

No. 634, S.]

[Published July 26, 1919.

CHAPTER 627.

AN ACT relating to the state board of health, and making an appropriation.

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

SECTION 1. There is hereby appropriated to the state board of health an amount not to exceed one thousand one hundred twenty-five dollars, as an emergency appropriation, to pay bills incurred prior to July 1, 1919.

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

Approved July 23, 1919.

No. 618, S.]

[Published July 26, 1919.

CHAPTER 628.

AN ACT to renumber section 20.79 as created by chapter 355 of the laws of 1919 to be section 20.795, to renumber paragraph (c) of subsection (3) of section 20.41 of the statutes, as created by chapter 421 of the laws of 1919, to be paragraph (cf) thereof, to renumber paragraph (c) of subsection (3) of section 20.15 of the statutes to be paragraph (c) of subsection (4) of section 20.15; to renumber paragraph (f) of subsection (10) of section 20.38 as created by chapter 197 of the laws of 1919 to be paragraph (g) of said subsection; to renumber paragraph (h) of subsection (18) of section 20.17 created by chapter 453 of the laws of 1919 to be paragraph (i) thereof; to amend section (3) of chapter — of the laws of 1919, subsection (2) of section 12.25 of the statutes, subsection (2) of section 14.13 of the statutes, section 21.73, the introductory paragraph of section 1747e—1, section 113.19, subsection 6 of section 1317m—8, subsection 1 of section 1317m—7, paragraph (3) of section 20.41; paragraph (4) of section 20.06; and paragraph (4) of section 20.55 of the statutes, making sundry corrections in the statutes.

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

SECTION 1. Section 20.79 of the statutes, as created by chapter 355 of the laws of 1919, is renumbered to be section 20.795.

SECTION 2. Paragraph (c) of subsection (3) of section 20.15 of the statutes, as created by chapter 517 of the laws of 1919, is renumbered to be paragraph (c) of subsection (4) of section 20.15 of the statutes.

SECTION 3. Paragraph (c) of subsection (3) of section 20.41 of the statutes, as created by chapter 421 of the laws of 1919, is renumbered to be paragraph (cf) of said subsection.

SECTION 4. Paragraph (f) of subsection (10) of section 20.38 as created by chapter 197 of the laws of 1919 is renumbered to be paragraph (g) thereof.

SECTION 5. On July 1, 1919, the unexpended balance in the appropriation heretofore made by paragraph (d) of subsection (2) of section 20.41 of the statutes, shall revert to the general fund.

SECTION 6. Paragraph (h) of subsection (18) of section 20.17 as created by chapter 453 of the laws of 1919 is renumbered to be paragraph (i) thereof.

SECTION 7. Section 562b is renumbered to be subsection 2 of section 13.05.

SECTION 8. Subsection (2) of section 12.25 of the statutes is amended to read: (12.25) (2) The special counsel provided for by this chapter shall receive a reasonable compensation for his services, not to exceed, however, twenty-five dollars per day for the time actually spent in conducting the proceedings in the trial court or upon appeal, and not to exceed ten dollars per day for the time necessarily expended in preparation therefor. Such compensation shall be audited by the secretary of state, and paid out of the state treasury upon a voucher and upon the certificate of the officer appointing such counsel to the effect that such appointment has been duly made, that the person so appointed has faithfully performed the duties imposed upon him, and that the number of days stated in such voucher have been consumed in conducting such litigation and in preparation therefor. Such compensation shall be charged to the legal expense appropriation provided in subsection * * * 2 of section * * * 20.08.

SECTION 9. Subsection (2) of section 14.13 of the statutes is amended to read: (14.13) (2) When special counsel is employed, a contract in writing shall be entered into between the state and such counsel, in which shall be fixed the compensation to be paid such counsel by the state. The contract shall be executed in behalf of the state by the governor, and shall be filed in the office of the secretary of state. Such compensation shall be charged to the legal expense appropriation provided in subsection * * * (2) of section 20.08.

SECTION 10. Section 21.13 of the statutes is amended to read: (21.13) If any member of the national guard shall be prosecuted by any civil or criminal action for any act performed by such

member while in the performance of his military duty and in pursuance thereof, the action against such member may, in the discretion of the governor, be defended by counsel appointed therefor by the governor upon the recommendation of the attorney-general. The costs and expenses of any such defense shall be audited by the secretary of state and paid out of the state treasury and charged to the legal expense appropriation provided in subsection * * * (2) of section 20.08.

SECTION 11. The first paragraph of section 1747e—1 of the statutes is amended to read: (section 1747e—1) (introductory paragraph) Whenever the attorney-general shall file with any circuit court commissioner of this state a written statement or declaration that he has reason to believe and does believe that a contract, agreement, combination, trust or conspiracy in restraint of trade as defined by section 1747e or 1791j exists or that a violation of said or either of said sections has occurred in this state, or in any locality thereof, it shall be the duty of said circuit court commissioner to issue his subpoena for such persons as may be requested by the attorney-general, requiring them to appear before him at a time and place to be fixed in said subpoena. Said subpoena may also require the production of all papers, books, files, or records in the possession of the person so subpoenaed. It shall not be necessary to pay the persons so subpoenaed any mileage or witness fees in advance but claims for such mileage and fees duly verified and approved by the attorney-general shall be audited and paid out of the state treasury and charged to the appropriation provided by subsection * * * (2) of section 20.08 * * * and shall be at the same rates as provided for witnesses for the circuit court.

