

sence, or inability arising from any cause, of the municipal judge for the western district of Waukesha county, including application for change of venue on account of prejudice of said judge, or when the said judge for any cause deems it improper for him to hear or try any proceeding of the municipal court of his district, or before him as the judge of said court, he may request the county judge of said county to hold court, and hear and try any matter or proceeding as a court or judge of said western district, and the said county judge is hereby authorized and empowered, upon such request, to hold said municipal court and perform any act thereof as fully as said municipal judge is authorized or empowered to do. In case of the inability of said judge to make such request or in case of a vacancy in the office of said judge, said county judge shall so act and fulfill the duties of such municipal judge at the request of the circuit judge of said county, or the clerk of such municipal court, until such inability shall cease or until such vacancy shall be filled. Said county judge so acting, under request, as municipal judge shall be designated in all proceedings as "acting municipal judge." Whenever said county judge acts as municipal judge for said district, he shall be compensated for his services in like amount and in like manner as county judges are compensated for holding court in other courts as provided in section 2447 of the statutes.

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

Approved May 25, 1917.

No. 270, A.]

[Published May 29, 1917.

## CHAPTER 288

AN ACT to create a new section of the statutes to be numbered 697—61, relating to reclamation and settling of cut over lands, and making an appropriation.

*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 be numbered and to read: Section 697—61. (1) This section shall be known as the "Settlers' Reclamation Act".

(2) There is created in the department of agriculture a settlers' reclamation department. The commissioner of agriculture shall have charge of such settlers' reclamation department, shall administer the provisions of this section and is vested with all necessary power therefor.

(3) The commissioner shall cooperate, as herein provided, with counties that avail themselves of the provisions of this section for the purpose of reclaiming wild and cut over lands therein for bona fide settlers, and shall have supervision over loans from the county reclamation fund raised and deposited as herein provided and over the expenditure of funds loaned therefrom. He shall make such rules and regulations as are necessary to efficiently effect the purposes of this section.

(4) Upon a receipt of a petition therefor signed by not less than twenty-five bona fide settlers of any county, the county board shall examine into and investigate such petition and, if in its judgment the public good will be promoted by granting the request therein contained, the said county board shall cause to be deposited with the state treasurer in the city of Madison, funds to be known as the "-----County Settlers' Reclamation Fund", to be loaned upon proper security to bona fide settlers in said county, as herein provided, for the reclamation of agricultural land by drainage, if necessary, and by removal of such stumps, brush, or fallen or standing timber, as prevent an efficient use of such land for agricultural purposes. Such funds may be raised by appropriation, tax levy, loans, or by the issuance and sale of special improvement bonds issued as provided in this section, subject to the constitutional restriction on county indebtedness; but no county shall raise more than one hundred thousand dollars for such purpose, and funds so raised and deposited shall be used for the purposes herein set forth and for no other purpose, and after the retirement of bonds, if any, issued therefor the surplus shall be paid to the county.

(5) Any bonds issued by any county under this section shall constitute a general county liability and shall be nontaxable, annual interest payment coupon bonds, executed in behalf of the county by the chairman of the county board and countersigned by the county clerk, payable, principal and interest, at the state treasurer's office at the city of Madison, at such time as the chairman of the county board shall determine, but within a period of not less than five years nor more than twenty years from the date of issue. Said bonds may be issued and sold so as to supply the reclamation fund with funds as needed, and so as to avoid payment of interest on idle money.

(6) Moneys raised by any county for the purposes authorized by this section shall be deposited with the state treasurer, to be loaned as herein provided, under the supervision of the settlers' reclamation department of the department of agriculture, and

whenever such funds are turned over to the state treasurer he shall forthwith place them to the credit of the reclamation fund of the county depositing same and shall retain such funds in his custody to be paid out only upon warrant of the secretary of state issued upon requisition approved by the commissioner of agriculture and to pay interest on bonds issued therefor and to pay such bonds as they become due.

(7) In addition to raising and depositing such funds, each county board desiring to avail itself of the services of the settlers' reclamation department shall, at the spring meeting of the county board, appoint a county agricultural representative, as provided in sections 553q—1 to 553q—8, inclusive, of the statutes, unless such county has already appointed such a representative, and the provisions of said sections of the statutes shall apply to and govern the appointment, compensation, state aid and other matters relating to said county agricultural representative. The county representative shall perform the duties imposed by this section in addition to the other duties devolving upon him.

(8) Any person who is the owner of or has under contract a government description of forty acres or more of good agricultural cut over stump lands and who actually occupies such land or is prepared to occupy the same within one year and to farm and cultivate said lands for a period of at least five years, as hereinafter described, may make application in writing to the county agricultural representative of his county, on a form to be furnished by the settlers' reclamation department, to have five acres of such land cleared, stumped, brushed, blasted and otherwise improved and ready for the plow, each year for a period of three years, subject to all the provisions of this section. Such application shall give full information relative to the applicant and to the land, shall embody such agreements and conditions as the reclamation department deems necessary for the benefit of the applicant and the protection of the county reclamation fund and shall be signed by the owner, mortgagee and by all other persons interested in the land to be affected by such improvement, and shall be accompanied by abstract of title and other papers to establish the interest of the signers and to show that all persons interested in such lands have signed. The filing of such application and the recording of the same as herein provided shall constitute notice to all subsequent purchasers of or incumbents upon such land.

