

chattel mortgage, either on cognovit or otherwise, except in an action brought for that purpose with process served in the manner by law provided upon all the persons to be charged with such deficiency judgment. In such action the court shall find the reasonable value of the chattels sold at the time of sale and the sum then due on such obligation, including all proper costs and charges, and upon such findings shall grant the deficiency or deny a deficiency if none appears due.

(2) On a judgment taken upon such an obligation prior to foreclosure, no execution, garnishment or other process shall issue after foreclosure of the chattel mortgage, unless prior to the issue of such process, the holder of the judgment shall apply in that action for and have entered an order of the court determining the reasonable value of the chattels sold at the time of the sale. A 5-day written notice of such application shall be served on all the judgment creditors in the manner provided for serving notice in section 278.105. On such application the court shall order the judgment reduced by the amount it shall determine to have been the reasonable value of the chattels at the time of the foreclosure sale, less the costs and expenses of the sale.

(3) Any execution, garnishment or other process issued in violation of the preceding paragraph hereof shall be void, and in any proceeding to quash such process, the judgment debtor may be awarded an attorney fee not to exceed \$50 in addition to his costs and disbursements.

(4) No waiver of the provisions of this section shall be valid, except by written agreement, for consideration, after default.

Approved June 28, 1943.

No. 368, S.]

[Published July 1, 1943.]

CHAPTER 379.

AN ACT to create 20.17 (1) (aa) of the statutes, relating to the allotment from the appropriation of the department of public welfare for a petty cash fund for the payment of such items.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

20.17 (1) (aa) of the statutes is created to read:

20.17 (1) (aa) Of the appropriation made in paragraph (a), there is allotted such sum as may be sufficient to maintain a

petty cash fund of \$100 for the payment of petty cash items, without first submitting them to the secretary of state for audit and approval, to be expended and accounted for insofar as applicable as provided by section 20.175 (3).

Approved June 28, 1943.

No. 375, S.]

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CHAPTER 380.

AN ACT to amend 60.30 (1) and 196.01 (1) and (2) 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. 60.30 (1) of the statutes is amended to read:

60.30 (1) Town sanitary districts may be created for the purpose of purchasing, establishing or constructing surface or storm water sewers, drainage improvements, sanitary sewers, or a system or systems of waterworks, sewerage, garbage or refuse disposal or all of such improvements or any combination thereof, within a town or towns or portions thereof; and *to that end may sue and be sued*. The * * * *definitions* in section 144.01 are applicable hereto. The term "sewerage" as used in sections 60.30 to 60.309 shall be considered a comprehensive word, including all constructions for collection, transportation, pumping, treatment and final disposition of sewage.

SECTION 2. 196.01 (1) and (2) of the statutes are amended to read:

196.01 (1) As used in chapters 196 and 197, unless the context requires otherwise, "public utility" means and embraces every corporation, company, individual, association, their lessees, trustees or receivers appointed by any court, and every *sanitary district*, town, village or city that may own, operate, manage or control any toll bridge or any plant or equipment or any part of a plant or equipment, within the 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. No cooperative association organized under chapter 185 for the purpose of producing or furnish-