

No. 408, A.]

[Published May 13, 1909.

**CHAPTER 114.**

AN ACT to amend section 3040 of the statutes, relating to discontinuance or dismissal of a writ of error or of an appeal.

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

SECTION 1. Section 3040 of the statutes is hereby amended to read: Section 3040. No discontinuance or dismissal of a writ of error or an appeal shall preclude the party from suing out another writ of error or taking another appeal in the same cause within the time limited by law. \* \* \*

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

Approved May 12, 1909.

No. 164, S.]

[Published May 13, 1909.

**CHAPTER 115.**

AN ACT to amend section 1265 of the statutes, relating to highways.

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

SECTION 1. Section 1265 of the statutes is amended to read: Section 1265. When any six or more freeholders or applicants for a homestead under the laws of the United States, occupying the same, residing in any town, shall wish to have a highway laid out, widened, altered, or discontinued in such town, they may make application in writing to the supervisors of the town in which they reside for that purpose; and the said supervisors shall proceed to lay out, widen, alter, or discontinue such highway if in their opinion the public good will thereby be promoted; provided, however, that no town board shall discontinue any state road without laying out and opening a town highway connecting the portions of such state road separated by such discontinuance of such state road, unless the portions of such state road so disconnected by such discontinuance are already connected with a highway in existence at the time of such discontinuance; and provided, further, that no town board shall have power or authority to alter, change, or discontinue any highway laid out by the county board. Provided, further, that this act shall not apply to that part of any state road in any

town where an action or proceeding is now pending against the town where such road is situated, to compel the town to restore or repair such highway. *When any highway is sought to be altered under the provisions of this section, and all of the abutting owners on the part of the highway so sought to be altered desire such alteration, and the board of supervisors is of the opinion that the public will not be materially affected by such alteration, such board may make the same and may take into consideration donations of money, land, or services by such abutting owners for the making of such alteration.*

Approved May 12, 1909.

No. 411, S.]

[Published May 13, 1909.

## CHAPTER 116.

AN ACT to amend section 1976 of the statutes, relating to the licenses of insurance agents.

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

SECTION 1. Section 1976 of the statutes is amended to read:

\*Section 1976. 1. No person, officer, or broker, agent or sub-agent of any insurance corporation of any kind \* \* \*, *required to pay the tax under section 1219* shall act or aid in any manner in transacting the business of or with such corporation in placing risks or in collecting any premiums or assessments or effecting insurance therein, without first procuring from the \* \* \* *insurance corporation* a certificate of authority \* \* \*; nor shall any such person, officer, broker, agent or sub-agent, after such certificate shall have expired, *or after revocation by the commissioner of insurance of such certificate or of the license of such corporation* and until a new certificate or license shall have been issued to him, do or perform any such act for or in behalf of any insurance corporation.

2. *No such certificate shall be issued by any other than the officers or resident agent of such corporation signing the policies of insurance issued by it or a person duly authorized thereto in writing by such officers or resident agent, after a copy of such authority has been filed in the office of the commissioner of insurance; nor unless the same shall be in such form as prescribed by the commissioner of insurance and numbered consecutively as issued by the person authorized thereto, and a statement or statements of the names and residences of all persons to whom such certificates are issued on any day, in such form as pre-*

\* Subs. 1 of Sec. 1976, also amended by Ch. 290, 1907.