

No. 241, A.]

[Published June 7, 1919.

CHAPTER 278.

AN ACT to amend section 1747h of the statutes, relating to trusts and monopolies.

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

SECTION 1. Section 1747h of the statutes is amended to read: Section 1747h. The word "person" wherever used in the three next preceding sections shall be deemed to include, besides individuals, corporations, partnerships and associations existing under or authorized by the laws of the United States, any of the territories of this or any other state or of any foreign country; provided, that nothing therein shall be construed to affect labor unions or any other association of laborers organized for the purpose of promoting the welfare of its members, nor associations or organizations intended to legitimately promote the interests of trade, commerce or manufacturing in this state. *Provided further that nothing therein shall be construed to affect associations, corporate or otherwise, of farmers, gardeners or dairymen, including live stock farmers and fruit growers engaged in making collective sales or marketing for its members or shareholders of farm, orchard or dairy products produced by its members or shareholders.*

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

Approved June 4, 1919.

No. 288, A.]

[Published June 7, 1919.

CHAPTER 279.

AN ACT to create section 927—9 of the statutes, relating to the powers and duties of water works department in cities of the first class.

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

SECTION 1. A new section is added to the statutes to read: Section 927—9. 1. The words "commissioner of public works" herein shall be construed to mean and have reference to any board of public works, or commissioner of public works, or other officer of any city having control of the public works therein. This section shall apply to cities of the first class however incorporated.

2. In any city of the first class, however incorporated, which owns its water works, the commissioner of public works shall

have power, from time to time to make and enforce by-laws, rules and regulations in relation to the said water works, and, before the actual introduction of water, he shall make by-laws, rules and regulations, fixing uniform water rates to be paid for the use of water furnished by the said water works, and fixing the manner of distributing and supplying water for use or consumption, and for withholding or turning off the same for cause, and he shall have power, from time to time, to alter, modify or repeal such by-laws, rules and regulations. No such by-law, rule or regulation, and no alteration, modification, or repeal thereof, shall have any force until submitted to and approved by the common council of such city.

3. All water rates shall be due and payable on the first days of January, April, July and October in each year, for the three months preceding such days. To all water rates remaining unpaid on the twenty-first day of the month in which they become due, there shall be added a penalty of five per cent of the amount of such rates, and if such rates shall remain unpaid for ten days thereafter, water shall be turned off the premises, subject to the payment of such delinquent rates, and in all cases where the supply of water shall be turned off as above provided, water shall not be again turned on to said premises until all delinquent rates and penalties, and the sum of two dollars as expense for turning the water off and on, shall have been paid. On or before each day when such rates become due and payable as aforesaid, a written or printed notice or bill shall be mailed or personally delivered to the owner or occupant of all premises subject to the payment of water rates, directed to the place where such water is consumed, stating the amount due, the time when and the place where such rates can be paid, and the penalty for neglect of payment.

4. All water rates for water furnished to any building or premises, and the cost of repairing meters, service pipes, stops or stop boxes, shall be a lien on the lot, part of lot or parcel of land on which such building or premises shall be situated. If any water rates or bills for the repairing of meters, service pipes, stops or stop boxes remain unpaid on the first day of October, in any year, the same shall be certified to the city comptroller of such city on or before the first day of November next following, and shall be by him placed upon the tax roll and collected in the same manner as other taxes on real estate are collected in said city. The charge for water supplied by the city in all premises where meters are attached and connected, shall be at rates fixed by the commissioner of public works with the approval of the common council and for the quantity indicated

by the meter. If in any case, the commissioner of public works shall determine that the quantity indicated by the meter is materially incorrect or if a meter has been off temporarily on account of repairs, the commissioner of public works shall determine in the best manner in his power the quantity used, and such determination shall be conclusive. No water rate or rates duly assessed against any property shall be thereafter remitted or changed except by the common council of such city.

