

to be enclosed or fenced in on all sides by a barrier at least eight feet in height. If a building in course of construction is five stories or more in height, no lumber or timber needed for such construction shall be hoisted or lifted on the outside of such building.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 19, 1909.

No. 585, A.]

[Published May 20, 1909.]

CHAPTER 164.

AN ACT to amend section 486a of the statutes, relating to township libraries.

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

SECTION 1. Section 486a of the statutes is amended to read: Section 486a. 1. The treasurer of every county in this state shall withhold annually from the apportionment received from the school fund, or other income for school districts, an amount equal to ten cents per capita for each person of school age residing in towns, villages and cities of the fourth class in the county, said money to be expended for the purchase of library books, as hereinafter provided.

2. *In the certificate of apportionment of the common school fund made annually by the state superintendent to the county clerk and county treasurer of each county there shall be included a statement of the number of persons of school age in each town, village and city of the fourth class in the county.*

3. Between the first days of April and September of each year the county, district or city superintendent of schools shall provide for the expenditure of all moneys withheld by the county treasurer for the purchase of library books, said books to be selected from the list prepared by the state superintendent and to be distributed among the districts under his supervision the school houses of which are located in his county or superintendent district, in the proportion to the amount of money withheld from each. *In case a school district is located in more than one county or superintendent district, the superintendent of the county or superintendent district in which the school house is located shall provide for the expenditure of the total sum withheld from such joint school district, in accordance with the provisions of this act.*

4. *The superintendents of any two adjoining counties shall on or before December first of each year by conference or correspondence determine upon the balance of township library money which must be transferred from the treasury of one county to the treasury of the other county in order that the total amount of township library money over which each county superintendent has control for the purposes of this act may be in the treasury of the county of which he is superintendent. The said county superintendents shall thereupon sign and transmit to the county clerks of the two counties concerned a joint written statement of the balance which is to be paid over from one county to the other, together with a detailed statement of how the balance was determined. The county clerk of the county from which the balance, as above determined, is due, shall on or before March first draw an order upon the county treasurer for the amount of said balance and in favor of the county treasurer of the county to which the balance is due. The county treasurer shall forthwith transmit said sum to the county treasurer in whose favor the order is drawn and the latter shall credit it to the township library fund of the county of which he is treasurer. No order from the county board of supervisors shall be deemed necessary to effect this transfer of township library funds as above provided.*

5. *In case a school district under the jurisdiction of a city superintendent is joint between a city of the fourth class and one or more towns the city superintendent and the county superintendent having jurisdiction over the territory adjacent to the city district shall on or before February first of each year, in a joint statement, certify to the county clerk and county treasurer the number of persons of school age in that part of the city district outside of the city limits. The city superintendent of a city of the fourth class shall provide for the expenditure of the township library money based on the total number of persons of school age in the city district, including such persons in all parts of the city district whether resident within or without the city limits.*

6. *Between December first and February first of each year the teacher or principal of every school under the jurisdiction of a county, district or city superintendent of a city of the fourth class shall report to the proper superintendent on blanks supplied by said superintendent such information regarding the condition and needs of the school library as may be called for by such superintendent. Such report shall include an inventory of all books which have been added to the school library under the provisions of this act since March first last pre-*

ceding the date of the report. Before receiving from the district clerk an order for the last month's salary of the school year the teacher or principal of each school shall report to the district clerk and the county, district or city superintendent such information regarding the school library as the proper superintendent may direct.

