

No. 391, S.]

[Published July 8, 1911.]

**CHAPTER 596.**

AN ACT to amend section 1797m—77 and section 1797m—80 of the statutes, relating to public utilities.

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

SECTION 1. Sections 1797m—77 and 1797m—80 of the statutes are amended to read: Section 1797m—77. \* \* \* *Every license, permit, or franchise granted prior to July 11, 1907, by the state or by the common council, the board of aldermen, the board of trustees, the town or village board, or any other governing body of any town, village, or city, to any corporation, company, individual, association of individuals, their lessees, trustees, or receivers appointed by any court whatsoever, authorizing and empowering such grantee or grantees to own, operate, manage, or control any plant or equipment, or any part of a plant or equipment within this state, for the conveyance of telephone messages, or for the production, transmission, delivery, or furnishing of heat, light, water, or power, either directly or indirectly, to or for the public, is so altered and amended as to constitute and to be an "indeterminate permit" within the terms and meaning of sections 1797m—1 to 1797m—108, inclusive, of the statutes of 1898, and subject to all the terms, provisions, conditions, and limitations of said sections 1797m—1 to 1797m—108, inclusive, and shall have the same force and effect as a license, permit, or franchise granted after July 11, 1907, to any public utility embraced in and subject to the provisions of said sections 1797m—1 to 1797m—108, inclusive, except as provided by section 1797—80.*

(Am. 1911, c. 664, s. 134.)

Section 1797m—80. If the municipality shall have determined to acquire an existing plant then operated under \* \* \* *an indeterminate permit provided in section 1797m—77, by a vote of a majority of the electors voting thereon at any general, municipal, or special election at which the question of the purchase of such plant shall have been submitted, such municipality shall bring an action in the circuit court against the public utility as defendant praying the court for an adjudication as to the necessity of such taking by the municipality, in which action the complaint shall be served with the summons. The public utility shall serve and file its answer to such complaint within ten days after the service thereof, whereupon such action shall be at issue and stand ready for trial upon ten days' notice by either party. Unless the parties thereto waive a jury, the question as to the necessity of the taking of such property by the municipality shall be as speedily as possible submitted to a jury.*

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

Approved July 7, 1911.

No. 537, S.]

[Published July 8, 1911.]

### CHAPTER 597.

AN ACT to appropriate to F. C. Winkler, Glenway Maxon, and John M. Olin the sums of money herein named for services rendered and disbursements made.

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

SECTION 1. There is hereby appropriated out of the funds in the treasury not otherwise appropriated to Glenway Maxon the sum of two hundred forty-eight dollars and twenty-three cents; to John M. Olin the sum of five hundred seventy-seven dollars and twenty-five cents; and to F. C. Winkler the sum of two hundred and fifty dollars, in full payment for services and disbursements made by each of said persons as attorneys for the civil service commission in the suit before the supreme court of Wisconsin entitled State ex rel C. E. Buell, versus James A. Frear, secretary of state.

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

Approved July 7, 1911.

No. 619, S.]

[Published July 8, 1911.]

### CHAPTER 598.

AN ACT to appropriate to B. J. Castle a sum of money therein named for legal services.

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

SECTION 1. There is hereby appropriated to B. J. Castle out of any money in the general fund of the state treasury not otherwise appropriated the sum of seven hundred and seventy-seven dollars for legal services rendered the state of Wisconsin on and between the 9th day of February, 1911, and the 1st day of June, 1911.

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

Approved July 7, 1911.