(9) Whenever an application is made for a loan for reclamation purposes hereunder and is approved, the reclamation

department shall forthwith forward by registered mail to the register of deeds of the county wherein the lands to be reclaimed are situated a written notice of the application, giving the names of all persons signing the application, a complete description of the lands to be subject to a lien for such reclamation and the amount of the loan requested. The register of deeds shall number consecutively all such notices filed with him and shall index them under the names of the applicants and in the tract index so that the notices may easily be located. No fee shall be charged or collected by any register of deeds for such services.

(10) The county agricultural agent, upon receipt of any such application, shall interview the applicant, fully investigate all matters set forth in the application and shall make such further investigation relative to the applicant and of the lands included therein as may be necessary. If after inquiry and full investigation he finds that the applicant is a bona fide settler or will become one within six months, that answers and statements in the application are true and correct, that the lands included in such application are good agricultural lands, and that the same can be reclaimed at a cost not to exceed forty dollars per acre he shall forthwith forward the application together with his findings thereon and recommendations with respect to the application to the settlers' reclamation department. The said department may thereupon make or cause to be made such further inquiry and investigation as it deems necessary and if the commissioner is satisfied that said lands are good agricultural lands and may be reclaimed as found by the county agricultural representative and is further satisfied with his findings and recommendations, he may approve said application for reclamation to the extent of five acres with the condition that if the applicants comply with all the provisions of this section and the rules and regulations made by him the remaining ten acres will also be reclaimed and shall proceed to enter into such agreements, contracts and arrangements as may be necessary to consummate the reclamation of said five acres. The reclamation department shall advertise for bids for all such work and contracts therefor shall be let to the lowest responsible bidder, unless the commissioner is satisfied that as favorable terms may be otherwise secured. In any case the commissioner may reject any or all bids. No reclamation work or contract therefor shall be paid until the work has been investigated by or for and approved by the reclamation department.

(11) The amount actually expended for reclaiming any land

shall not exceed forty dollars per acre and shall be paid out of the reclamation fund of the county wherein said land is situated, deposited with the state treasurer upon warrant of the secretary of state issued upon requisition by the commissioner of agriculture and shall constitute a special tax lien prior to all other liens except general tax liens on the said lands and shall be paid in twenty equal installments, plus four per cent interest per annum, to be included with the general tax against such lands; but the applicant may at any time within the twenty year period retire the entire indebtedness against his land by paying the principal and interest due thereon to the reclamation department, which department shall turn the same over to the state treasurer with directions to place the same in the county reclamation fund.

(12) If any applicant occupies and cultivates the five acres reclaimed in any year within one year after date of his application, builds thereon and otherwise improves the lands subject to lien for such reclamation and insures all buildings thereon in a manner to be approved by the county agricultural representative and the settlers' reclamation department, then such applicant may have an additional five acres of said land reclaimed as in the case of the original five acres, without additional application, but no more than fifteen acres in all shall be reclaimed for any one applicant.

(13) The county agricultural representative in each county shall fully cooperate with the reclamation department to efficiently carry out and effect the purposes of this section, and each such representative shall make such inquiries and investigations in his county and shall make such reports as the said department may require.

(14) The settlers' reclamation department, on or before the first day of October, each year, shall certify to the secretary of state the exact amount of money expended upon each description of land in each county for reclamation work under this section together with the exact amount of installments plus interest to be collected on each such description for the current year. The secretary of state, upon receipt of such certificate from the settlers' reclamation department, and on or before November first, each year, shall certify to the county clerk of each county the amount due the county for said year for reclamation work done on each description of land therein. The county clerk shall certify the said amounts to the several town clerks in whose towns the said descriptions are situated setting forth the amount chargeable to each description to be placed upon the tax roll and

to be collected as other taxes are collected, and all such moneys collected including the installments due and interest thereon shall be turned back to the state treasurer by the county clerk to be again placed in the settlers' reclamation fund of the particular county.

(15) In case any land subject to a lien for reclamation work done under the provisions of this section is sold for the non-payment of taxes the purchaser of the tax certificate therefor shall be entitled to a tax deed, but such tax title shall be subject to the lien of the county for the amount due it for reclamation work.

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

Approved May 25, 1917.

No. 585, A.]

[Published May 29, 1917.

## CHAPTER 289

AN ACT to amend subsection 10 of section 1317m—7 of the statutes, relating to use of road and bridge funds.

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

SECTION 1. Subsection 10 of section 1317m—7 of the statutes is amended to read: (Section 1317m—7) 10. After final payment is made according to subsection 8 of this section, any sums remaining in the county treasurer's hands belonging to the state or to the town and not required to be spent for the payment of the state's and town's proper share of the cost of construction, shall be placed together with the county's balance available for the work to the credit of the town, and shall be used to increase the fund available for the next piece of construction in the town, *provided that a balance in any bridge fund may be used to increase a road fund, or vice versa, by action of the town board approved by the state highway commission.* No order shall be drawn on the county road and bridge fund for any amount in excess of the amount available for any particular piece of construction, without written authority from the county board or the county committee.

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

Approved May 26, 1917.