

of Monroe, and become a part of the general fund of said city; provided further, that all the property owned by the village of Monroe is hereby made the property of the city of Monroe.

Public act.

SECTION 106. This act shall be considered as a public act, and shall be construed favorably in all courts and places, and shall take effect and be in force from and after its passage and publication. And it is hereby made the duty of the secretary of state to cause this act to be published in the official state paper immediately after its passage.

Approved March 25, 1882.

[No. 153, S.]

[Published April 7, 1882.]

CHAPTER 239.

AN ACT relating to the measure of damages in actions to recover possession of logs, timber or lumber wrongfully cut from the lands of another, or the value thereof, and amendatory of section 4269, of the revised statutes of 1878.

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

Amend, etc.

SECTION 1. Section 4269 of the revised statutes of the year A. D. 1878, is hereby amended by adding thereto, at the end thereof the following; provided, that in all actions hereafter commenced, when the defendant shall have in good faith acquired a title to and entered upon the land under the same, believing such title to be valid and shall have cut the timber therefrom under such circumstances, then the plaintiff, if he shall recover, shall recover only the actual damage sustained by reason of such cutting. The defendant in his answer shall state the facts upon which he relies to establish such claim of title, and the burden of proof shall be on the defendant.

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

Approved March 28, 1882.

[No 7, S.]

[Published April 8, 1882.]

CHAPTER 240.

AN ACT to amend section 1 of chapter 42 of the general laws of 1881, and amendatory of section 1935, chapter 89 of the revised statutes of 1878, entitled "of insurance corporations."

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

Insurance corporations.

SECTION 1. Section 1 of chapter 42 of the general laws of 1881 is hereby amended by adding the follow-

ing after the word "immediately" in the eighteenth line of said section: "Insert a notice in one or more newspapers printed in the county or counties where such corporation is doing business, stating therein the time when such assessment was levied, and the time when the same becomes due; such notice shall, in justice court or court of record, be conclusive evidence of notification to any member of such corporation of such assessment, and;" also amend said section further by adding after the word "letter" in the nineteenth line, the words "or postal card," so that said section when so amended shall read as follows: Section 1. Whenever the amount of any loss so ascertained shall exceed the amount of the cash funds of the corporation, the president shall convene the board of directors, who shall make an assessment upon all property insured by such corporation, in proportion to the amount thereof, and the rate under which it may have been classified, sufficient at least to pay such loss; provided, however, that such board of directors shall be authorized, if it sees fit to do so, to assess up to three and a half mills, even if such loss should not require such an amount, and when such assessment shall have been completed, the secretary shall immediately insert a notice in one or more newspapers printed in the county or counties where such corporation is doing business, stating therein the time when such assessment was levied, and the time when the same becomes due; such notice shall in justice court or court of record be conclusive evidence of notification of such assessment, and notify every member of such corporation, by letter or postal card sent to his usual post-office address, of the amount of such loss and the sum due from him as his share thereof, and the time when, and to whom payment thereof is to be made, which time shall not be less than sixty nor more than ninety days from the date of such notice; and the treasurer or person designated to receive such money may demand and receive two per cent. in addition to the amount of each such assessment, for his fees in receiving and paying over the same. Such assessment, when collected, shall be paid to the person entitled thereto, according to the terms of the policy issued to him; provided, that if any loss shall occur during the first eight months in any year, the board of directors, at the time of making the assessment therefor, may borrow money sufficient to pay such loss at a rate of interest not exceeding eight per cent., and shall therein include the interest in the

assessment, and direct payment of such assessment to be made not later than the thirty-first day of December, next following.

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

Approved March 28, 1852.

[No. 206, S.]

[Published April 10, 1882.]

CHAPTER 241.

AN ACT to amend the charter of the city of Beaver Dam.

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

Amended.

SECTION 1. Section 3 of title 8 of chapter 112, of the laws of 1878, entitled "an act to consolidate and amend the act to incorporate the city of Beaver Dam and the several acts amendatory thereof," is hereby amended by striking out the words "twenty-five thousand" where it occurs in said section and insert therein "thirty-five thousand" so that said section when so amended shall read as follows: Section 3. No debt shall be contracted against the city or order drawn upon the treasurer, unless the same shall be authorized by a majority of all the aldermen elect, and the vote authorizing the same, shall be entered by ayes and noes upon the journal of the council, and no money shall be appropriated for any purpose whatever except such as is expressly authorized by this act, and it shall not be allowed; neither shall it be legal in any manner whatever, nor at any time to contract a debt against the city (over and aside from the current expenses of the city government) for any and all purposes to exceed the sum of thirty-five thousand dollars, but no such debt shall be contracted except by a vote of two-thirds of the members elect.

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

Approved March 28, 1882.

[No. 238, S.]

[Published April 3, 1882.]

CHAPTER 242.

AN ACT to apportion the state into senate and assembly districts.

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

Senate districts.

SECTION 1. Until there shall be a new apportionment, the senators shall be apportioned among the