

him than shall be necessary for the payment of his highway taxes he shall be paid for the excess * * * and be allowed to retain the same out of the money that may come into his hands on account of highway tax, but he shall not be allowed to pay his own tax in money. In estimating the time employed he shall not include the time spent by him in collecting such highway tax in money, nor shall he have any claim against the town for any such labor or services. If the amount of money coming into his hands is insufficient to pay him for necessary services as superintendent he shall be entitled to receive from the supervisors a certificate for the amount of such insufficiency, which shall be a good credit and shall be allowed to the holder thereof on account of any subsequent highway tax assessed in said district.

2. In * * * all towns the superintendent shall be paid at the rate of * * * two dollars per day for each day necessarily devoted to the discharge of his duties; his account for his compensation shall be submitted to the supervisors, and on allowance by them *the amount thereof less what should be charged to him for his highway taxes shall be paid out of any moneys in the town treasury received in payment of highway taxes.*

3. But any town board may, in its discretion, and shall whenever a written order therefor has been made by them at or before the time of the appointment of the superintendents of highways allow and pay to the superintendents of highways in their town the excess due them, in money, out of any road and bridge moneys belonging to such town.

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

Approved May 11, 1909.

No. 570, A.]

CHAPTER 106.

AN ACT to amend section 1945e of the statutes, relating to the powers of domestic insurance companies.

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

SECTION 1. Section 1945e of the statutes is amended to read: Section 1945e. Any corporation organized under the laws of this state for the insurance of property against loss or damage by fire and lightning may also insure the same classes of property, subject to the limitations prescribed by the law under

which it was organized or is governed as to the amount of any single risk, against loss or damage by lightning, hail, wind-storms, tornadoes, cyclones, * * * hurricanes, leakage of sprinklers and sprinkler systems, installed or maintained for the purpose of protection against fire and by explosions, whether fire ensues or not; provided the same shall be clearly expressed in the policy, but nothing herein shall be construed to empower such companies to insure against loss or damage to persons or property resulting from explosions of steam boilers.

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

Approved May 11, 1909.

No. 791, A.]

[Published May 12, 1909.

CHAPTER 107.

AN ACT to create section 4141a of the statutes, making the testimony of a deceased witness admissible in judicial proceedings.

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

SECTION 1. There is added to the statutes a new section to read: Section 4141a. The testimony of any deceased witness taken in any action shall be admissible in evidence in any other action where the party against whom it is offered shall have had the opportunity to cross examine the deceased witness and where the issue upon which it is offered is substantially the same.

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

Approved May 11, 1909.

No. 410, S.]

[Published May 12, 1909.

CHAPTER 108.

AN ACT to create section 1948m of the statutes, relating to provisions in policies of life insurance.

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

SECTION 1. There is added to the statutes a new section to read: Section 1948m. After the year 1909 no policy, other than a policy of industrial insurance where the premiums are payable monthly or oftener, shall be issued or delivered in this state, unless it contains in substance the following provisions: