

Either party
may appeal.

SECTION 2. Either party may appeal from such finding and order to the same court to which an appeal might be taken from a judgment in the action, but such appeal must be taken separately from any appeal from such judgment.

SECTION 3. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 362, S.]

[Published May 2, 1895.

CHAPTER 379.

AN ACT to provide pensions for the members of the paid fire and police departments and to the widows and minor children of deceased members in cities having a population of one hundred and fifty thousand and over in certain cases and to repeal conflicting laws.

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

Fire and police
commissioners
to decide all
applications.

SECTION 1. The board of fire and police commissioners in any city having a population of one hundred and fifty thousand and over and having paid fire and police departments shall hear and decide all applications for pensions under this act, and its decisions on such applications shall be final and conclusive and not subject to review, modification or reversal except by the board itself at its own discretion. The board shall cause to be kept a record of all such applications and of all its proceedings under this act.

SECTION 2. If any member of the paid fire or police department of any such city shall, while engaged in the performance of his duty as such fireman or policeman, be injured and be found upon examination by a medical officer ordered by said board of fire and police commissioners to be physically or mentally permanently disabled by reason of service in such department so as to render necessary his retirement from service in such fire or police department, said board of fire and police commissioners shall retire such disabled member from service in such fire or police department, provided no such retirement on account of such disability shall occur unless said member has contracted said disability while in the service of such fire or police department. Upon such retirement the said board of fire and police commissioners shall order the payment to such disabled member of such fire or police department, monthly, by the treasurer of said city of a sum equal to one-half the monthly compensation allowed to such member as salary at the date of such retirement.

Pension allowed disabled members.

SECTION 3. If any member of the paid fire or police department of such city shall, while in the performance of his duty, be killed or die as the result of an injury received in the line of his duty or any disease contracted by reason of his occupation, or if any member of such paid fire or police department, after ten years' service in such department, shall die from any cause whatever while in said service, or if any member of such paid fire or police department shall die from any cause whatever after having been retired upon a pension under any of the provisions of this act, or of chapter 287, of the laws of 1891, and shall leave a widow or minor child or minor children under sixteen years of age surviving him, said board of fire and police commissioners shall direct the payment by the treasurer of said city of the following sums, monthly, to-wit: to such widow, while unmarried, thirty dollars; to the guardian of such minor child or children, six dollars for each of said children while under the age of sixteen years; provided, however, that

Pension for widows and orphans of members killed in performance of duty.

there shall not be paid to a family of a deceased member a total pension exceeding one-half the amount of the monthly salary of such deceased member at the time of his decease, or, if retired upon a pension under any of the provisions of this act, or of said chapter 287, of the laws of 1891, a sum not exceeding one-half the amount of the monthly salary of such retired member at the date of his retirement; but nothing in this act shall warrant the payment of any pension to the widow of any member or retired member of such fire or police department after she shall have remarried.

Old members
to be retired
on half pay.

SECTION 4. Any member of the paid fire or police department of such city after becoming fifty years of age and having served twenty-two years or more in such fire or police department, of which the last five years of service shall have been continuous, may make application to be retired from such fire or police department, such application to be decided by the board of fire and police commissioners in accordance with the authority conferred upon it by this act; or such member may be retired from such fire or police department, without any application, by the board of fire and police commissioners whenever in its judgment advisable; and in either case the said board of fire and police commissioners shall order and direct that such person shall be paid a monthly pension equal to one-half the amount of salary attached to the rank which he may have held in such fire or police department at the date of such retirement, to be paid by the treasurer of such city; and the said board upon the recommendation of the chief officer of such fire or police department shall have the power to assign members of the fire or police department retired and drawing pensions under this act or under said chapter 287, of the laws of 1891, to the performance of light duties in such fire or police department in case of extraordinary emergencies.

Pensions under
ch. 287, laws
of 1891,
continued

SECTION 5. Any persons now drawing pensions under any of the provisions of chapter 287, of the laws of 1891, entitled "An act to create a

pension fund for members of fire and police departments in certain cities of Wisconsin," shall continue to receive monthly the same sums as they are now receiving under any of the provisions of said chapter 287; but such sums shall be paid to them hereafter by the treasurers of such cities in the same manner and under the same provisions of law which govern the payment of pensions under the present act and not otherwise.

SECTION 6. The pensions provided for in this act shall be paid monthly, on the first day of the month, in the same manner and under the same provisions of law which govern the payment of the salaries of active members of such fire and police departments so far as the same may be applicable, and the provisions of any law or ordinance for monthly pay-rolls in such fire or police departments shall apply to the persons and pensions provided for in this act.

To be paid
monthly.

SECTION 7. The board of trustees of the firemen's and policemen's pension fund heretofore organized under the provisions of chapter 287, of the laws of 1891, in any city having a population of one hundred and fifty thousand and over, and having a board of fire and police commissioners, shall immediately upon the passage and publication of this act make report to the common council of said city of the condition of such pension fund, and any funds remaining in the possession or under the control of any such board of trustees, or of its treasurer, shall be transferred to the treasurer of such city and be by him turned into the general fund of such city, and thereupon such board of trustees shall cease to exist in such city.

Report
condition of
pension fund.

SECTION 8. The provisions of any act or law or ordinance now in force or effect so far as they conflict with the provisions of this act are hereby repealed.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.