

No. 382, A.]

[Published June 21, 1907.]

CHAPTER 264.

AN ACT to amend section 823, of the statutes, as amended, relating to the issuing of town orders.

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

SECTION 1. Section 823, of the statutes, is amended to read:

* * * * *

Approved June 19, 1907.

(In effect July 1, 1907.)

No. 366, A.]

[Published June 21, 1907.]

CHAPTER 265.

AN ACT to amend section 1802, statutes of 1898, as amended, relating to connection with railway tracks.

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

SECTION 1. Section 1802, statutes of 1898, as amended by chapter 386, laws of 1905, is amended to read:

* * * * *

Approved June 19, 1907.

(In effect July 1, 1907.)

town board may administer oaths or affidavits in all matters or proceedings coming before such board.

(Ch. 55, 1907.)

Numbering and contents of town orders. SECTION 823.

1. The amount of any account audited and allowed by the town board shall be paid by the town treasurer on the order of the board signed by the chairman and countersigned by the clerk, and all orders issued to any person or persons by the town board for any sum due from such town shall be receivable in payment of town taxes in said town. But no order shall be signed or issued for the disbursement of any money of such town until the tax for the payment of such order shall have been voted by the electors of such town or until the town board shall have authorized the issue of such order; and no town board shall authorize the issue of any order in a sum exceeding the amount which the town is authorized to appropriate for the purpose for which such order is issued. Any person whose claim has been allowed in part may receive the order drawn for the part so allowed without prejudice to his right of action against such town, as to the part disallowed.

2. *Each order shall be numbered consecutively as drawn, and state the purpose for which said order was issued, the fund against which said order was drawn, the amount appropriated to such fund, and the amount of said appropriation remaining in excess of the total sum drawn against such fund at the time of the issue of said order.*

3. If the electors at the last preceding town meeting shall have voted in favor of having town orders draw interest, the clerk of said town shall, in drawing said orders, plainly state upon the face of said orders the rate of interest fixed by vote of the electors as aforesaid and the said orders shall draw interest at the rate named until the first day of March following the date of issue and shall continue to draw interest thereafter if presented for payment to the town treasurer during the month of March succeeding the date of issue and payment of said order refused by said treasurer.

4. At the time of paying any town order or receiving the same in payment of taxes, the town treasurer shall endorse upon the back of said order date of paying or receiving the same the amount allowed as interest, which interest may be considered as a portion of the current expenses of said town.

5. No interest bearing town order hereafter issued shall be sued upon for the purpose of securing judgment against the

town upon the same unless such order shall have been presented to the town treasurer for payment during the month of March preceding the beginning of such action and payment of said order refused by said treasurer.

6. Every supervisor, chairman or clerk violating the provisions of this section shall forfeit not less than twenty-five nor more than one hundred dollars.

(Ch. 264, 1907.)

Landmarks: town meetings may substitute iron pipes.

SECTION 825m. The town meeting is authorized by resolution to substitute for the monuments provided in section 825, statutes of 1898, three inch iron pipes not less than one-quarter inch in thickness and three feet long, either galvanized or coal-charred to prevent rust, and having screwed to the top thereof a flat plate engraved as required in said section 825, and having a plate or other suitable anchor at the lower end thereof.

(Ch. 83, 1907.)

Town justices given village police justice powers. SECTION 845m. Justices of the peace in towns in all cases arising under the ordinance and by-laws of such town shall have all of the powers now given to police justices in incorporated villages.

(Ch. 338, 1907.)

Village incorporation: population, territory, name, legalization of acts. SECTION 854. Any part of any town or towns, not less than one-half square mile in area and not included in any village and all lying in the same county, which shall contain a resident population of not less than three hundred persons thereon, or any part of any town or towns, not less than one square mile in area and not included in any village and lying in two or more adjoining counties and which shall contain a resident population of at least four hundred persons to every square mile thereof, may, upon compliance with the conditions of this chapter, become incorporated as a village by such name as may be designated in the order of the court for its incorporation, with the ordinary powers of a municipal corporation and such as are conferred by these statutes. All villages incorporated under the provisions of section 854 of the revised statutes of Wisconsin for 1878, before the 29th day of April, 1877, are declared to be duly and legally incorporated and the official acts of the officers thereof legalized.

(Ch. 17, 1907.)