

the place of the outgoing visitors in the year 1901; the second appointment under this act to take the place of the outgoing visitors in the year 1902. The said synod is further authorized to fill any vacancy in said board of trustees, occurring by resignation or otherwise, but such appointments shall be for the residue of the unexpired term only.

**Conflicting laws repealed.** SECTION 2. So much of any act as contravenes the provisions of this act, is hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901.

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No. 630, A.]

[Published May 10, 1901.

## CHAPTER 328.

AN ACT to amend section 3964 of the statutes of 1898, relating to the custody of minors.

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

**Custody of ward; when father absconds, rights of mother.** SECTION 1. Section 3964 of the statutes of 1898 is hereby amended by adding immediately after the word "education" in the fifth line of said section, the following words: "Provided that if the father shall abscond, leaving such minor with the mother, the mother shall have the same right to the custody of such minor as if the father were dead," so that when said section is so amended, it shall read as follows: Section 3964. Custody of ward etcetera. The father of the minor if living and in case of his death, the mother while she remains unmarried, being themselves respectively competent to transact their own business and not otherwise, shall be entitled to the custody of the person of the minor and the care of his education, provided that if the father shall abscond leaving such minor with the mother, the mother shall have the same right to the custody of such minor as if the father were dead. If the minor has no father or mother living and competent and suitable, the guardian so appointed

shall have the custody of the person of the minor and the care of his education, and in all cases the guardian shall have the care and management of the estate of his minor ward until such minor shall arrive at the age of twenty-one years or until the guardian shall be discharged according to law.

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

Approved May 8, 1901.

No. 606, A.]

[Published May 10, 1901.

## CHAPTER 329.

AN ACT to amend village charters, and providing for the election of trustees.

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

**Election of president and trustees.** SECTION 1. Villages that have a president and four or more trustees shall elect them as follows: The president shall be elected annually. On the first Tuesday in April 1902, one-half of the trustees shall be elected for a term of one year and one-half of the trustees shall be elected for a term of two years and each year thereafter one-half of the trustees shall be elected for a term of two years; provided that in villages having an odd number of trustees, the village board shall by ordinance determine the number to be elected in 1902 for a term of one year and the member [number] to be elected for a term of two years, which number shall be one-half the number of said body as near as may be. Annually thereafter the trustees of said villages shall be elected for two years, except elections to fill vacancies, which shall be for the unexpired term.

**Conflicting laws repealed.** SECTION 2. All acts or parts of acts interfering with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 8, 1901,