

sion, to guide, direct and assist other persons in hunting, trapping and fishing, and observe and comply with all the requirements of chapter 29 of the statutes, and of his said guide license. But this subsection does not apply to the employment of labor by, or services rendered to the licensee of any net fishing license.

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

Approved July 30, 1919.

No. 635, S.]

[Published August 9, 1919.

CHAPTER 702.

AN ACT to repeal expressly certain sections of the statutes that have been either superseded or repealed by implication; to repeal certain sections of the statutes that are duplicates of other sections; to strike out or remove obsolete and dead matter from certain sections of the statutes; to renumber and relocate certain sections of the statutes that have been improperly classified; to correct in certain sections of the statutes mistaken references to other sections; and to correct typographical errors, misprints and other errors in certain sections of the statutes.

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

SECTION 1. Subsections (5), (42) and (58) of section 201 are amended to read:

(201) (5) BROWN: Beginning at the southeast corner of township twenty-two, of range twenty-two east of the meridian aforesaid; and running thence north on the range line to the point where said range line intersects the east shore of Green Bay; thence northeasterly along the east shore of said bay to a point where the township line between townships twenty-five and twenty-six intersects the shore of said bay; thence west on said township line to the * * * southeast corner of fractional section thirty-one, in township twenty-six of range nineteen east; thence north on the section line to the quarter-post between fractional section thirty-one and section thirty-two in township twenty-six, of range nineteen east; thence west on the quarter-section lines to the center-post of section thirty-six, in township twenty-six, of range eighteen east; thence south on the quarter section lines to the center-post of section one, in township twenty-five, of range eighteen east; thence east on the quarter-section line to the quarter post between section one, in township twenty-five, of range eighteen east, and section six,

in township twenty-five, of range nineteen east; thence south on the range line to the southwest corner of township twenty-five, of range nineteen east; thence east on the south line of said township to the northeast corner of section four, in township twenty-four, of range nineteen east; thence south on the section lines to the southeast corner of section thirty-three, in township twenty-one, of range nineteen east; thence east on the township line to the southwest corner of township twenty-one, of range twenty-two east; thence east on the township line to the place of beginning.

(2.01) (42) OCONTO: Beginning at the * * * *quarter-post between section thirty-six, in township twenty-six, of range eighteen east of the meridian aforesaid, and fractional section thirty-one, in township twenty-six, of range nineteen east; thence north on the range line to the township line between townships twenty-seven and twenty-eight; thence west on said township line to the range line between ranges fifteen and sixteen east; thence north on said range line to the correction line between townships thirty and thirty-one; thence west on said correction line to the southeast corner of section thirty-two, of township thirty-one, range fifteen east; thence north on section lines to the township line between townships thirty-one and thirty-two; thence west on said township line to the range line between ranges fourteen and fifteen east; thence north on such range line to the township line between townships thirty-three and thirty-four; thence east on said township line to the range line between ranges seventeen and eighteen; thence south on said range line to the township line between townships thirty-one and thirty-two; thence east on said township line to the range line between ranges eighteen and nineteen; thence south on said range line to the township line between townships thirty and thirty-one; thence east on said township line to the range line between ranges nineteen and twenty; thence south on said range line to the township line between townships twenty-nine and thirty; thence east along said township line to the northwest corner of section three, in township twenty-nine, range twenty-one; thence south along section lines to the southwest corner of section ten, of township and range last aforesaid; thence east along section lines to the southeast corner of section twelve, in township twenty-nine, of range twenty-two; thence south along the range line to the center of the main channel of Green Bay; thence southerly along the center of said main channel to the township line between townships twenty-five and twenty-six; thence west, on said township line to the southeast*

corner of fractional section thirty-one, in township twenty-six, of range nineteen east; thence north on the section line to the quarter-post between fractional section thirty-one and section thirty-two, in township twenty-six, of range nineteen east; thence west on the quarter-section lines to the place of beginning.

(2.01) (58) SHAWANO: Beginning at the southeast corner of township twenty-five, of range eighteen east of the meridian aforesaid; thence north on the range line to the quarter post between section one, in township twenty-five, of range eighteen east, and section six, in township twenty-five, of range nineteen east; thence west on the quarter-section line to the center-post of section one, in township twenty-five, of range eighteen east; thence north on the quarter-section lines to the center-post of section thirty-six, in township twenty-six, of range eighteen east; thence east on the quarter-section line to the quarter post between section thirty-six, in township twenty-six, of range eighteen east, and fractional section thirty-one, in township twenty-six of range nineteen east; thence north on the range line to the township line between townships twenty-seven and twenty-eight; thence west on said township line to the range line between ranges fifteen and sixteen east; thence north on said range line to the township line between townships thirty and thirty-one; thence west on said township line to the northeast corner of township thirty, range twelve east; thence south on the range line to the township line between townships twenty-nine and thirty; thence west on said township line to the range line between ranges ten and eleven east; thence south on said range line to the township line between townships twenty-five and twenty-six; then east on said township line to the range line between ranges fifteen and sixteen east; thence south on said range line five; thence east on said township line to the place of beginning. to the township line between townships twenty-four and twenty-

SECTION 2. Paragraph (d) of subsection (14) of section 20.17, created by chapter 649, laws of 1919, is renumbered to be paragraph (e) of said subsection, without in any respect affecting paragraph (d) of said subsection, as created by chapter 318, laws of 1919.

