

It is a miserly policy that seeks to put money into the scale against popular rights."

In accordance with a very general desire for a change in the county organization, the bill became a law. The town organization, however, remained intact; and as the town with us is more prominent than the county, having in charge the most important local interests, this change in the county organization was of relatively small consequence.

But it was of sufficient moment to secure repeated consideration on the part of succeeding legislatures; and from 1867 on, a series of successful attempts on the part of some counties to secure an organization similar in effect, if not in form, to that which had prevailed from 1849 to 1861. We may take the case of Washington county as an example. There, a special law of 1868 provided for a board of eight members, while its population entitled it to but three under the general law. The question was brought before the supreme court, which decided that the board of eight members was clearly illegal as being hostile to the uniformity in the different counties required by the constitution.¹ But several other counties,² in the two or three years previous to 1870, made similar changes in such manner as to conform to the constitutional provision; at least, the question of the legality of their organization was not brought before the supreme court.

In 1870, the supervisor system was restored. As in 1861, the unconstitutionality of the existing system, as evinced by the wording of the constitution, the debates in the convention, and the manner in which the law was put in force, was urged on one side, while cheapness was the main argument on the other. Representation of each town in the county board was thought necessary to prevent injustice toward any one town and to bring the governing body into closer relations of responsibility to the tax-payers. The transfer of local business from the legislature to the county boards and the consequent reduction of the length of the

¹ State *ex rel.* Peck vs. Riordan and others, 24 Wis., 484.

² Sheboygan, Green and Calumet.