

and provided for such office. This act shall apply to all officials now serving or hereafter elected or appointed to public place. *Provided, that for the purposes of this section moneys or funds held by any such city as pension funds shall not be considered or construed to be city money or funds, and that the payment to or receipt by any person of any money from any such funds shall not be construed as the payment or receipt of money or compensation from such city.*

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

Approved May 27, 1913.

No. 465, A.]

[Published May 31, 1913.

CHAPTER 348.

AN ACT to amend section 925—46a of the statutes, relating to publication of notices in newspapers in cities of the second and third classes.

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

SECTION 1. Section 925—46a of the statutes is amended to read: Section 925—46a. 1. The council of cities of the second and third classes, and of all cities incorporated under a special charter and having a population in excess of ten thousand and less than fifty thousand, shall, on or before the second Tuesday of April in each year, direct the clerk of said city to advertise in the official newspaper or newspapers, if there be such, and if not, in any newspaper published in such city, for proposals to do the advertising for said city in the English language for the next ensuing year thereafter and for the publication of all ordinances, notices and for all the city advertising required by law or any resolution or ordinance of the council, and also for proposals to publish the proceedings of the council in the English language as may be ordered thereby.

2. Such advertisement shall invite separate bids for the advertising required and for publishing such proceedings, and invite such bids from all daily newspapers published regularly in said city for at least two consecutive years next prior to the date of the bids, if two or more such papers are published therein; and if there be no two such papers, then from all newspapers published regularly at least once a week in said city for not less than two consecutive years next prior to the date of the bids: *provided, that where only one such daily newspaper is published and has been published regularly in any such city for at least two consecutive years next prior to the date of the bids, and one or*

more weekly newspapers have been published regularly at least once a week in any such city for not less than two consecutive years next prior to the date of the bids, bids for such printing shall be invited and considered from both such daily newspaper and such weekly newspaper or newspapers, and the advertising and publications shall be awarded to the lowest bidder, and if two or more bids be received for the same price, then such advertising or publication or both shall be let to such lowest bidding newspaper or newspapers as the council may elect, not, however, for any bid exceeding the legal rate for like work, and shall require the delivery of such proposals in writing, duly sealed and directed to said clerk, on or before the first Tuesday of May of the then current year. No bids for either kind of work shall be considered by said clerk except from a newspaper which has been so published. Such bond or deposit shall be required with each bid as the council may direct.

3. Said clerk shall, on the first Tuesday of May in each year, at twelve o'clock noon, in the presence of the mayor or an alderman, open all such bids or proposals, and thereupon, in such presence, enter upon a record to be kept by him for that purpose all said proposals for either kind of work with the respective prices for which such newspaper or newspapers shall offer to do either the advertising or the publication of such proceedings. And thereupon said clerk shall transmit all such proposals to the council at the next meeting held after the opening thereof, and a statement of all such proposals, designating therein the newspaper or newspapers which shall have offered respectively to do such advertising or such publication of proceedings, or both, at the lowest prices for the year ensuing. The council shall thereupon at said meeting by resolution designate and award such advertising and such publication to the newspaper or newspapers published in said city which shall respectively offer to do such advertising and such publication of proceedings, or either thereof, at the lowest price for the year then ensuing. And if two or more bids shall be received for either such advertising or publication for the same price, then such advertising or publication or both shall be let to such lowest bidding newspaper or newspapers as the council may elect.

4. And whenever the successful bidder for the advertising or for the publication of proceedings as aforesaid, or for both, shall have executed the contract, he or they shall execute and file with the city clerk such bond for the faithful performance of such contract as the council may require, and after such contract and bond shall have been duly approved as aforesaid such newspaper or newspapers shall thereupon publish all such ordinances,

notices, council proceedings and other proceedings as are required by the charter, by resolution or ordinance of the council to be published in a newspaper, and which such newspaper shall have contracted to publish for the compensation specified in their proposals and contract, and no lower or higher, and shall receive no other compensation therefor; provided, however, that said council shall reject all bids exceeding legal rates for like work, and in case of the rejection of all bids for either advertising or publication of proceedings for such cause it shall thereupon be the duty of the said council to direct said clerk to readvertise for proposals for such advertising or publication, as the case may be, in the manner hereinbefore provided, and said clerk shall thereafter transmit to said council the proposals so received by him in the manner aforesaid. The said council shall designate the newspaper or newspapers receiving the contract for such advertising as the proper official newspaper or newspapers of the city.

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

Approved May 27, 1913.

No. 480, A.]

[Published May 31, 1913.]

CHAPTER 349.

AN ACT to amend section 4075 of the statutes, relating to the disclosing of information by physicians and surgeons.

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

SECTION 1. Section 4075 of the statutes is amended to read: Section 4075. No person duly authorized to practice physic or surgery shall be * * * *permitted* to disclose any information which he may have acquired in attending any patient in a professional character, and which information was necessary to enable him to prescribe for such patient as a physician or to do any act for him as a surgeon; but as a witness in his own behalf, he may disclose such information in any civil action brought by such patient or his legal representatives to recover damages for malpractice in such professional attendance, and also in any criminal prosecution for such malpractice, whenever such patient or his legal representatives shall have first given evidence relating to such information.

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

Approved May 27, 1913.