SECTION 3. Subsection (4) of section 20.32 of the statutes, created by chapter 517, laws of 1919, is renumbered to be subsection (5) of said section; and said subsection as renumbered is amended by striking out the section number "41.03" and inserting in place thereof the section number "41 035".

SECTION 4. Section 20.335 of the statutes, created by chapter 517, laws of 1919, is renumbered to be section 20.337.

SECTION 5. Paragraph (c) of subsection (3) of section 20.41 of the statutes as amended by chapter 305, laws of 1919, is further amended by striking out at the end thereof the figures "697—61" and inserting in lieu thereof the figures "59.87".

SECTION 6. Subsection (11) of section 21.615 of the statutes, created by chapter 324, laws of 1919, is renumbered to be paragraph (n) of subsection (1) of section 20.03; and subsection (12) of said section 21.615 is renumbered to be subsection (11) thereof.

SECTION 7. Subsection (9) of section 20.60 of the statutes, created by chapter 670, laws of 1919, is renumbered to be subsection (14) of said section.

SECTION 8. Subsection (12) of section 20.60 of the statutes, created by chapter 636, laws of 1919, is renumbered to be subsection (13) of said section, without in any respect affecting subsection (12) of said section as created by chapter 527, laws of 1919.

SECTION 9. Subsection (2) of section 25.01 of the statutes, as amended by chapter 65, laws of 1919, is further amended by striking therefrom the figures "697—60" and by inserting in lieu thereof the figures "59.92."

SECTION 10. Subsection (2) of section 27.01 of the statutes is amended by striking therefrom the subsection designation "(1)" and by inserting in lieu thereof the subsection designation "(1m)".

SECTION 11. Subsection (1) of section 27.02 as amended by chapter 264, laws of 1919, is amended by striking therefrom the figures "27.07" and by inserting in lieu thereof the figures "27.06."

SECTION 12. Subsection (2) of section 27.08 of the statutes, created by chapter 558 of the laws of 1919 is amended by striking therefrom its last sentence.

SECTION 13. Paragraph (e) of subsection (10) of section 27.08, as enacted by chapter 558, laws of 1919, is repealed; and paragraph (f) of subsection (14) of section 27.10 of the statutes, as enacted by chapter 522, laws of 1919, is renumbered to be paragraph (e) of subsection (10) of section 27.08.

SECTION 14. Subsection (3) of section 27.10, enacted by chapter 558, laws of 1919 is renumbered to be subsection (4) of said section; and section 1 of chapter 405, laws of 1919, is renumbered to be subsection (3) of said section 27.10.

SECTION 15. Chapter 249, laws of 1907, chapter 98, laws of 1911, chapter 352, laws of 1913 and chapter 405, laws of 1919, are repealed.

SECTION 16. Paragraph (g) of subsection (14) of section 27.10, as enacted by chapter 522, laws of 1919, and paragraphs (f) and (g) of subsection (10) of section 27.08, as enacted by chapter 558, laws of 1919, are consolidated as paragraphs (f) and (g) of subsection (10) of said section 27.08 and revised to read:

(27.08) (10) (f) The board shall keep a strict account of the cost of planting, protecting, renewing, removing, trimming, spraying and caring for trees and shrubs in front of each lot or parcel of land abutting on any street, avenue, or boulevard, and prior to the tenth day of November in each year, shall make a report to the comptroller in cities having such an officer, and in other cities to the common council, of all work done for which assessments have been made as hereinbefore provided stating and certifying the description of land, lots, parts of lots or parcels of land abutting on a street, avenue or boulevard in which any such work shall have been done, and the amount chargeable to each such piece of property; and the comptroller at the time of making his annual report to the common council of the lots or parcels of land subject to special assessments shall include therein the lots or parcels of land so reported to him by the board of park commissioners with the amount chargeable thereto for work done during the preceding year.

(g) The amounts so reported directly or through a comptroller to the council shall be levied on said lots or parcels of land, respectively, to which they are chargeable and shall constitute a lien thereon and shall be collected as other special taxes are levied and collected in the city. The board shall advance out of the park or other proper fund sufficient money for doing said work and said special assessments shall be credited to said fund of said city and shall not be diverted or used for any other purpose.

SECTION 17. Paragraph (c) of subsection (2) of section 27.11 of the statutes, created by chapter 558, laws of 1919, is repealed.

