

nuity, shall, if application is made within three months after date of his retirement, receive *one-half* of the total amount paid by him into said fund, and in case of the death of any contributing teacher, his heirs, or legatees shall be entitled to receive *one-half* of the total amount paid by such teacher into said fund, upon application therefor within three months after the date of death, and upon proof of death and upon said claim made to the satisfaction of said board of trustees.

19. * * * The board of school directors *or other managing body may, in its discretion, in any one year* pay into the public school teachers' annuity and retirement fund out of the school fund assessed, levied, and collected from the taxable property of such city for general school purposes, a sum not to exceed one per cent. of the gross amount thereof and in no case exceeding in any one year the amount paid into the annuity and retirement fund during the preceding year by the teachers, as hereinbefore provided; *provided, however, that no portion of the moneys that may be so paid into said fund by the board of school directors or other managing body, shall be used for the purposes provided for in subsection fourteen of this section.*

SECTION 2. Subdivision 15 of section 925—xx of the statutes is hereby repealed.

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

Approved May 25, 1911.

No. 382, S.]

[Published May 27, 1911.

CHAPTER 190.

AN ACT to amend section 1966—34 of the statutes, relating to surety company bonds.

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

SECTION 1. Section 1966—34 of the statutes is amended to read: Section 1966—34. 1. The commissioner of insurance, upon due proof by a suretyship company of its possessing the qualifications required, shall issue a certificate setting forth that it has qualified and is authorized for the ensuing year to do business under these statutes, which certificate or a copy thereof certified by the commissioner of insurance shall be evidence of such qualification and of the companys' authority to become and to be accepted as sole surety on all instruments mentioned in the preceding section, of its solvency and credit for all purposes and its sufficiency as such surety; and said certificate or a copy

thereof certified as aforesaid shall be equivalent to the justification required of sureties by law.

2. *No bond, undertaking, or instrument executed by any surety company authorized to do business in this state at such time, shall be held invalid or ineffective because of the omission of such certificate or a certified copy thereof; provided, however, that the court in which, or the officer with whom, any such bond, undertaking, or instrument shall be filed, or any person who might claim the benefit thereof, may require the person filing such bond, undertaking, or instrument to file such certificate, or a certified copy thereof, in such court, or with such officer, upon giving eight days notice in writing to the person filing such bond, instrument, or undertaking, and if such person shall fail to file such certificate or a certified copy thereof within such period, such bond, instrument, or undertaking shall be valid, but shall be of no effect for the purposes of the person so filing the same, unless such person shall before the expiration of such time file such other and further bond, undertaking, or instrument as originally required.*

SECTION 2. Any and all acts or parts of acts conflicting or inconsistent with the provisions of 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 25, 1911.

No. 392, S.]

[Published May 27, 1911.

CHAPTER 191.

AN ACT to amend section 1797—12e of the statutes, relating to railroad highway crossings, and the ordering of alterations thereto by the railroad commission.

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

SECTION 1. Section 1797—12e of the statutes is amended to read: Section 1797—12e. 1. Whenever a petition is lodged with the commission by the common council of any city, the village board of any village, the town board of any town, within or bordering upon which a highway or street crosses, or is crossed by a railroad, or within or bordering upon which a highway or street is proposed to be laid out across a railroad, or whenever such petition is so lodged by any railroad company whose track crosses or is about to cross, or is crossed, or about to be crossed by a street or highway, to the effect that public safety requires an alteration in such crossing, its ap-