SECTION 12. Section 113.19 of the statutes is amended to read: 113.19 In addition to the compensation payable from the state treasury under subsection * * * (2) of section 20.66, each reporter appointed pursuant to section 113.18 in a circuit divided into two or more branches shall be further compensated for his services at the rate of fifty dollars per month, payable out of the treasury of the county embracing such circuit. Such payments shall be made upon affidavit of the reporter and the certificate of the judge with whom the service shall have been performed, showing performance, and filed with the county clerk.

SECTION 13. Subsection 6 of section 1317m—8 of the statutes, is amended to read: (1317m—8) 6. Any portion of the state highway aid allotted to a county and not demanded by improvements authorized before July first of the year succeeding the allotment, shall revert to the state treasury, and is hereby appropriated for

distribution in the next allotment, *which* including the sums reverted under this section, shall not exceed the sum appropriated by subsection * * * (2) of section * * * 20.49 * * * for state aid.

SECTION 14. Subsection 1 of section 1317m—7 of the statutes is amended to read: (1317m—7) 1. The county highway commissioner shall perform all duties required of him by the county board, as well as all the duties that may be required of him by the county committee, and shall do or cause to be done all necessary engineering and examination of roads and bridges designated by the board or its committee for establishment, construction, maintenance or improvement. He may cause any portion of said roads to be relocated when in his judgment, and in the judgment of the county committee, the best interests of the county require such relocation. He shall establish such grades, make such surveys and maps, or cause the same to be made, as he shall deem proper, examine and report as to the condition of roads, bridges and culverts, and make estimates of the cost of improvement of any road or bridge, or the cost of any relocation of any such road or bridge, or part thereof, when required, as well as when he shall deem such procedure reasonably necessary. On request of the county board or county committee, any engineering work specified above may be performed by the Wisconsin highway commission and may be charged at cost to the county. Any moneys paid into the state treasury by any county in payment for engineering work performed by the Wisconsin highway commission shall be credited to and added to the appropriation made * * * by paragraph (d) of subsection (1) of section 20.49. All bridges constructed under sections 1317m—1 to 1317m—15, inclusive, of the statutes shall be built according to the plans and specifications of the state highway commission. Plans and specifications for all roads shall be approved by the state highway commission before work is commenced.

SECTION 15. Paragraph (a) of subsection (3) of section 20.41 is amended by striking out the phrase "section 1494b" and inserting in place thereof the phrase "subsection (2) of section 36.215."

SECTION 16. Subsection (4) of section 20.06 is amended by striking out the phrase "sections 51.29 and 51.30 of the statutes" and inserting in place thereof the phrase "sections 1211—29 and 1211—30."

SECTION 17. Subsection (4) of section 20.55 is amended by striking out the section number "51.31" and inserting in place thereof the section number "1211—31."

SECTION 18. This act shall take effect upon passage and publication.

Approved July 23, 1919.

No. 481, S.]

[Published July 26, 1919.

CHAPTER 629.

AN ACT to amend sections 2024—100 and 2024—102, subdivision (1) of section 2024—106, subsection 1 of section 2024—109, section 2024—112, subdivisions (1) and (7) of section 2024—119, and sections 2024—120, 2024—122, 2024—123, 2024—133 and 2024—134 of the statutes, relating to land mortgage associations; to amend subsection (13) of section 14.42 of the statutes, relating to charges for services rendered by the state treasurer in connection with securities held in trust by him; and to create sections 2024—141 to 2024—146, inclusive, of the statutes, providing for a land mortgage association council and outlining its functions and powers.

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

SECTION 1. Sections 2024—100 and 2024—102, subdivision (1) of section 2024—106, subsection 1 of section 2024—109, section 2024—112, subdivisions (1) and (7) of section 2024—119, sections 2024—120, 2024—122, 2024—123, 2024—133, and 2024—134 and subsection (13) of section 14.42 of the statutes are amended to read: Section 2024—100. As used in sections 2024—100 to 2024—140, inclusive, the phrase "land mortgage association" shall mean a corporation organized as provided in said sections, for the purpose of making loans upon *improved or partially improved* agricultural lands, * * * within this state.

Section 2024—102. Any number of adult resident freeholders of the state, not less than fifteen, may associate to establish a land mortgage association on the terms and conditions and subject to the liabilities hereinafter prescribed. The aggregate amount of the capital stock of any such association shall not be less than * * * *twenty* thousand dollars.

(Section 2024—106) (1) To cause the accounts of the association to be audited once each * * * *year* by the auditing committee;

(Section 2024—109) 1. The auditing committee shall * * * *annually* inspect the securities, cash and accounts of the corporation, and shall at all times supervise the acts of its board of trustees and officers.

Section 2024—112. Said land mortgage association shall have power: (1) To make loans, *the conditions of which shall be ap-*