

No. 330, A.]

[Published May 17, 1941.

CHAPTER 109.

AN ACT to amend 200.21 (3) of the statutes, relating to powers and duties of state fire officers.

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

SECTION 1. Subsection (3) of section 200.21 of the statutes is amended to read:

(200.21) (3) The state fire marshal and his subordinates may at all reasonable hours in performance of their duties enter upon and examine any building or premises where any fire has occurred and other buildings or premises near the same, and seize any evidence found as a result of such examination which in the opinion of the officer finding the same may be used in any criminal action which may result from such examination or otherwise, and retain it for a reasonable time or until it becomes an exhibit in the action.

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

Approved May 15, 1941.

No. 441, A.]

[Published May 17, 1941.

CHAPTER 110.

AN ACT to amend 80.03 of the statutes, relating to the laying out of highways.

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

Section 80.03 of the statutes, is amended to read:

80.03 (1) *Except in the case of towns located in counties having a population of 500,000 or more, no public highway shall be laid out through or upon any orchard or garden or any building or fixture used for the purpose of trade or manufacture, when the damage caused thereby to such orchard, garden, building, or fixture, exclusive of the damage to the land, shall exceed \$300. Or through or upon any building, fixture, yard, or inclosure used for educational or charitable purposes or through or upon any other building or fixture where the value of said*

building or fixture exceeds \$300. Or through or upon the yard or inclosure necessary to the use or enjoyment thereof, without the consent of the owner, or through any cemetery without the consent of the trustees or other officers having the control or management thereof.

(2) *In the case of towns located in counties having a population of 500,000 or more, no public highway shall be laid out through or upon any building, fixture, yard, or inclosure used for educational or charitable purposes without the consent of the owner, or through any cemetery without the consent of the trustees or other officers having the control or management thereof.*

Approved May 15, 1941.

No. 460, A.]

[Published May 17, 1941.

CHAPTER 111.

AN ACT to repeal and recreate 208.13 of the statutes, relating to control of disbursements of fraternal benefit societies.

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

SECTION 1. Section 208.13 of the statutes is repealed and recreated to read:

208.13 DISBURSEMENTS CONTROLLED. Every provision in the regulations adopted by any mutual benefit society for payments by its members shall distinctly state the purpose of the same and the proportion thereof which may be used for expenses. Except as otherwise provided in this section, no part of the money collected for mortuary or disability purposes or to mature the contracts or of the net accretions thereto shall be used for expenses. Every society may use for expenses any surrender charge made pursuant to the provisions of section 208.17 and total payments on all contracts during the first year of membership over the terminal reserves specified in the contracts or by-laws. Mortality savings on contracts which have been in force more than one year and gains on interest disclosed by the annual valuation report as of December 31 in any year may be used in the ensuing year to pay expenses of medical examinations, inspection of risks and investment expenses.