement when countersigned by the secretary of state shall be sufficient notice to all concerned that the makers and sureties are relieved from any new liability under said bond from and after such date. The bond shall then be marked "canceled" and kept in the files of the state treasurer.

SECTION 42. Section 160c of the statutes is renumbered and amended to read: 14.45 INTEREST.

SECTION 43. Section 160d of the statutes is renumbered and amended to read: 14.46 TREASURER'S LIABILITY.

* * * The state treasurer may deposit with any depository which has fully complied with all requirements of law any state moneys in his hands or under his official control, * * * and any sums so on deposit shall be deemed to be in the state treasury, and said treasurer shall not be liable for any loss thereof resulting from the failure or default of any such depository without fault or neglect on his part or on the part of his assistant or clerks. *However*, the amount at any time on deposit with any depository shall not exceed * * * *its* actual paid-up capital, nor one-half of the penalty of the bond filed by it,

* * * nor the amount prescribed by the board of deposits, if any be prescribed.

SECTION 44. Section 160e of the statutes is renumbered and amended to read: 14.47 APPROVAL OF SURETY COMPANY; ADDITIONAL BONDS. * * * The board of deposits shall not approve the bond * * * of a surety company * * * until fully satisfied that said bond * * * is good and sufficient, and that the corporation is prosperous and financially sound and has, unimpaired, the paid-up capital claimed by it. Said board may at any time require any state depository to furnish a new or additional bond or bonds and revoke their designation and approval thereof, and immediately upon such revocation such corporation shall cease to be a state depository, and the treasurer shall forthwith withdraw all state moneys therefrom. * * *

SECTION 45. Section 160f of the statutes is divided into two sections which are renumbered and amended to read: 14.48 REPORTS OF DEPOSITORIES. * * * Every state depository shall, on the first day of each month, and oftener when required, file with the secretary of state a sworn statement of the amount of public moneys deposited with it, and, * * * within ten days after the first day of each January, April, July and October, shall make a full statement of all deposits and payments of state moneys during the preceding quarter, together with a computation and statement of the interest earned thereon, computed upon the daily balance on deposit, which interest shall thereupon be added to and become part of the deposit balance, such statement shall be accompanied by an affidavit of the president and cashier of such depository to the effect that it is in all respects true and correct, and that, except for the interest therein credited, neither said depository nor any officer, agent or employe thereof, nor any person in its behalf, has in any way whatsoever given, paid or rendered, or promised to give, pay or render to the state treasurer or to any other person any money, credit, service or benefit whatsoever by reason or in consideration of the deposit with it of any portion of the state moneys. Any person who shall make any false statement in any affidavit required by this section shall be guilty of perjury.

14.49 APPORTIONMENT OF INTEREST. The total interest * * * earned on state moneys in all depositories shall be apportioned by the state treasurer among, added to and become a part of the several funds as follows: That received from the general fund deposit, to the general fund; that received from

the school fund, and the school income deposits, to the school income fund; that received from the university fund and the university income fund deposits, to the university income fund; that received from the normal school fund and the normal school income fund deposits, to the normal school income fund; that received from the agricultural college fund and the agricultural college income fund, to the agricultural college income fund; that received from the forest reserve fund * * * to the forest reserve * * * fund; according to the average amount of each such fund on hand the first day of each month.

SECTION 46. Sections 160g, 160h and 160i of the statutes are consolidated and amended to read: 14.50 CHECKS, DRAFTS OR WARRANTS MAY BE CANCELLED; REISSUE. * * * (1) * * * *If any check or draft drawn and issued by the state treasurer upon the funds of the state in any state depositories * * * is not * * * delivered or called for in two years after * * * issue * * * and * * * remains in or * * * is returned to the hands of the state treasurer without being paid, the state treasurer is hereby authorized to cancel the same, * * * credit the amount of such check or draft to the fund upon which it is drawn, and charge the amount thereof to the state depository upon which it was drawn.*

* * * (2) * * * *If any warrant drawn upon the state treasurer by the secretary of state against any fund belonging to the state * * * remains in the possession of the state treasurer or any other person without demand of payment for two years after the same * * * was issued, or * * * if a check is canceled by the state treasurer, as provided in * * * subsection (1), the warrant upon which such canceled check was issued shall be returned to the secretary of state and shall be by him cancelled and credited to the fund upon which it was drawn.*