7. It shall be the duty of the county or district superintendent to * * * *keep on file in his office a list of books * * * in the library of each school district and to arrange such lists by districts and towns in numerical and alphabetical order. * * * Guided by such lists and other information which may have been obtained regarding the school libraries of the school districts under his supervision, the county or district superintendent shall make a selection for each school district under his supervision, the school house of which is located in his superintendent district, the books to be taken from the lists prepared by the state superintendent. It shall also be his duty to furnish each town clerk, village clerk and clerk of cities of the fourth class under his jurisdiction with a list of the books designated for each district. The county or district superintendent shall also certify to the county clerk the names and numbers of the books selected for each town, village or city of the fourth class under his supervision, the price fixed in the list issued by the state superintendent to be attached in each case and the total cost of such books to be correctly summarized and indicated. City superintendents of cities of the fourth class shall in like manner certify to the county clerk the cost of the books selected for the schools under their jurisdiction. A duplicate copy shall be furnished to the company or firm selected by the state department or commissioned to furnish the books, periodicals, etc., for township libraries. The company or firm shall upon receipt of the list from the county, district or city superintendent fill the order for each town, village or city of the fourth class, as directed, said order when so filled to be sent to the town, village or city clerk. The town, village or city clerk shall immediately upon the receipt of the books from the company or firm compare the order so filled with the list in his possession and shall immediately report to the county, * * * district or city superintendent. If such report is satisfactory and discloses no error or irregularity in the number, kind or condition of the books received, the county * * * district or city superintendent shall notify the county clerk to draw an order upon the county treasurer for the cost of the books so furnished to each town, village or city. If the report is unsatisfactory the proper superintendent shall forthwith re-*

port the fact and the cause thereof to the company or firm supplying the township library books. Such company or firm shall forthwith take steps to rectify any error or irregularity which may have been made in the filling of the order for the books in question.

8. Within three days of the last day of each month the superintendent of each county, district and of each city of the fourth class shall so notify the county clerk, including all orders for which satisfactory reports have been made by the town, village and city clerks. It shall be the duty of the county clerk immediately upon receipt of such notification from the county, district or city superintendent to draw an order upon the county treasurer for the amount so certified. The county treasurer shall thereupon immediately * * * issue a draft in favor of the company or firm for the amount so certified. No order from the county board shall be deemed necessary in the payment of the amount due for books purchased as above specified.

9. The express charges and postage on books purchased under the provisions of this act shall be paid by the town, village or city receiving them.

10. The town clerk shall immediately on receipt of the books purchased under the provisions of this act distribute such books to the clerks of the various school districts or, if the school is in session, to the teacher or principal of such school. The district clerk or the teacher, as the case may be, shall, at the time the books are delivered, sign and deliver to the town clerk a receipt specifying therein the titles of the books and the date on which they were delivered. Such books shall go to each school district as are designated by the county or district superintendent. For this service the town clerk shall be paid such sum, not exceeding two dollars per day, out of the funds of the township, as shall be determined by the town board of supervisors. Village and city clerks who receive books under the provisions of this act shall, without unnecessary delay, transmit such books to the principal or superintendent of the schools of the village or city.

11. The board of directors of any free public library and the school board or the board of education of any school district, town, village or city in which a free public library is provided for and maintained, may make such exchanges and loans of books as said officers shall agree upon for the purpose of increasing the efficiency of both libraries and insuring the best service to the schools and all citizens.

12. The state superintendent shall have authority to suspend the operation of this act in any school district, * * * or sub-district within which there is maintained a free public library, or for any school district or sub-district located wholly or in part in any incorporated village or city within which there is maintained a free public library, provided there has been expended by the board of said free public library in the purchase of library books suitable for children in the elementary school grades, during the year ending June 30th next preceding the date of the application for suspension, a sum equal to the sum which would be released by the suspension of the township library law, as certified by the Secretary of the Free Library Commission, the amount so expended by said board of the free public library for any one year not to be made the basis of such suspension for more than one year, and * * * provided further that the clerk or secretary of the board of education of the school district for which the operation of the township library law is suspended, the county, district or city superintendent concerned and the county clerk and county treasurer of the county in which the district is located shall be notified of such suspension by the state superintendent.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 19, 1909.

No. 587, A.]

[Published May 20, 1909.]

CHAPTER 165.

AN ACT to grant to cities and counties having a population of two hundred fifty thousand and upwards the right to acquire private property for public uses for parks and other purposes.

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

SECTION 1. It shall be lawful for, and the right is hereby conferred upon cities of the first class and counties in this state having a population of two hundred and fifty thousand and upwards to purchase, acquire, enter upon, take, use and appropriate private property for the purpose of making, enlarging, extending, protecting and maintaining public parks, parkways, civic centers and playgrounds within the limits of such city or county whenever the common council or county board thereof shall by ordinance or resolution determine.