5. The commissioner of public works of any such city may, subject to the approval of the common council of such city, issue a permit to the county in which it is located, to any national home for disabled soldiers, or to any other applicant to obtain water from the water works in the said city for use outside of the limits of such city; and for that purpose to connect any pipe that shall be laid outside of the city limits with any water pipe in such city. No such permit shall be issued until the applicant shall first file with the commissioner of public works a bond in such sum and with such surety as the said commissioner shall approve, conditioned that the said applicant will obey all rules and regulations that may from time to time be prescribed by the commissioner of public works for the use of such water; that he will pay all charges fixed by said commissioner for the use of such water as measured by a meter to be approved by said commissioner, which charges shall not be less than one-quarter more than those charged to the inhabitants of the city for like use of water; that he will pay to any such city a water pipe assessment if the property to be supplied with water has frontage on any thoroughfare forming the city boundary line in which a water main has or shall be laid, and at the rate prescribed by the commissioner of public works; if the property to be supplied does not front on a city boundary but is distant therefrom, that a main pipe of the same size, class, and standard as terminates at the city boundary shall be extended, and the entire cost shall be paid by the applicant for the extension; that such water main shall be laid according to city specifications and under city inspection; that such water main and appliances shall become the absolute property of such city, without any compensation therefor, whenever the property supplied with water by said extension or any part thereof shall be annexed to or in any manner become a part of such city; and that he will pay to any such city all damages whatever that it may sustain, arising in any way out of the manner in which such connection is made or water supply is used. In case of granting a permit to any county or to any national home for disabled soldiers, the commissioner of public works

may waive the giving of such a bond. Every such permit shall be issued upon the understanding that such city shall in no event ever be liable for any damage in case of failure to supply water by reason of any condition beyond its control.

6. The commissioner of public works with the approval of the common council shall prescribe and regulate the kind of water meters to be used in such city and the manner of attaching and connecting the same, and may in like manner make such other rules for the use and control of water meters attached and connected as herein provided as shall be necessary to secure reliable and just measurement of the quantity of water used; and may alter and amend such rules from time to time as shall be necessary for the purposes named. All such rules and all amendments and alterations thereof shall be approved by the common council before the same shall have effect. If the owner or occupant of any premises, where the attaching and connection of a water meter may lawfully be required, shall neglect or fail to attach and connect such water meter, as is required according to the rules established by the commissioner of public works, for thirty days after the expiration of the time within which such owner or occupant shall have been notified by said commissioner of public works to attach and connect such meter, the commissioner of public works may cause the water supply by the city to be cut off from the premises, and it shall not be restored except upon such terms and conditions as the commissioner of public works with the approval of the common council shall prescribe.

7. The commissioner of public works with the approval of the common council may prescribe and regulate the size of connections made with the distribution mains for supplying automatic sprinkler systems and fix an annual charge for such service.

8. The commissioner of public works, with the approval of the common council may also make rules and regulations for the proper ventilating and trapping of all drains, soil pipes and fixtures hereafter constructed to connect with or be used in connection with the sewerage or water supply of the city. The common council may provide by ordinance for the enforcement of such rules and regulations, and may prescribe proper penalties and punishment for disobedience of the same. The commissioner of public works, with the approval of the common council, may also make rules to regulate the use of vent, soil, drain, sewer or water pipes in all buildings in said city, which hereafter shall be proposed to be connected with the city water supply or sewerage, specifying the dimensions, strength

and material of which the same shall be made, and may prohibit the introduction into any building of any style of water fixture, tap or connection, the use of which shall have been determined to be dangerous to health or for any reason unfit to be used, and the commissioner of public works shall require a rigid inspection by a skilled and competent inspector under the direction of the commissioner of public works, of all plumbing and draining work and water and sewer connections, hereafter done or made in any building in the city, and unless, the same are done or made according to rules of the commissioner of public works, and approved by such commissioner of public works, no connection of the premises with the city sewerage or water supply shall be allowed.

9. The said commissioner shall make an annual report to the common council of his doings under this section and the state of the water fund and the general condition of said water works, and such report after being submitted to the common council shall be filed in the office of the comptroller of the city.

SECTION 2. All acts or parts of acts contravening the provisions of this act are hereby so modified, amended or repealed as to give full force and effect to this act.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 4, 1919.

No. 349, A.]

[Published June 7, 1919.

CHAPTER 280.

AN ACT to amend section 2533a of the statutes, relating to the compensation of jury commissioners.

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

SECTION 1. Section 2533a of the statutes is amended to read: Section 2533a. Petit jurors for all circuit courts, the municipal courts of Milwaukee and Racine counties, the superior court of Douglas county, and for all other courts of exclusive civil jurisdiction, except county courts, shall be drawn and obtained as prescribed in this and the four next following sections by three commissioners appointed in each county by the circuit judge, except that in counties where there is more than one court within this section such commissioners shall be appointed by the joint action of all the judges of such courts. The persons so appointed shall be freeholders of the county and possess all of the qualifications required by section 2524, and shall be known as jury commissioners. Their duties shall be as herein-