SECTION 18. Subsections (4) and (5) of section 29.18 are renumbered to be respectively subsections (3) and (4) of said section; and subsection (5a) of said section, created by chapter 688, laws of 1919, is renumbered to be subsection (5).

SECTION 19. Subsection (5) of section 29.50 is amended by striking out the phrase "subsection (3m) of section 62.16" and inserting in place thereof the phrase "subsection (3) of section 29.18."

SECTION 20. Subsections (11), (12) and (14) of section 29.18 are each amended by striking out in the second column the phrase "September 7" and inserting in place thereof the phrase "September 16."

SECTION 21. Subsection (18) of section 29.18 of the statutes is repealed; subsection (17) of said section is amended by adding in the first column the words "quail or bobwhite;" and subsection (21) of said section created by chapter 696, laws of 1919, is repealed, and a new subsection created to read:

| | | |
|--|---------------------|--------------|
| (29.18) (18) Hungarian partridge: | | |
| (a) In Jefferson and Waukesha counties | Sept. 7 to Sept. 11 | Two each day |
| (b) In all other counties.. | None | |

SECTION 22. Subsection (3) of section 29.22 is amended read:

(29.22) (3) No person shall engage, or be employed, for any compensation or reward, to guide, direct, or assist any other person in hunting, trapping, or fishing unless a license therefor, subject to the provisions of section 29.09, has been duly issued to him by the state conservation commission. The fee for each such license is one dollar. * * * *The applicant shall deliver to the state conservation commission an oath of office that he shall well and faithfully perform the duties of his office as a guide licensed by the state conservation commission to guide, direct and assist other persons in hunting, trapping and fishing, and observe and comply with all the requirements of chapter 29 of the statutes, and of his said guide license.* But this subsection does not apply to the employment of labor by, or services rendered to, the licensee of any net fishing license.

SECTION 23. Subsection (3) of section 29.25 of the statutes is amended by striking out the word "twenty-five" and inserting in place thereof the word "fifty."

SECTION 24. Section 29.38 of the statutes is repealed; section 29.385, created by chapter 623, laws of 1919, is renumbered to be section 29.38; and section 2 of said chapter 623, is renumbered to be subsection (7) of section 29.38.

SECTION 25. Subsection (1) of section 31.33 is amended to read:

31.33 UNDER JURISDICTION OF RAILROAD COMMISSION. (1) ALL HERETOFORE OR HEREAFTER CONSTRUCTED

—ACTION FOR DAMAGES. All mills and milldams lawfully erected or constructed, on streams not navigable at the time, under and pursuant to the provisions of chapter No. 48 of the territorial laws of 1840, chapter 62, laws of 1857, chapter 56, R. S. 1858, chapter 146, R. S. 1898, chapter 146, Wisconsin Statutes of 1911, 1913 or 1915 or under and pursuant to any special; private or local act, or under any other act whatsoever, which are not now abandoned but are still in existence and use, and all mills and milldams heretofore or hereafter erected or constructed on streams not navigable in fact for any purpose whatsoever, shall be subject to and regulated and controlled by the provisions, so far as applicable, of sections 31.02, 31.03, 31.12, * * * 31.18, 31.19, 31.20, 31.22, 31.25, 31.26, and 31.28 of the statutes, except that the provisions of * * * *said sections* shall not prevent the owner of any land flooded or otherwise injured by any such milldam from recovering, by action at law, full compensation for all damages resulting to him in times past and that will result to him in the future in consequence of such flooding and injury; provided that no damages suffered more than three years before the commencement of such action shall be recovered. The amount recovered shall constitute a first lien upon the milldam and upon the mill, if any, and such lien may be enforced by execution sale of the property affected. In every such action the amount paid or secured to be paid under prior laws as damages shall be considered and proper allowance made therefor. The authority hereby granted to bring such actions shall not be construed as precluding the owner from proceeding under the provisions of * * * *chapter 32*. Such owner may not exercise his option to bring such action after condemnation proceedings have been commenced against his property under the provisions of * * * *said chapter 32*.

SECTION 26. Subsection (2) of section 32.07 of the statutes, created by chapter 571, laws of 1919, is amended to read:

(32.07) (2) If the application be by a *town or county, or by a board, commission or public officer, or for the right of way for a railroad or a street or interurban railway up to one hundred feet in width, or a telegraph, telephone or electric line, the petitioner shall determine the necessity.*

SECTION 27. The third sentence from the last sentence of section 32.14 of the statutes, created by chapter 571, laws of 1919, is amended to read:

(32.14) (third sentence from last sentence). If the condemnation be by a public officer or by a board or commission not authorized to take and hold real property such use shall so

vest in the state, county, town or municipality under whose jurisdiction said officer, board or commission is acting.

SECTION 28. Section 32.20 of the statutes, enacted by chapter 571, laws of 1919, is renumbered to be subsection (1) thereof and a new subsection to be numbered subsection (2) is added to read:

(2) Any condemnation proceedings authorized under any local or special law of the state shall be conducted under the procedure provided in this chapter.

