

No. 236, A.]

[Published April 12, 1917.

CHAPTER 67

AN ACT to create subsection 3 of section 4202m of the statutes and to amend section 4202s of the statutes, relating to applications for life insurance, warranties in life insurance contracts and statements of medical examiners for life insurance companies, associations or fraternal benefit societies.

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

SECTION 1. There is added to section 4202m of the statutes a new subsection to read: (Section 4202m) 3. The provisions of this section shall apply to fraternal or mutual benefit societies.

SECTION 2. Section 4202s of the statutes is amended to read: Section 4202s. In any case where the medical examiner, or physician acting as such, of any life or disability insurance company or association doing business in this state, shall issue a certificate of health or declare the applicant a fit subject for insurance, or so report to the company or association or its agent under the rules and regulations of such company or association, it shall thereby be estopped from setting up in defense of an action on such policy or certificate that the insured was not in the condition of health required by the policy at the time of the issue or delivery thereof, unless the same was procured by or through the fraud or deceit of the insured. *The provisions of this section shall apply to fraternal or mutual benefit societies.*

SECTION 3. This act shall take effect upon passage and publication.

Approved April 10, 1917.

No. 105, S.]

[Published April 13, 1917.

CHAPTER 68

AN ACT to amend subsection (3) of section 20.15, sections 1529a, and 1529a—1, and subsection 1 of section 1529a—2 of the statutes, relating to the relief of soldiers, sailors and marines, and making an appropriation.

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

SECTION 1. Subsection (3) of section 20.15, sections 1529a and 1529a—1, and subsection 1 of section 1529a—2 of the statutes, are amended to read: (20.15) (3). To the treasurer of the board of * * * *managers* of the Wisconsin Veterans Home, upon monthly bills, itemized and stating such reasonable information as may be required by the secretary of state, and

verified by the oath of the president and secretary of the said board, sums sufficient for the payment of the following allotments:

(a) For maintenance of each inmate and employee in such home, as defined in section 1529a of the statutes, an allowance of • • • four dollars and fifty cents per week, to commence January 1, 1917, and to continue during the fiscal years ending June 30, 1917, June 30, 1918 and June 30, 1919.

(b) For the burial of each such deceased inmate who shall be buried in the cemetery of said home, thirty dollars.

Section 1529a. 1. *The department commander of the Grand Army of the Republic for the department of Wisconsin and six persons appointed by the governor shall constitute and shall be known as "Board of Managers of the Wisconsin Veterans' Home." Said board shall have the control and management of the veterans' home located at Waupaca, Wisconsin. On the first Monday of July, 1917, the governor shall appoint two members of said board whose terms shall expire on the first Monday of July, 1918; two members whose terms shall expire on the first Monday of July, 1919, and two members whose terms shall expire on the first Monday of July, 1920. On the first Monday of July, 1918, and annually thereafter, the governor shall appoint two members of said board for the term of three years. Each member so appointed shall hold his office until his successor is appointed and qualified. Any vacancies shall be filled by appointment by the governor for the unexpired term. Before making such appointments the governor may request the Grand Army of the Republic for the department of Wisconsin to recommend persons for appointment on said board, which recommendation shall be taken into consideration by the governor when making such appointments, but he shall not be confined in making appointments to the persons so recommended. No member of said board shall be compensated by the state for his services, traveling expenses, or for any disbursements or obligations incurred in the discharge of his duties. Within ten days after the first Monday of July of each year said board shall meet at the Veterans' Home at Waupaca and elect one of their members president, another of their members secretary and another of their members treasurer.*

2. The allowances appropriated by subsection (3) of section 20.15 are for the maintenance of employees who are actually maintained in the Wisconsin veterans' home, and for the following inmates:

(1) Indigent soldiers, sailors and marines of the civil war

who have been honorably discharged from the service of the United States, and who are residents of this state or have served in any Wisconsin regiment or command, or in the navy of the United States being credited to Wisconsin.

(2) The mothers, wives and widows of the persons mentioned in subsection (1).

(3) Indigent mothers, wives and widows residing in this state, of union soldiers, sailors and marines of the civil war.

(4) Indigent women residing in this state who served as army nurses in the civil war.

