

No. 373, S.]

[Published July 7, 1943.]

CHAPTER 451.

AN ACT to create 21.025 (2) (c) relating to the Wisconsin State Guard and the pay schedule of enlisted men while on duty.

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

21.025 (2) (c) of the statutes is created to read:

21.025 (2) (c) 1. Enlisted men while on active duty under orders of the governor, or at field encampments of instruction shall receive a subsistence allowance plus pay at the following rate: Sergeants (all classes), \$100 per month; corporals, \$85 per month; privates, first class and privates, \$75 per month.

2. When enlisted men are called into state service, said payments shall be made at such proper portion of the monthly pay for each day of actual service on such duty or enroute to and from the home station. Subsistence shall be furnished in addition to the pay herein provided. If such enlisted men are engaged in such service for more than 30 days, they shall receive thereafter in addition to such subsistence allowance the following rate of pay: Sergeants (all classes), \$125 per month; corporals, \$112.50 per month; privates, first class and privates, \$100 per month.

Approved July 2, 1943.

No. 509, A.]

[Published July 7, 1943.]

CHAPTER 452.

AN ACT to create 271.04 (8) of the statutes, relating to costs in actions brought by citizen taxpayers for the benefit of any county, town, village, city or other municipal corporation.

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

271.04 (8) of the statutes is created to read:

271.04 (8) In all actions brought for the benefit of any county, town, village, city or other municipal corporation of this state by a citizen taxpayer, the plaintiff shall be entitled to recover for his own use, in case he shall prevail, the taxable costs of such

action and such part of the recovery as the court shall deem reasonable, as attorney's fees, not to exceed 20 per cent of such recovery, and not to exceed \$500.

Approved July 2, 1943.

No. 547, A.]

[Published July 7, 1943.]

CHAPTER 453.

AN ACT to amend the introductory paragraph of section 60, chapter 423, laws of 1923, relating to the firemen's annuity and benefit fund of Milwaukee.

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

The introductory paragraph of section 60 of chapter 423, laws of 1923 is amended to read:

(Chapter 423, Laws of 1923) Section 60. (Introductory paragraph) Notwithstanding the provisions of any other subsection of this section, any present employe who shall have been a member of the fire department of such city on December 31 of the year before the year in which this section shall come into effect in such city, or *any fireman who was not a member of the fire department of such city on December 31 of the year before the year in which this section came into effect in such city but was a member of such department of such city prior to said date and resigned or was discharged from the service prior to said date, being ineligible for annuity, who reentered such service in such city subsequent to such date and remained in such service continuously for a period of at least 15 years from his date of re-entrance into said service*, who shall resign or be discharged from the service (either before or after he shall have become 50 years of age) after he shall have completed 22 or more years of service and for whom the amount of annuity provided in accordance with the foregoing provisions of this section shall be less than 50 per cent of his salary as such salary shall be at the time of his resignation or discharge from the service, shall receive annuity from and after the date of such resignation or discharge of an amount equal to 50 per cent of his salary as it shall be at the time of such resignation or discharge, and provided further, if any present