SECTION 29. Subsection (12) of section 34.02 of the statutes, created by chapter 389, laws of 1919, is renumbered to be subsection (13) of said section.

SECTION 30. The fourth sentence of subsection (1) of section 40.02 of the statutes, as amended by chapter-----, laws of 1919, vetoed (Bill No. 406, S.) is amended by inserting after the word "interested" and before the word "within" the following words "and with the county or district superintendent of schools."

SECTION 31. Subsection (4) of section 45.11, created by chapter 542, 1919, is amended by striking therefrom the words "who shall hold office at the pleasure of the judge making the appointment."

SECTION 32. Renumber subsection (17) of section 59.07, as enacted by chapter 695, laws of 1919, to be subsection (18).

SECTION 33. Subsection (27) of section 670, of the statutes, enacted by chapter 204, laws of 1919, is renumbered to be subsection (17) of section 59.07 and is amended by striking therefrom the word "to" where said word appears between the words "more" and "regulate" and by inserting in lieu thereof a comma.

SECTION 34. Subsection (3) of section 59.09 of the statutes, as enacted by chapter 695, laws of 1919, is amended by striking therefrom the words "in pamphlet form" at the place where said words appear the second time in said subsection.

SECTION 35. Section 59.22 of the statutes, as enacted by section 72 of chapter 695 of the laws of 1919, and section 721 of the statutes, as amended by chapter 220 of the laws of 1919, are consolidated and revised to read:

59.22 LIABILITY FOR APPOINTEES' ACTS; BONDS.

(1) Except as provided otherwise in subsection (3), the sheriff shall be responsible for every default or misconduct in office of his undersheriff, jailer and deputies during the term of his office, and after the death, resignation or removal from office of such sheriff as well as before; and an action for any such de-

fault or misconduct may be prosecuted against such sheriff and his sureties on his official bond or against the executors and administrators of such sheriff.

(2) The sheriff may require his undersheriff, jailer and every deputy who is not required by subsection (3) to furnish an official bond, before entering upon the duties of his office, to execute and deliver to him a bond in such sum and with such sureties as he may require, conditioned for the faithful performance of his official duties; and every default or misconduct of such undersheriff or deputy for which the sheriff shall be liable shall be a breach of such bond.

SECTION 36. Section 720a of the statutes, enacted by chapter 220, laws of 1919, is renumbered to be subsection (3) of section 59.22 and is amended to read:

(59.22) (3) * * * In counties having a population of two hundred thousand or more, the sheriff shall not be responsible for the acts, defaults or misconduct in office of either his jailer or his deputies, except where such deputy or jailer acts under the express direction of the sheriff. Each *such* deputy and jailer shall execute and * * * *file an official bond* * * * and * * * shall be liable for his acts, defaults or misconduct in office in the same manner and to the same extent that the sheriff and his executors and administrators would otherwise be liable, and actions therefor shall be prosecuted directly against such deputy or jailer and the surety on his official bond.

SECTION 37. Subsections (2) and (3) of section 59.46 as enacted by chapter 695, laws of 1919, are repealed; and subsection (4) of said section is renumbered to be subsection (2).

SECTION 38. Section 59.48 of the statutes, enacted by chapter 695, laws of 1919, is amended to read:

59.48 NOT TO BE CITY ATTORNEY; EXCEPTIONS.
It shall be unlawful for any district attorney of *any county having a population of thirty-five thousand or more* to hold the office of or act as city attorney of any city in the county of which he is district attorney, except pursuant to contract entered into prior to June 1915. If any district attorney violates the provisions of this section, his office of district attorney shall be deemed vacant.

SECTION 39. Section 59.57 of the statutes, enacted by chapter 695, laws of 1919, is repealed and section 764 of the statutes, enacted by chapter 296, laws of 1919, is renumbered to be section 59.57 FEES, and is amended by striking therefrom all of subsections (9) and (11) and by renumbering subsection

(10) to be subsection (9), subsection (12) and (13) to be subsections (10) and (11), respectively, and the last paragraph to be subsection (12) of said section.

SECTION 40. Subsection (6) of section 59.15 of the statutes, as enacted by chapter 695, laws of 1919, is repealed and subsection (11) of section 764, enacted by chapter 296, laws of 1919, is renumbered to be subsection (6) of said section 59.15.