* * * (3) *When the payee or person entitled to any check or draft so cancelled by the state treasurer, or the payee or person entitled to any warrant so cancelled by the secretary of state, * * * demands such check, draft or warrant or payment thereof, the secretary of state shall, and he is hereby authorized to, issue a new warrant therefor, to be paid out of the proper fund by the state treasurer.*

SECTION 47. Section 160j of the statutes is renumbered and amended to read: 14.51 EXAMINATION OF DEPOSITORIES. * * * The state treasurer, * * * on or before the first day of July of each year, * * * shall make

an examination of the accounts of the state with each bank or institution which is or has * * * been a state depository, and * * * shall cover back into the general fund of the state treasury all * * * money remaining in such banks which is held for payment of checks or drafts which have been issued by any state treasurer more than two years prior to such examination and which have not been presented for payment.

THE ATTORNEY-GENERAL.

SECTION 48. Section 162 of the statutes is renumbered and amended to read: 14.52 DEPUTY AND ASSISTANT ATTORNEYS-GENERAL. The attorney-general may appoint a deputy attorney-general and assistants * * * each of * * * whom shall be an attorney at law admitted to practice in this state. The * * * deputy attorney-general shall give a bond to the state * * * in the sum of five thousand dollars, with good and sufficient sureties, to be approved by the governor, conditioned for the faithful performance of his duties, * * * and in the absence or disability of the attorney-general, he may do and perform all the acts provided by statute to be performed by the attorney-general, and the attorney-general shall be responsible for all acts of his deputy. The said appointees shall perform such duties as the attorney-general * * * prescribes. Such appointments shall be made by writing filed in the office of the secretary of state, and such appointees shall take and subscribe the constitutional oath of office, which shall also be so filed.

SECTION 49. The first paragraph and subsections (1), (2), (3), (4), (5), (6), (7), (9) and (10) of section 163 of the statutes are renumbered and amended to read: 14.53 DUTIES OF ATTORNEY-GENERAL. * * * The attorney-general shall:

(1) Represent state. * * * Appear for the state and * * * prosecute or defend all actions and proceedings, civil or criminal, in the supreme court, in which the state * * * is interested or a party, and * * * attend to and * * * prosecute or defend all civil cases sent or remanded by the supreme court to any circuit court in which the state is a party; and, when * * * requested by the governor or either branch of the legislature, * * * appear for the state and prosecute or defend in any court or before any officer, any cause or matter, civil or criminal, in which the state or the people thereof may be in any wise interested.

(2) PROSECUTE BREACHES OF BONDS AND CONTRACTS. * * * Prosecute, at the request of the governor, secretary of state or

treasurer, any official bond or any contract in which the state is interested, deposited with either of them, upon a breach thereof, and * * * prosecute or defend for the state all actions, civil or criminal, relating to any matter connected with either of their departments.

(3) ADVISE DISTRICT ATTORNEYS. * * * Consult and advise with the district attorneys when requested by them in all matters pertaining to the duties of their office.

(4) GIVE OPINION TO OFFICERS. * * * Give * * * his opinion in writing, *when required*, without fee, upon all questions of law submitted to him by the legislature or either branch thereof, or by the head of any department of the state government, * * *

(5) PROTECT TRUST FUNDS. Examine all applications for loans from any of the trust funds, and furnish to the commissioners of public lands his opinion in writing as to the regularity of each such application, and also of the validity of any bonds or other securities purchased for the benefit of such funds.

* * * (6) PREPARE FORMS. * * * Prepare, whenever requested by the head of any * * * department of the state government, proper drafts of forms for contracts and other writings which may be wanted for the use of the state; * * *

* * * (7) TURN STATE MONEYS INTO TREASURY. * * * Pay into the state treasury all money received by him belonging to the state, immediately upon receipt thereof.

* * * (8) KEEP REGISTRY OF ACTIONS. * * * Keep in proper books, to be provided for that purpose at the expense of the state, a register of all actions and demands prosecuted or defended by him on behalf of the state and of all proceedings had in relation thereto.

(9) KEEP STATEMENT OF FEES. * * * Keep a detailed statement of all fees, including his fees as commissioner of public lands, received by him during the preceding year, and file such statement with the secretary of state on or before the thirtieth day of June in each year * * *

(10) REPORT TO LEGISLATURE. *Report to the legislature or either branch thereof, when requested, upon any matters pertaining to the duties of his office.*

* * * (11) GENERAL. * * * Perform all other duties imposed upon him by law.

