

No. 387, A.]

[Published June 21, 1911.

CHAPTER 412.

AN ACT to create sections 1407m—1 to 1407m—5, inclusive, of the statutes, relating to the pollution of streams and public water supplies.

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 1407m—1. Whenever the common council, town board, village board or board of health of any city, incorporated village or township makes complaint in writing to the state board of health, that a city, village, corporation or person is discharging or permitting to be discharged any sewerage or other waste into any stream, watercourse, lake or pond, and is thereby creating a public nuisance detrimental to health or comfort, or is polluting the source of any public water supply, it shall be the duty of the state board of health to forthwith investigate, or cause to be investigated, the conditions complained of; and whenever the state board of health finds after careful investigation that the source of public water supply of any city, village or community in this state is being subject to contamination, or has been rendered impure by reason of discharge of sewerage or other wastes, or whenever said board finds that such sewerage or other waste have so corrupted any stream, watercourse, lake or pond, and that that contamination, impurity or corruption is detrimental to the public health, it shall notify such city, village, corporation or person causing the contamination, corruption or pollution of any such stream, watercourse, lake, pond or banks adjacent thereto, of its findings.

Section 1407m—2. The state board of health through its executive secretary shall notify such city, village, corporation or person in writing, setting forth the decision of the board in regard to the conditions complained of. The city, village, corporation or person shall be given an opportunity to be heard within fifteen days after receiving the decision of the board. If after such hearing the state board of health determines that improvements or changes are necessary for the preservation of health and should be made, it shall report its findings to the governor, and upon his approval said board shall notify such city, village, corporation or person to install such works, as may be necessary for purifying or otherwise disposing of its sewage or other wastes, so as to preserve the public health, or to

change or enlarge existing works in such manner as may be necessary to preserve the public health; such works or means must be completed and put into operation within a time to be fixed by said board.

Section 1407m—3. If in any case any order of the state board of health, when approved by the governor, and made in pursuance to the provisions of this act, is not acceptable to any city, village, corporation or owner affected thereby, such city, village, corporation or owner shall have the right of appeal as follows, to-wit: The necessity for and reasonableness of such order may be submitted to two reputable and experienced sanitary engineers, one to be chosen by the city, village, corporation or owner to which such order of the state board of health applies, and the other chosen by the state board of health, who shall not be regularly employed by said board, and who shall act as referee engineers. If the engineers so chosen are unable to agree then they shall choose a third engineer of like standing, and the vote of the majority shall be the decision of the referee engineers. The referee engineers, herein provided for, shall affirm or modify the order of the state board of health, submitted to them so as to preserve the public health when necessary or reasonable to do so, and their decision, as reported in writing to the state board of health, with recommendations, which shall be rendered within a reasonable time, shall be enforced by said board in the manner provided for in this act. The fees and expenses of said referee engineers shall be paid by the said city, village, corporation or owner requesting such referee.

(Am. 1911, c. 664, s. 65.)

Section 1407m—4. No town, city, village, public institution, individual or water or ice company shall use water or ice which is so contaminated, unwholesome and impure, that the use thereof endangers the public health. The state board of health, after full investigation of the facts, may prohibit any town, city, village, public institution, individual or water or ice company from using water which is so contaminated, unwholesome and impure, that the use thereof endangers the public health, and the circuit court shall have jurisdiction and power, upon application therefor by the state board of health, to enforce by proper order and decree the orders, rules and regulations of the said board of health, made under and by virtue of this section for the protection of the public health.

Section 1407m—5. If any council, department or officer of any municipality or person or private corporation shall fail or

refuse to do and perform any act or acts required of him, it or them to be done and performed by this act, such members of the council or department, and such officer or officers or person or private corporation shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum of not more than five hundred dollars nor less than one hundred dollars for each offense.

(Am. 1911, c. 664, s. 65.)

SECTION 2. It shall be the duty of the attorney-general to act as legal advisor to the board of health, and assist such board in the enforcement of the provisions of this act.

(Am. 1911, c. 664, s. 65.)

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

(Am. 1911, c. 664, s. 65.)

Approved June 20, 1911.

No. 520, S.]

[Published June 21, 1911.

CHAPTER 413.

AN ACT to amend that portion of section 2424 of the statutes relating to the fifteenth judicial circuit; relating to judicial circuits and terms of court and to provide for the election of certain judges.

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

SECTION 1. That portion of section 2424 of the statutes prescribing terms of court in the fifteenth judicial circuit is amended to read: (Section 2424.) Fifteenth circuit. In the county of Ashland, on the * * * *second* Monday in April, and on the * * * *second* Monday * * * in September; in the county of Bayfield, on the * * * *fourth* Monday in May, and the * * * *third* Monday in October; in the county of Iron, on the * * * *second* Monday in * * * *June* and the * * * *first* Monday in * * * *December*; in the county of Price, on the * * * *second* Monday in May, and the * * * *second* Monday in November; in the county of Taylor, on the * * * *third* Monday in * * * *March*, and the * * * *fourth* Monday in * * * *August*.

Any general or extraordinary term of court in said judicial circuit may be adjourned to or over the next general term of court in each county in said circuit, and the jurors summoned * * * *to serve or having served* at the last term of court or * * * *any* term of court nearest * * * the date of hold-