SECTION 41. Section 59.70 of the statutes, created by chapter 695, 1919, and subsection (24) of section 670, as amended by chapter 460, 1919, are consolidated as section 59.70 and are revised to read:

59.70 ISOLATION HOSPITALS. (1) In counties having a population of thirty thousand or more the county board may erect, establish and maintain isolation hospitals or places for the care and treatment of all persons afflicted with infectious, contagious and communicable diseases, requiring isolation and quarantine under the laws of the state, who are inmates of the charitable, penal, correctional and other institutions of said county or who are required to be cared for and treated at the expense of said county. The board may also provide for the care and treatment therein of all persons so afflicted, who are required to be cared for by the various towns cities and villages in said counties, under such terms, conditions, rules and regulations, as to apportionment of cost of erecting of such buildings and places and the expense of care and treatment of such persons afflicted, as may be agreed upon between the county board and the common council of such cities and the boards of such villages and towns, and each such council or board is hereby vested with power and authority to enter into such contracts and to appropriate such funds as may be necessary to carry into execution all contracts so made.

(2) All isolation hospitals and other places, when so erected or established in counties having a county board of administration, shall be conducted under the control and management of said board in the same manner and to the same extent as other institutions under the control of such board, and in other counties such isolation hospitals and other places shall be conducted under the control and management of the county board. Any resident of this state not indigent may be received into, treated and cared for in such isolation hospital or other place upon such terms and conditions and at such rate or pay as may be established and fixed by the board having charge of such isolation hospital or other place; provided, however, that indigent and destitute sick persons shall be cared for and have preference of admission to such hospitals and places.

SECTION 42. Section 59.74 of the statutes, enacted by chapter 695, laws of 1919, is amended by striking therefrom the word "having" where the same appears immediately before the word "institutions" and by inserting in lieu thereof the word "banking".

SECTION 42a. Section 59.86 of the statutes, created by chapter 695, 1919, is amended by striking therefrom all of the last sentence commencing with the word "Provided".

SECTION 42b. Chapter 641, of the laws of 1919, is repealed.

SECTION 43. The last phrase of subsection (3) of section 60.05, enacted by chapter 551, laws of 1919, is amended to read: " * * * or less than thirty-six sections in area".

SECTION 44. Subsection (7) of section 776 of the statutes, as enacted by chapter 407, laws of 1919, and subsection (7) of section 60.18 of the statutes, as enacted by chapter 551, laws of 1919, are consolidated and revised to be subsection (7) of said section 60.18 and to read:

(60.18) (7) BONDS FOR BRIDGES AND ROADS. (a) To authorize the town board to issue and negotiate in the manner provided by law bonds of the towns for amounts and purposes specified and limited as follows:

First. Not exceeding five thousand dollars in the aggregate for the purpose of defraying the expenses of building any bridge over any stream in such town when the cost thereof will exceed the sum of two thousand dollars;

Second. Not exceeding ten thousand dollars in the aggregate for the purpose of defraying the expenses of building roads;

Third. Any sum not exceeding the constitutional limitation of the town's indebtedness for the purpose of defraying the expense of building roads when the town is located in a county containing a city of the first or second class.

(b) Such bonds may be made payable with interest at different times but the maturity of bridge bonds shall not exceed ten years and the maturity of road bonds shall not exceed twenty years from the date thereof. The power conferred by subsection (5) and this subsection shall not be exercised at any such town meeting unless the town board shall have given notice of its intention to present the proposition to such meeting as is required in the case of special town meetings, nor unless the resolution or order to be voted upon containing the particulars specified by section 60.63 shall be first publicly read to such meeting before the vote thereon shall be taken, nor shall any action be taken under this subsection unless seventy-five per cent of the electors present at such meeting vote in favor of the resolution or order.

SECTION 44a. Subsection (9) of section 60.18 of the statutes, as enacted by chapter 551, laws of 1919, is repealed; and subsections (10) to (16), both inclusive, of said section 60.18, are renumbered to be respectively, subsections (9) to (15), both inclusive.

SECTION 44b. Subsection (4) of section 731 of the statutes, as amended by chapter 689, 1919, and subsection (4) of section 59.28, renumbered by section 78 of chapter 695, 1919, are consolidated as subsection (4) of section 59.28 and are revised to read:

(59.28) (4) Making a copy of any bond or undertaking, summons, writ, complaint or other paper served or taken, when required by law or demanded by a party, and when not furnished by a party to the action or his attorney, ten cents per folio.

SECTION 45. Subsection (12m) of section 776 of the statutes, created by chapter 264, laws of 1919, is renumbered to be subsection (16) of section 60.18, created by chapter 551, laws of 1919.

SECTION 46. Subsection (14) of section 60.29 of the statutes, enacted by chapter 551, laws of 1919, is repealed; and subsections (15) to (18), both inclusive, of said section are renumbered to be respectively subsections (14) to (17), both inclusive, and subsection (20) of said section is renumbered to be subsection (19) of said section.

SECTION 47. Subsection (19) of section 60.29 of the statutes, enacted by chapter 551, laws of 1919, is renumbered to be subsection (21) of said section.