THE STATE SUPERINTENDENT.

SECTION 50. That part of section 164 of the statutes not included in revised sections 14.03 and 14.07 is renumbered and amended to read: 14.54 QUALIFICATIONS. No person

* * * is eligible to the office of state superintendent of public instruction, * * * unless at the time of his election thereto * * * he has taught or supervised teaching in * * * this state * * * for a period not less than five years and, * * * at such time, holds the highest grade of certificate which the state superintendent is by law empowered to issue.

SECTION 51. Section 165 of the statutes is renumbered and amended to read: 14.55 ASSISTANT SUPERINTENDENT; HIS OATH. The state superintendent may appoint under his hand an assistant, who shall take *and subscribe* the constitutional oath of office, which, with his appointment, shall be filed in the office of the secretary of state. Such assistant shall perform such duties as the superintendent * * * prescribes, not inconsistent with law; and the superintendent shall be responsible for all acts of such assistant.

SECTION 52. Section 165a of the statutes is repealed.

SECTION 53. Section 165c of the statutes is renumbered to read: 14.56 SPECIAL EMPLOYEES.

SECTION 54. Section 166 of the statutes is renumbered to be section 14.57, subsection (14) of said subsection is renumbered to be subsection (16), and sections 165b and 167a of the statutes are renumbered to be subsections (14) and (15), respectively, of said section 14.57 and each is amended by striking the first four words therefrom, viz.: "The state superintendent shall" and by inserting in lieu thereof the word "To".

SECTION 55. Section 167b of the statutes is repealed.

MISCELLANEOUS.

SECTION 56. Section 158 of the statutes is renumbered and amended to read: 14.58 FISCAL YEAR. The fiscal year of the state * * * commences on the first day of July in each year and closes on the thirtieth day of June next succeeding. All books and accounts of the secretary of state and of the state treasurer shall be kept, and all * * * their duties * * * shall be performed with reference to the beginning and ending of the fiscal year. All officers and persons required to render annual accounts to the secretary of state and treasurer shall close * * * such accounts on the thirtieth day of June in each year, and shall render such accounts as soon thereafter as may be practicable, and the fiscal year of all departments, boards and bodies connected with the state government in any manner shall commence and close on the same dates as the fiscal year as of the state.

SECTION 57. That part of subsection (8) of section 141 not included in revised section 14.08, and section 169c of the statutes are consolidated, renumbered and amended to read: 14.59 STATE OFFICE HOURS; LEAVES OF ABSENCE. *The offices of the departments of state government shall be kept open on all days, except Sundays and holidays, and office hours * * * shall begin at eight-thirty o'clock A. M. and close at five o'clock P. M. with intermissions from twelve o'clock M. to one-thirty o'clock P. M. except Saturday afternoons when such hours may be observed as the heads of departments may think proper. Heads of departments may, in their discretion, grant to each clerk or other person employed upon a yearly salary two weeks' leave of absence in each year without loss of pay. * * **

SECTION 58. Section 168 of the statutes is renumbered and amended to read: 14.60 OFFICIAL REPORTS. The several officers, boards and commissions from whom annual or biennial reports are required to be made to the governor, * * * and whose reports cover a period ending on the thirtieth day of June, shall make out and deposit with the governor, on or before the first day of January of each odd-numbered year, a report of the transactions in their respective offices from the thirtieth day of June last preceding. Such reports shall be published with the next annual or biennial reports of the same officers, boards or commissions, respectively, or of their successors.

SECTION 59. Section 169d of the statutes is renumbered to be section 14.61. REPORTS OF RECEIPTS AND DISBURSEMENTS TO GOVERNOR.

SECTION 60. Section 169e of the statutes is renumbered to be section 14.62. REPORT OF EXPENSES OF DEPARTMENTS.

SECTION 61. Section 169e—1 of the statutes is renumbered and amended to read: 14.63 STATE AID RECIPIENT'S ACCOUNTING. Every association, society, institute or other organization, that * * * receives aid in any form through appropriations from the state shall * * * make report to the secretary of state on or before the first day of September in each year. Such annual report shall contain a detailed statement of all receipts and expenditures of such association, society, institute or organization for each year ending June thirtieth and such portions as are of special importance may be published in the biennial report of the secretary of state * * *

SECTION 62. Section 168a of the statutes is renumbered to be section 14.64 MAIL SERVICE.

