

No. 295, S.]

[Published June 19, 1909.

## CHAPTER 459.

AN ACT to amend sections 1941—2, 1941—5, 1941—9, 1941—10, 1941—11, and 1941—12 of the statutes, and to repeal sections 1941—3, 1941—6, 1941—8, and 1941—13 of the statutes relating to city and village mutual fire insurance companies.

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

SECTION 1. Sections 1941—2, 1941—5, 1941—7, 1941—9, 1941—10, 1941—11, and 1941—12 of the statutes are amended to read: Section 1941—2. Unless otherwise provided by the constitution or by-laws of *any city and village mutual fire insurance company*, the directors, subsequent to the first board, shall be chosen by ballot at the annual meeting which shall be held on the \* \* \* *third* Monday of January of each year, unless some other day be fixed therefor by a majority of the votes of such corporation. Every person insured shall have one vote at such election; and the transaction of all other business, except as otherwise provided by law, may be determined viva voce or by ballot as the by-laws or other rules and regulations prescribe. \* \* \* No person shall vote by proxy except women, and *no person shall cast more than one proxy vote.*

Section 1941—5. Such corporations may insure property \* \* \* *located anywhere* in this state, but in no case shall any \* \* \* *single risk exceed fifteen hundred dollars (\$1,500)*, \* \* \* *except that any such corporation having a surplus may insure a single risk in an amount not exceeding one-eighth of one per centum of the insurance in force, nor ten per centum of the surplus, nor to exceed three thousand dollars on any single risk. No policy shall be issued for a term of more than three years.*

Section 1941—9. Whenever the amount of any loss \* \* \* shall exceed the amount of the cash funds of the corporation, the president, or in his absence, the vice-president shall convene the board of directors, who shall make an assessment upon all property insured in proportion to the amount thereof and the rate under which it may have been classified, sufficient at least to pay such loss; provided that such board may assess up to four mills even if such loss should not require such an amount. Whenever such assessment shall have been completed, the secretary shall immediately cause to be published for three

consecutive weeks in such weekly newspaper, printed within the city or village, if any, in which the office of such company is located, otherwise in such newspaper printed within the county as the board of directors may designate, a notice stating the time when such assessment was levied and the time when the same becomes due; said notice, together with the proof of the publication thereof, shall be conclusive evidence of notice of such assessment. \* \* \* *Or the directors may, for the purpose of paying losses within the limit hereinafter specified, borrow a sum not exceeding one-fourth of the premium and interest income of the company for the preceding year for a time not exceeding six months at a rate of interest not exceeding seven per cent, and may, on or before the maturity of such loan, levy an assessment upon the members at the time of the making of such loan, for the payment of the same and interest. No such loan shall be renewed.* Within \* \* \* *thirty days* after the levying of such assessment the secretary shall notify every member by letter or postal card sent to his usual postoffice address, of the amount of such assessment, and the sum due from him as his share thereof, and the time within which and to whom payment is to be made, which time shall not be less than \* \* \* *thirty* nor more than \* \* \* *sixty* days from the date of such notice. \* \* \* If the assured neglect to make payment of any assessment within the time specified in the notice sent him, his policy shall be null and void until such assessment is paid, and also his pro rata share of all other assessments which may be levied during the suspension of the policy on account of the non-payment of a previous assessment.

Section 1941—10. An action at law may be brought against any member of such corporation who shall refuse or neglect to pay any assessment made upon his insured property, and the directors of any such corporation who shall wilfully neglect or refuse for thirty days to perform the duties imposed upon them by \* \* \* *section 1941—9* shall be jointly and severally liable in their individual capacity to the persons sustaining such loss.

Section 1941—11. \* \* \* *Any policy may be cancelled as provided in section 1941—52, upon the payment by such member of his portion of all the liabilities outstanding at the time of such cancellation, and the liability on the part of such member on such policy shall cease.*

Section 1941—12. The *president and secretary* \* \* \* of every such corporation shall, *on or before the first day of February in each year,* \* \* \* make such \* \* \* report

as \* \* \* may be required \* \* \* by the commissioner of insurance.

SECTION 2. Section 1941—3, 1941—6, 1941—8 and 1941—13 of the statutes are hereby repealed.

Approved June 16, 1909.

No. 868, A.]

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## CHAPTER 460.

AN ACT to repeal sections 1896, 1897, 1898, 1899, 1900, 1901, 1907, 1941a to 1941f, both inclusive, 1941—1, 1941—1a, 1941—3, 1941—8, 1941—13, 1941—14 to 1941—22, both inclusive, 1941—22a to 1941—22j, both inclusive, 1941—23 to 1941—32, both inclusive, 1941—33 to 1941—41, both inclusive, 1966—2 to 1966—12, both inclusive, 1966—13 to 1966—24, both inclusive, 1966—25 to 1966—31a, both inclusive, 1966—41, 1966—43, 1966—49, 1966—50 to 1966—54, both inclusive, 1966—61 to 1966—71, both inclusive, and 1966—81 to 1966—88, to create sections 1219c, 1896, 1897, 1897a, 1897b, 1897c, 1897d, 1897e, 1897g, 1897i, 1897s, 1897t, 1898, 1898d, 1901j, 1901m and 1901n, and 1941g, and to amend section 1908 of the statutes, relating to insurance.

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

SECTION 1. There are added to the statutes eighteen new sections to read: Section 1941g. 1. (a) Sections 1896, 1897, 1898, 1899, 1900, 1901 and 1907, of the statutes, relating to domestic fire and marine insurance companies, are repealed.

(b) Sections 1941a, 1941b, 1941c, 1941d, 1941e, and 1941f of the statutes, relating to millers' mutuels, are repealed.

(c) Sections 1941—1, 1941—1a, 1941—3, 1941—8 and 1941—13 of the statutes, relating to village mutuels, are repealed.

(d) Sections 1941—14, 1941—15, 1941—16, 1941—17, 1941—18, 1941—19, 1941—20, 1941—21, and 1941—22 of the statutes, relating to druggists' mutuels, are repealed.

(e) Sections 1941—22a, 1941—22b, 1941—22c, 1941—22d, 1941—22e, 1941—22f, 1941—22g, 1941—22h, and 1941—22i of the statutes, relating to plate glass mutuels, are repealed.

(f) Sections 1941—23, 1941—24, 1941—25, 1941—26, 1941—27, 1941—27a, 1941—28, 1941—29, 1941—30, 1941—31 and 1941—32, of the statutes, relating to church mutuels, are repealed;

(g) Sections 1941—33, 1941—34, 1941—35, 1941—36, 1941—