SECTION 48. Subsection (13a) of section 776 of the statutes, created by chapter 261, laws of 1919, is renumbered to be subsection (18) of section 60.29 as created by chapter 551, laws of 1919, and the first clause beginning with the first word, namely, the word "In" and ending with the word "duties" which precedes the first semicolon is amended to read:

(60.29) (18) (First clause) *To establish a fire department in any town which contains a population of not less than three hundred and * * * which has therein one or more unincorporated villages, when authorized by resolution * * * adopted by ballot at any town meeting; * * * to appoint the officers and members thereof, and prescribe and regulate their duties;*

SECTION 49. Section 819g of the statutes, created by chapter 380, laws of 1919, is renumbered to be subsection (20) of section 60.29 as created by chapter 551, laws of 1919.

SECTION 50. Section 60.31 of the statutes, created by chapter 551, of the laws of 1919, is amended by striking out the words and figures "sections 909a, 909b, and 909c", and by inserting in lieu thereof the word and figures "section 61.43".

SECTION 51. Section 60.40 of the statutes, created by chapter 551, laws of 1919, is repealed and a new section of the statutes is created to be numbered and to read:

60.40 RELOCATION AND PERPETUATION OF SECTION CORNERS. All expense and cost incurred under and pursuant to section 59.63 shall be apportioned by the town clerk and collected as therein directed.

SECTION 52. Section 60.63 of the statutes, as enacted by chapter 551, laws of 1919, is renumbered to be subsection (1) of said section and section 778a, enacted by chapter 511, laws of 1919, is renumbered to be subsection (2) of said new section 60.63.

SECTION 53. Subsection (12a) of section 670 of the statutes, created by chapter 598, laws of 1919, is renumbered to be section 45.055. Said subsection is further amended by striking from the end thereof the following language: "such condemnation proceedings shall be substantially in the form and according to the practice prescribed for the condemnation of lands in sections 694c, 694d, and 694e of the statutes;" also by striking from the text thereof the figures "658" and inserting in place thereof the figures "59.90."

SECTION 53a. Section 937e—1 of the statutes, created by chapter 598, laws of 1919, is renumbered to be section 45.056 and is amended as follows:

By striking out the words "or any county" and also the words "or county" in subsection 1, and by inserting the word "or" before the word "village" where that word is used the second time in said subsection.

By striking out the words "or county" at each of the two places where they appear in subsection 2 and by inserting the word "or" before the word "village" at each of the two places where the word "village" appears in said subsection.

By striking out the words "or county" in subsection 3 and by inserting the word "or" before the word "village" in said subsection.

By striking out the words "or county" in subsection 4 and by inserting the word "or" before the word "village" in the second sentence of said subsection.

By enclosing subsection numbers in parentheses.

SECTION 53b. Subsection 1 of section 937e—2 of the statutes, created by chapter 598, laws of 1919, is renumbered to be subsection (5) of section 45.056 and is amended as follows:

By striking out the words "or county" in each of the two places where those words appear in said subsection, and by inserting the word "or" before the word "village" at each of the two places where that word appears in said subsection.

By striking out the whole of subsection 2.

SECTION 53c. Section 937e—3 of the statutes, created by chapter 598, laws of 1919, is renumbered to be section 45.057 and is amended as follows:

By enclosing the subsection numbers in parentheses.

By striking out the whole of subsection 2.

By striking out the word "county" at each of the two places where it appears in that part of subsection 5 which precedes the semi-colon in the first sentence, and by striking out the words "one by the county board" immediately following said semicolon.

By striking out the word "three" in the first sentence of said subsection 5 and inserting the word "four" in place thereof.

By striking out the last sentence of subsection 6.

By striking from subsection 7 the words "any of the subsections of section 937e—1" and inserting in place thereof the following matter: "section 45.056."

SECTION 53d. Section 649—19f, created by chapter 598, laws of 1919, is renumbered to be subsection (5) of section 21.61.

SECTION 54. Subsection 2 of section 663a of the statutes, as amended by chapter 494, laws of 1919, and paragraph (c) of subsection (1) of section 59.03, as enacted by section 11 of chapter 695, laws of 1919, are consolidated as paragraph (c) of subsection (1) of section 59.03 and are revised to read:

(59.03) (1) (c) Each such supervisor shall be paid out of the county treasury fifteen hundred dollars per annum, except the chairman of the board who shall be paid eighteen hundred dollars. They shall receive no further compensation for services rendered in their official capacity.

SECTION 55. Section 764a of the statutes, created by chapter 584, laws of 1919, is renumbered to be section 2214a. FORMS APPROVED AND RECOMMENDED: RECORDING FEES.

SECTION 56. Subsection 4 of section 925—112m of the statutes, created by chapter 438, 1919, is amended by striking out all of said subsection following the word "vacancy" where the same occurs in the fourth line and by inserting in lieu thereof the following: "is filled as provided by law."