SECTION 63. Section 169b of the statutes is repealed.

SECTION 64. Section 169s of the statutes is renumbered to be section 14.65 COOPERATION OF FUNCTIONS.

SECTION 65. Section 159 of the statutes is renumbered to be section 14.66 EXAMINATION OF STATE TREASURY.

SECTION 66. Section 160 of the statutes is renumbered to be section 14.67 INVESTMENT OF STATE FUNDS OTHER THAN TRUST FUNDS.

SECTION 67. Section 169g of the statutes is repealed.

SECTION 68. Section 169h of the statutes is repealed.

SECTION 69. Section 169i of the statutes is renumbered to be section 14.68 and is amended by striking therefrom all of the first paragraph and all of subsections (2) and (3); and subsections (1) and (4) of said section are amended to read: 14.68 RECEIPTS AND DEPOSITS OF MONEY; PROCEDURE; PENALTIES. (1) * * * *Unless otherwise provided by law, all moneys collected or received by each and every * * * officer, board, commission, society, or association for or in behalf of the state, or which is required by law to be turned into the state treasury, * * * shall be * * * deposited * * *, in or transmitted to the state treasury * * * at least once a week and * * * also whenever required by the governor, and * * * shall be accompanied by a statement in such form as the * * * treasurer may * * * prescribe showing the amount of such collection, and from whom and for what purpose or on what account the same was received. * * **

* * * (2) The secretary of state shall * * * *prescribe a form of official blank receipts * * * to be issued by or for each * * * officer, board, commission, society or association who or which collects or receives any money for or on behalf of the state, * * * or who or which collects any money that is required by law to be turned into the state treasury, and such * * * officer, board, commission, society or association shall issue such official receipts or cause the same to be issued to each person from whom * * * money is received. All such official receipts shall be numbered consecutively, and the * * * state treasurer shall * * * require * * * a true accounting for the same.*

SECTION 70. Section 169k of the statutes is renumbered to be subsection (3) of section 14.68.

SECTION 71. Section 169L of the statutes is renumbered to be subsection (4) of section 14.68 and is amended to read: 14.68 In case any * * * officer, * * * board, commission, society, or association * * * *included within the provisions of this section neglects or refuses to make such deposits of money, or to make such reports as * * * are required * * * by this * * * section, the secretary of state * * * with*

the approval of the governor, *shall* withhold all moneys due such * * * *officer, board, commission, society or association* until the provisions of this * * * *section* are complied with.

SECTION 72. This act shall take effect upon passage and publication.

Approved July 10, 1917.

No. 555, S.]

[Published July 12, 1917.

CHAPTER 623

AN ACT to create subdivision (9a) of section 893 (892) of the statutes, relating to the powers of village boards.

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

SECTION 1. A new subdivision is added to section 893 (892) of the statutes to read: (Section 893 (892)) (9a) To cause to be made a plat and an accompanying list of all lands within said village which are not embraced in any of the recorded plats of land therein. The plat shall plainly define the boundary of and designate each parcel of land thereon as an out-lot with a number, and the accompanying list shall describe each out-lot, so numbered, with sufficient certainty to enable a surveyor to locate the same. Both such plat and list shall be certified to by the person making the same, approved by the village board, acknowledged by the village clerk and president and recorded in the office of the register of deeds of the county in which said village is located. Said plat shall be called "assessor's plat". For purposes of assessment, taxation and conveyance, it shall be deemed a sufficient description of any land, **described in** said plat, to designate the same as "out-lot" with its number as it appears on said plat, and any such description in any conveyance shall be as effective to pass the title to the land therein described as it would be if the same premises had been described by metes and bounds. Said plat or record thereof shall be received in evidence in all courts and places as correctly describing the several pieces of land therein designated. Amendments may be made to the plat at any time by the village board by recording with the register of deeds a plat and accompanying list of such amendment, authenticated in the same manner as the original plat and list. The major portion of any out-lot which is altered by an amendment shall retain the original number given to the out-lot and a new number shall be given to the tract that may be detached. It shall not be necessary to refer to any amendment of the plat, but all assessments or in-