

No. 240, A.]

[Published July 8, 1911.]

CHAPTER 601.

AN ACT to amend section 1494—47, to create section 1494—47a, to amend section 1494—48, to create section 1494—48a, and to amend sections 1494—49, 1494—50, 1494—51 and 4405a of the statutes, relating to fire wardens, and the preventing and extinguishing of forest, marsh and swamp fires.

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

SECTION 1. Section 1494—47 of the statutes is amended to read: Section 1494—47. The state forester shall also be state fire warden, and the assistant state forester shall be assistant state fire warden * * * *The chairmen of the town boards of the different towns in the state shall be the town fire wardens for their respective towns, and the superintendents of highways for the different road districts within the different towns shall be assistant town fire wardens for their respective towns.* * * * *The state fire warden shall give the necessary instructions to* * * * *all fire wardens and supervise the execution of their work.*

SECTION 2. There is added to the statutes a new section to read: Section 1494—47a. The state fire warden shall have general charge of the fire warden force of the state, and shall have authority to mass such fire warden force as may be available at any special point to suppress fires. In cases of emergency, or when a town shall have no highway superintendents, or the town shall be unusually large, the state fire warden may, on recommendation of the town chairman, appoint, temporarily, needed fire wardens, whose duties and authority shall be the same as herein provided for town and assistant town fire wardens.

SECTION 3. Section 1494—48 of the statutes is amended to read: Section 1494—48. 1. Each * * * fire warden, before entering upon his duties, shall take an oath of office and file the same with the state * * * *fire warden.* All * * * fire wardens shall take prompt and effective measures against the spread and illegal setting of forest, marsh or swamp fires within their * * * towns and districts and shall have the power of sheriffs to arrest without warrant for violations of the provisions of this act, and of any sections of the statutes relating to setting, failure to extinguish or care of fires. They shall have authority to call upon any able bodied citizen, in territory in which they act, to assist in extinguishing forest, marsh, * * * swamp and other running fires in such manner as they may direct. * * *

(Am. 1911, c. 664, s. 137.)

2. * * * Those assisting * * * either the town or assistant town fire wardens in the extinguishing of forest, marsh, swamp and other fires shall receive * * * compensation for their services * * * at not more than twenty cents per hour for the time actually employed. * * * The state forester is authorized to approve for payment not to exceed fifty per cent * * * of the clear proceeds of any fine collected in an action brought for a violation of any of the provisions of * * * sections 4405a or 4406 * * * of the statutes, relating to setting, failure to put out or care of fires, where the evidence to secure a conviction is furnished by a town fire warden, an assistant town fire warden, or any other person.

3. No payment shall be made to any claimant under this section until he shall have presented an itemized account and made oath or affirmation that said account is just and correct, which account shall be audited and approved by the town board. The town board shall thereupon direct the town clerk to issue a warrant upon the town treasurer for the sum to which such claimant is entitled, and the town treasurer shall pay the same.

4. The expense of preventing or extinguishing forest, marsh, swamp or other running fires by the town or assistant town fire wardens, and by those called upon by either of said fire wardens to assist them, shall be borne by the road district or districts within which the expense was incurred, and the superintendent of highways of each road district, or if there is no such superintendent then the town board, may levy and assess a tax for defraying such expense. Such tax shall be collected in the same manner as other taxes, and such tax when so collected shall be paid into the town treasury from which such expense is paid.

SECTION 4. There is added to the statutes a new section to read: Section 1494—48a. 1. Each fire warden, appointed by the state fire warden to act in case of emergency, shall receive for his actual services rendered, two dollars per day, one-half of which shall be paid by the county where such service is performed, and one-half by the state; and any employe engaged by the state fire warden, or by any fire warden appointed by the state fire warden to assist in preventing or suppressing forest, swamp, marsh or other running fires shall receive for such services not more than twenty cents per hour, and said expense shall also be paid, one-half by the county where such service is performed, and one-half by the state.

2. No payment shall be made to any claimant under this section until he shall have presented an itemized account, and made oath or affirmation that said account is just and correct, which account shall be approved by the county board, and audited by

the county clerk. The county clerk shall thereupon issue to such claimant his warrant upon the county treasurer for the sum to which such claimant is entitled, and the county treasurer shall pay the same.

3. The county clerk shall transmit the original oath and copy of the warrant to the secretary of state, who shall audit such claim, and one-half thereof shall be paid out of the general fund of the state treasury by warrant issued by the secretary of state upon the state treasurer in favor of the county which paid such claimant, and such amount shall be forwarded to the county treasurer of such county. However, no county shall expend more than five thousand dollars under this act in any one year.

(Am. 1911, c. 664, s. 137.)

SECTION 5. Sections 1494—49, 1494—50, 1494—51 and 4405a of the statutes are amended to read: Section 1494—49. Any

* * * fire warden who shall refuse to carry out the provisions of * * * section 1191—18, or any able bodied citizen who shall refuse to render assistance as provided by said section, shall be punished by a fine of not less than ten or more than fifty dollars, or by imprisonment in the county jail for not less than ten days or more than thirty days, or by both such fine and imprisonment.

Section 1494—50. Each *town fire warden and assistant town fire warden* shall post or cause to be posted conspicuously in those parts of his town or district where fires are likely to occur, all notices furnished him for that purpose by the state * * * *fire warden.* * * *

Section 1494—51. Every *assistant town fire warden*, immediately after each fire within his * * * *district* shall forward to the state * * * *fire warden and to the town fire warden* a detailed report of said fire, * * * *The town fire warden* shall report to the *state fire warden*, annually, on or before the first day of December, a summary of all forest fires within their towns or districts during the year and such other matters as the state * * * *fire warden* may direct.

Section 4405a. 1. Whenever the *town * * * board* of any town * * * *deems* it imprudent to set fires upon any land within the town or district * * * they shall post or cause to be posted * * * *notices* in * * * *five* public places in each township in such town or district forbidding the setting of * * * *fires* therein, and after the posting of such notices no person shall set any fire upon any land in said town or district, except for warming the person or cooking food, until written permission has been received from one of the fire wardens of said town.

2. All persons who start camp fires upon any land in this state shall exercise all * * * necessary precautions to prevent damage therefrom, and shall entirely extinguish the same before leaving them. Every person violating any provision of this section shall be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment in the county jail not more than six months for each offense.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved July 7, 1911.

No. 935, A.]

[Published July 8, 1911.

CHAPTER 602.

AN ACT to amend section 411—6 of the statutes, relating to certificates to graduates from county training schools for teachers.

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

SECTION 1. Section 411—6 of the statutes is amended to read: Section 411—6. 1. Any person who shall complete in a satisfactory manner the course of study prescribed for any county training school, and who shall be of good moral character, shall receive a certificate signed by the principal of the school and by the members of the county training school board. Said certificate shall certify that the person named therein has satisfactorily completed the course of study prescribed for the county training school, and is of good moral character; it shall also contain a list of the standings secured by the person on the completion of each of the studies pursued in the school. Such certificate shall have the force and effect of a third grade certificate issued by the county superintendent of the county or district in which the school is located, for the term of three years from the date of its issue; provided, that in case the holder thereof has never taught, or cannot furnish satisfactory evidence of having successfully taught for at least one school year (seven months) in the public schools of this state, said certificate shall be of full force and effect for one year only from its date of issue. When satisfactory evidence of successful teaching for at least one year (seven months) upon said training school certificate shall be furnished to the county or district superintendent, said superintendent shall remove the limitation, whereupon the training school certificate shall have the full force and effect of a third grade teacher's certificate for two additional years. *Be it further provided that in case the holder of a county teacher's training*