

involved in the sale or transfer of the capital stock of a company, it shall be the duty of the commissioner of insurance to examine into all the conditions and details of such transaction and to authorize the recording of such sale or transfer of the shares or certificates conveying control only, if all requirements of law have been complied with and the interests of the policyholders properly safeguarded; and provided further, that whenever the sale or transfer of such control involves the transfer or reinsurance of the business of the company, the policyholders of the company shall first be given an opportunity by a direct vote, under the supervision of the commissioner of insurance, to mutualize the company by the purchase of the shares or certificates of the capital stock by the company at the same price, before any transfer of shares or certificates of the capital stock shall otherwise be recorded and acknowledged by the commissioner of insurance, or a reinsurance of the business of the company permitted.

Failure to comply with the provisions of this section shall make it the imperative duty of the commissioner of insurance to refuse license or relicense or to revoke any and every certificate of authority of the company to transact business in this state, and such noncompliance shall subject the members of the board of directors, and the stockholders of record of the stock transferred or exchanged or issued in violation of these provisions, to personal liability for any losses sustained by the company or its policyholders by reason of any violation of this section.

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

Approved July 7, 1917.

No. 620, S.]

[Published July 10, 1917.

CHAPTER 600

AN ACT to repeal section 10 of chapter 218, laws of 1899 and all acts amendatory thereof and to create two new sections to be numbered 10 and 10m of chapter 218, laws of 1899, relating to the district court of Milwaukee county.

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

SECTION 1. Section 10 of chapter 218, laws of 1899 and all acts amendatory thereof are hereby repealed.

SECTION 2. Two new sections are added to chapter 218, laws of 1899 to be numbered and to read: (Ch. 218, laws of 1899)

Section 10. After issue joined and before trial in all cases cognizable before said district court the accused may demand a trial by jury of not more than twelve nor less than six men, and shall designate the number at the time of the demand. Whenever a trial by jury be duly demanded in any case in said district court, such case shall stand adjourned from day to day. Whenever in the discretion of the judge of said court there are a sufficient number of jury cases to warrant the summoning of a jury panel, the clerk of said court, under the order of the judge thereof, shall draw from the box containing the names of persons furnished by the jury commissioners of Milwaukee county to serve as petit jurors in the municipal court of the city and county of Milwaukee the names of not less than twenty persons, who shall be summoned to act as jurors for the trials of all jury cases then pending before said district court. The judge of said court may in his discretion order any number less than twenty persons to be drawn to serve as petit jurors in said court whenever there are less than three jury cases on the trial calendar thereof. The jurors may be drawn by said clerk in the absence of the said jury commissioners and the court may compel the attendance of said jurors by attachment. In the event that in the trial of any case in said district court the panel of jurors shall be exhausted without securing a full jury, such deficiencies may be supplied by talesmen to be selected and summoned by the officer of said court. If no jury shall be demanded as hereinbefore set forth it shall be deemed a waiver of right to trial by jury. Each juror shall receive for his services the same fees allowed by law to petit jurors in courts of record in said county and the fees of those jurors actually sitting in the trial of a cause shall be taxed as costs in said action. Witnesses and jurors shall attend before said court in all city and criminal prosecutions without any payment of fees in advance or a tender thereof, upon the processes of the court duly served, and in default thereof their attendance may be enforced by attachment. In case the jury after being kept a reasonable time should disagree, they shall be discharged, and thereupon the court shall adjourn the cause to a day certain.

Section 10m. When a trial by a jury of six is duly demanded, twelve jurors shall be drawn and from the first twelve persons who appear as their names are drawn and called, and who are not lawfully challenged and are approved as indifferent between the parties, and not discharged or excused, each party

shall be entitled to three peremptory challenges to be made alternately by the parties, one at a time, the plaintiff beginning; and when either party shall decline to challenge in his turn, such challenge shall be made by the clerk by lot, and the six remaining jurors shall be sworn and constitute the jury to try the issues. Likewise, when a jury of twelve shall be duly demanded, eighteen jurors shall be drawn and from the first eighteen persons who appear as their names are drawn and called, and who are not lawfully challenged and are approved as indifferent between the parties, and not discharged or excused, each party shall be entitled to three peremptory challenges to be made alternately by the parties, one at a time, the plaintiff beginning; and when either party shall decline to challenge in his turn, such challenge shall be made by the clerk by lot, and the twelve remaining jurors shall be sworn to constitute the jury to try the issues.

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

Approved July 7, 1917.

No. 698, S.]

[Published July 10, 1917.

CHAPTER 601

AN ACT to authorize the state conservation commission to relocate the quarries of the American Refractories Company outside of the boundaries of the present Devils Lake State Park, and making an appropriation.

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

SECTION 1. The state conservation commission is authorized to relocate the quarries of the American Refractories Company now located within the boundaries of the present Devils Lake State Park, outside of said park; and in carrying out the provisions of this section, the commission is authorized to purchase for exchange lands outside the boundaries of the state park, and to cause the title thereto to be conveyed to said American Refractories Company in exchange for the conveyance to the state by said company of the title to its present quarries within the boundaries of said park.

SECTION 2. The state conservation commission is authorized to grant a right-of-way for construction of a spur track from the proposed new quarry site to the Chicago, Northwestern Railway, same to cross the southeast corner of the southwest quarter of the southeast quarter of section 19 in township 11, north of range