SECTION 57. Section 925—170a of the statutes, created by chapter 498, laws of 1919, is amended to read:

Section 925—170a. Cities of the second, third and fourth classes operating * * * *sewage disposal plants, may upon a three-fourths vote of the council, * * * acquire lands lying beyond the limits of said cities * * * for the purposes of such plants or for the purpose of carrying away the discharge from the said tanks. * * **

SECTION 58. The last sentence of subsection (30) of section 61.34 of the statutes is amended to read:

(61.34) (30) (Last sentence) The provisions of subsection (4) of section * * * 61.42 shall apply to assessments made under the provisions of this * * * *subsection.*

SECTION 59. Section 1211—465 of the statutes created by chapter 515 of the laws of 1919 is renumbered to be section 1211—46m; and said section is amended by striking from the text thereof the figures "1211—465" at each of the two places where said figures appear and inserting in place thereof the figures "1211—46m."

SECTION 60. Section 1226b of the statutes, as amended by chapter 571, laws of 1919, is repealed; and subsection (2) of section 1223 of the statutes is amended by striking from the end thereof the word and figures "section 1226b" and by inserting in lieu thereof the word and figures "chapter 32."

SECTION 61. Subsection 2 of section 1240 of the statutes, as enacted by chapter 518, laws of 1919, is amended by striking therefrom the figures "1252 (1911)" and inserting in lieu thereof the figures and letter "1252m."

SECTION 62. Section 1310a of the statutes, created by chapter 639, laws of 1919, is amended to read:

Section 1310a. Whenever the county board of supervisors of any county having a population of two hundred fifty thousand or more shall intend to lay out, open, widen or extend any highway, in or through any town or towns in said county for the purpose of improving the same and placing the same on the system of prospective state highways or the state trunk highway system and it shall be necessary to take private property therefor, they shall cause an accurate survey and plat thereof to be made and filed with the county clerk, and they may * * * *acquire the necessary land therefor.* The provisions of section 1263 shall not be applicable to any proceedings brought hereunder. *If such highway is layed out, opened and widened or extended to a greater width than sixty-six feet any assessment of benefits shall not include such additional width.*

SECTION 63. Section 1310b of the statutes, created by chapter 639, laws of 1919, is repealed.

SECTION 64. Section 1310c of the statutes, created by chapter 639, laws of 1919, is renumbered to be section 1310b and is amended to read:

SECTION 1310b. The county board, upon the * * * *completion* of the * * * *condemnation proceedings* may enact an ordinance laying out, opening, widening or extending said highway, and shall thereupon be entitled to enter upon such land upon the payment to the owner of the excess, if any, of the total damages over benefits awarded him by such award or appraisal, or such excess of damages be set apart for him in the hands of the county treasurer, and a county order therefor lawfully executed to the owner of said lands be deposited with the county clerk to permanently remain subject to the order of such owner. * * * Any highway, or part thereof, acquired under the provisions hereof, shall thereafter be maintained at the expense of the county as other county highways.

SECTION 65. Section 1310d of the statutes, created by chapter 639, laws of 1919, is renumbered to be section 1310c.

SECTION 66. Subsection 2 of section 1368—20 of the statutes, created by chapter 446, laws of 1919, is amended to read:

(Section 1368—20) 2. Where a drain, heretofore, or hereafter constructed privately or in attempted compliance with any statutory procedure, except drainage district drains, shall be included in any "drainage" petitioned for or consolidated with any "drainage" organized under * * * *the farm drainage law* the court may, upon hearing after notice given order it to become a part thereof or consolidated with such "drainage" on such terms as may be just.

SECTION 67. Section 1368—30 of the statutes, created by chapter 446, laws of 1919, is amended by striking therefrom the following figures and word "1379—33, 1379—34; 1379—35, 1379—36, 1379—37, 1379—38 and 1379—39;" and by inserting the word "and" between the figures "1379—32b" and "1379—32c."

SECTION 68. Section 1379—10r of the statutes enacted by chapter 557, laws of 1919, is amended to read:

Section 1379—10r. * * * Any district * * * may acquire * * * lands or property rights either within or without the district, * * * *whenever such acquisition shall become necessary.*

SECTION 68a. Section 1458—10 of the statutes, created by chapter 596, laws of 1919, is renumbered to be section 1458—9;

and subsection 1 of section 1458—10 of the statutes is amended by striking out the seventh sentence thereof relating to the filling of vacancies.

SECTION 68b. The sentence requiring an official oath in subsection 1 of section 1458—10, created by chapter ____ laws of 1919, vetoed, is amended to read:

(Section 1458—10) 1. (Sentence) * * * each of said members shall take *and file* the * * * *official* oath. * * *

SECTION 68c. Subsection 5 of section 1458—11 of the statutes, created by chapter 693, 1919, is amended by striking therefrom all that matter following the words "July first" in the last sentence of said subsection.

