

service, or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading.

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

Approved June 14, 1929.

No. 150, A.]

[Published June 18, 1929.

CHAPTER 186.

AN ACT to create section 40.86 of the statutes, relating to public schools.

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

SECTION 1. A new section is added to the statutes to read:

(40.86) (1) Each town in counties having a population of two hundred and fifty thousand or more, is declared and constituted a school district, provided, however, that such district shall not be organized and in effect as such until July 1, 1930, or if within six months after the passage of this act a petition shall be filed with the town clerk of such town signed by a number of electors thereof equal to not less than seven per cent of the votes cast therein for governor at the last general election, praying that the question of the creation of such school district be submitted to the electors of such town, in which event the creation of the district shall abide the approval and be determined by a majority vote of the electors voting thereon.

(2) Whenever a referendum shall be petitioned for, as herein provided, and a petition filed therefor, a special election shall be called in the manner provided by law in such town, and the voting thereupon shall be by ballot. The ballots used shall have printed thereon the words: "Town School District—Yes" or the words: "Town School District—No." A separate ballot box shall be provided for the reception of said ballots, and the votes cast shall be counted, canvassed, and a record made, as in the case of votes cast at any election in said town, and if it should appear that a majority of the ballots cast have thereon the words: "Town School District—Yes", then the provisions of this act creating such school district shall become effective as

herein provided, otherwise the same shall have no force or effect therein.

(3) (a) If such school district be created as herein provided, and become effective, the town clerk of such town shall, immediately following July 1, 1930, cause notice to be given to the electors of such town of a meeting of the electors for the purpose of electing the school officers of such district. Such notice shall be made by posting five copies thereof in five public places in said town, and by publishing a copy of said notice in a newspaper circulated in such town, such posting and publication to be at least ten days before the holding of such meeting, and the notice thereof to set forth the day and the hour and the place at which such meeting shall be held.

(b) At such first meeting of such school district a board of five members shall be elected, for terms of one, two, three, four and five years, respectively. Thereafter, at each annual meeting a member of such board shall be elected for a term of five years. Said board shall elect a president, clerk and treasurer for such terms as it shall determine.

(4) When such town school district shall be organized and the district board shall have been elected, the school districts out of which it shall have been formed shall cease to exist as school districts, or bodies corporate, and the title to all property, and the assets of every nature of the school districts out of which it was organized, shall thereupon become vested in the town school district, and all valid existing claims and obligations against and contracts of the said several school districts shall continue to be valid claims and obligations against such town school district. All claims and obligations arising after the formation of the town school district shall be against the town school district. The town school district shall maintain and conduct the schools theretofore maintained and conducted by the several districts, and such other school or schools as it may thereafter provide for such school district.

(5) The town school district organized as herein provided shall be a body corporate and possess the usual powers of a public corporation by the name and style of: "Town School District of the Town of.....", and shall possess and there is imposed upon such town school district all of the powers now possessed by law by the common schools of the state of Wisconsin, including the powers defined by chapter 40 of the statutes.

(6) All such town school districts shall have the authority to borrow money under the condition specified in chapter 67 of the statutes, and shall be entitled to and shall share in the distribution of the common school fund income, and other school funds, in the same manner as school districts maintaining common and graded schools. In case a high school is maintained, the town district school shall be entitled to share as in the case of union free high schools.

(7) The clerk of the school board of each town school district shall on or before the fifteenth day of July of each year make to the state superintendent of public instruction a report stating the number of departments in the schools, total expense for the previous year, and such other information as the state superintendent of public instruction may require.

(8) Upon the formation of a town school district as in this act provided, if there shall be in such territory any joint school district or districts, the same shall be dissolved upon the creation of the town school district and following the election of the town school district board, and that part of the territory of such joint school district which lies within the town school district shall become a part thereof, and thereupon there shall be an adjustment of the assets and liabilities, in the manner provided in section 66.03 of the statutes, of the assets and liabilities of such joint school district and the town school district.

(9) Nothing in this section shall operate to limit in any way or to prevent the annexation to any city of any territory forming any part of such school district.

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

Approved June 17, 1929.

No. 319, A.]

[Published June 18, 1929.

CHAPTER 187.

AN ACT to amend subsection (2) of section 83.08 of the statutes, relating to damages in making improvements to highways in the state and county trunk highway systems.

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

SECTION 1. Subsection (2) of section 83.08 of the statutes is