Section 1529a—1. 1. The members of the board of * * * *managers* of the said Wisconsin Veterans' Home, *except the treasurer*, shall execute to the state of Wisconsin a joint and several bond on their part in the penal sum of twenty-five thousand dollars, with two or more good and sufficient sureties, conditioned that they will faithfully expend and apply moneys appropriated by the state for and to the several objects and purposes for which the same are appropriated, and all moneys received at any time from the state of Wisconsin for the use and benefit of the home, and that they will, in all respects, faithfully discharge their duties as such * * * *managers*. And the treasurer of the said board * * * shall make and execute to the state of Wisconsin a bond in the penal sum of fifty thousand dollars, with two or more sufficient sureties, which bond shall be conditioned that all moneys appropriated by any act of the legislature of the state of Wisconsin, or in any wise derived from the state of Wisconsin, shall be paid out by him only for the uses and purposes specified in the act making such appropriation, and for the faithful accounting therefor, and the payment to his successor in office as such treasurer or the return to the state treasurer of this state of all moneys so received by him in pursuance of any act of appropriation. The sureties upon such bond shall severally justify their responsibility as such sureties by affidavit affixed thereto, and the total of the amounts in which the sureties to each such bond shall justify shall not be less than double the penalty of said bond, and the said bonds shall be approved by the governor, and filed in the office of the secretary of state. Until the bonds hereinbefore provided shall be each properly made, approved, and filed as so required, no money shall be paid out of the state treasury in pursuance of any act of appropriation by the state, and the treasurer of said Wisconsin Veterans' Home for the time being, who may receive any moneys so appropriated, shall not, upon the expiration of his term of office, or his resignation thereof or removal there-

from, in any manner pay any moneys so received from the state to * * * *the treasurer of the board of managers* until such * * * *treasurer* shall have executed and filed an approved bond as herein required, but may discharge himself from further liability by depositing any balance of such moneys in his hands with the state treasurer.

2. If any additional land shall be purchased with the moneys at any time appropriated by the state to the said Wisconsin Veterans' Home, the title thereto shall be taken to the state and shall be held by and for the uses and purposes of the said home so long as used for the present objects and purposes thereof, and no payment shall be made out of the state treasury or otherwise for any such land until the title shall have been examined and the conveyance thereof to the state of Wisconsin approved by the attorney-general, and every such deed of conveyance shall be immediately recorded in the office of the proper register of deeds by the board of * * * *managers* of said home, and thereafter filed with the secretary of state.

3. It shall be the duty of the board of * * * *managers* of said home to cause to be kept a true and accurate account of the disbursements of all moneys derived from the state at any time, and annually to make report in writing to the governor, giving a true and itemized account in such form as he may require or prescribe, of all expenditures made of moneys appropriated or in any manner derived from the state, and also of the names and number of inmates, the date of admission, time of occupancy, age, and residence of each, the regiment, company, battery, or other similar organization in which such inmate served during the civil war, or of the person on account of which such inmate was admitted to the home, and also the names, number and salaries of the officers, employes, and laborers employed in said home, and the fund from which they are paid, and also the total amount of the receipts and expenditures of the said Wisconsin Veterans' Home, and such other detail pertaining to or affecting expenditures for its maintenance or benefit, as may be required by the governor. Such report shall cover the period of the fiscal year ending June thirtieth, and be submitted on or before the first day of August, each year.

4. The state board of control, or such board as may be by law intrusted with the supervision of state institutions, shall, not less than twice in each year, cause the said Wisconsin Veterans Home to be visited by a committee of at least two of the members of such board, who shall carefully examine into the management of said home, its system of accounts and of keeping books, and methods of purchase of supplies therefor, and the

manner of their issuance and expenditure, and care and keeping of the inmates of said home, the provision made for the comforts of such inmates, their treatment by officers and employes, and such other details of the management of the said home as they may deem proper to inquire into and as shall be thought likely to promote the objects for which the same is maintained; and they shall make full report thereon to the governor and to the legislature in the manner required by law, and it shall be the duty of the board of * * * *managers* and the officers and employes of said home to facilitate such examination and inquiries by disclosing all facts in relation to the same, and exhibiting all books, papers and vouchers affecting the expenditure of moneys. But this section shall not give to the said state board of control any power of direction or any authority to interfere with the management of the said home by the said board of * * * *managers* thereof, established and provided in accordance with the articles of organization and by-laws thereof; it being designed hereby only to enable full and correct information in respect to such circumstances to be presented to the governor and laid before the legislature.

(Section 1529a—2.) 1. The officers, guards, janitors and members of the police force of the Wisconsin Veterans' Home, * * * are hereby authorized and empowered to summarily arrest all persons within or upon the grounds of said institution who shall be guilty of any offense against the laws of the state of Wisconsin or the rules and regulations governing said Wisconsin Veterans' Home; to arrest any vagrant or idle person who shall refuse to leave said premises and grounds when requested so to do, take such offender before any court of competent jurisdiction and cause proper complaint to be made against him, or them; and for such purposes said officers, guards, janitors and members of the police force shall possess and have all the power and authority of police officers and constables.

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

Approved April 11, 1917.

No. 245, S.]

[Published April 13, 1917.

CHAPTER 69

AN ACT to detach certain territory from the town of Madge, Washburn County, and attach the same to the town of Long Lake in such county.

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

SECTION 1. Section thirty-six, township thirty-eight north,