SECTION 69. Subsection 2 of section 1495—5 of the statutes, created by chapter 670, laws of 1919, is amended to read:

(Section 1495—5). 2. * * * The director shall * * * *execute* and file * * * an official bond in such sum as the commissioner of agriculture may deem necessary. * * * The board, upon the recommendation of the director may require * * * *any* employe * * * in the division of markets * * * *to execute and file an official* bond in such amount * * * as may be deemed necessary * * * *to insure* the faithful performance of * * * *his* duties. The * * * *cost* of such bond * * * shall be paid * * * from the appropriation for the division of markets.

SECTION 70. Section 1731 of the statutes created by chapter 502, 1919, is amended by striking therefrom the last sentence relating to filling of vacancies.

SECTION 71. Subsection (2) of section 1797t—13, created by chapter 442, laws of 1919, is amended by striking therefrom the figures and word "1797b—1 to 1797b—12" and by inserting in place thereof the figures and word "1797t—1 to 1797t—12".

SECTION 72. Section 1819 of the statutes is amended by striking out the section number "1798" and inserting in place thereof the section number "1798a".

SECTION 73. The last part or clause of the first sentence of section 1947a of the statutes is amended to read:

(Section 1947a) (last clause of first sentence) and when accidental death benefits are contained in separate and distinct contracts issued in conjunction with such policies and valued under the provisions of *subsection 3 of section * * * 1950d, * * * paragraph (g) of subsection 1 of section * * * 1950 and section 1960, except * * * paragraph (2) of subsection 12, shall not apply.*

SECTION 74. Section 2435 of the statutes as amended by chapter 476, laws of 1919, is renumbered to be section 1435.

SECTION 75. A new subsection is added to section 4971 of the statutes to be numbered and to read:

(Section 4971) (27) The word "population" when used in connection with a classification of towns, villages, cities or counties for the exercise of their corporate powers or for convenience of legislation, means the population of such towns, villages, cities or counties according to the last national census.

SECTION 76. Section 1 of chapter 2 of the special session of the legislature, held in September, 1918, as amended by chapter 621, laws of 1919, is renumbered to be section 943f—1 of the statutes; and section 2 of said chapter 2 is renumbered to be section 943f—2 of the statutes.

SECTION 77. Chapter 83 of the laws of 1919 is amended by striking from the title of the act the words and figures "To create section 1047c of the statutes"; and by striking from section 1 of the act the following words and figures "A new section is added to the statutes to read: Section 1047c".

SECTION 78. Chapter 513 of the laws of 1919, is amended by striking from the title the words and figures "To create section 851t of the statutes"; and by striking from section 1 of the act the following words and figures "A new section is added to the statutes to read: Section 851t."

SECTION 79. Chapter 530, laws of 1919, is incorporated in the statutes and renumbered to be section 1729t and its several sections are to be renumbered to be subsections of said section 1729t as follows:

Section 1 is renumbered to be subsection (1).

Section 2 is renumbered to be subsection (2).

Section 3 is renumbered to be subsection (3).

Section 4 is renumbered to be subsection (4).

Section 5 is renumbered to be subsection (5).

Section 6 is renumbered to be subsection (6).

Section 7 is renumbered to be subsection (7).

And said section 1, renumbered to be subsection (1), is amended by striking therefrom the next to the last sentence.

Section 8 of said chapter 530 is renumbered to be section 20.575 of the statutes.

SECTION 80. Section 4 of chapter 551, laws of 1919, is amended by striking out the parentheses and figures "(671)" in both places where they occur.

SECTION 81. Section 3 of chapter 628, laws of 1919, is repealed.

SECTION 82. Section 32 of chapter 691, laws of 1919, is amended by striking therefrom the word "last" located between the word "the" and the word "sentence" and by inserting in place thereof the word "following".

SECTION 83. Section 53 of chapter 691, laws of 1919, is amended by striking out all of said section after the figures "53" and by inserting in lieu thereof the following: "The first two sentences of section 912 of the statutes, as amended by chapter 443, laws of 1919, are renumbered to be section 61.47 ADDITIONAL FOR HIGHWAYS. And the first sentence of section 912 is further amended by striking therefrom the following: 'section 68 of this act (section 914a)', and by inserting in lieu thereof the following matter, namely: 'subsection (2) of section 61.46'."

SECTION 84. Section 53a of chapter 691, laws of 1919, is amended by striking out all of said section after the figures and letter "53a" and by inserting in lieu thereof the following: "The last sentence of section 912 of the statutes, as amended by chapter 443, laws of 1919, is renumbered to be section 61.48 FOR HIGHWAYS LEADING INTO VILLAGE."

SECTION 85. Section 91 of chapter 695, laws of 1919, is amended by striking therefrom the figures "59.37" at each of the two places where said figures appear and by inserting at each of said places the figures "59.39".

SECTION 86. Section 169 of chapter 695, laws of 1919, is amended by inserting after the subsection designation "(6)" the following words: "and by inserting in each place of the word so stricken out the word 'section'";

SECTION 87. This act shall take effect upon passage and publication.

Approved July 30, 1919.