

filing of the final report provided for in section 2, shall revert to the state treasury.

SECTION 4. To enable the building committee aforesaid to expedite the construction and equipment of said northwest wing, they are hereby given authority to borrow such sums of money as may from time to time be required as the work progresses, not exceeding in the aggregate one hundred and sixty-two thousand dollars, at a rate of interest not exceeding five per centum per annum; and to issue certificates of indebtedness therefor, to be executed by the chairman and secretary of said committee, moneys so borrowed, with interest thereon, to be repaid from the three annual appropriations made by section 3 of this act.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved July 5, 1911.

No. 595, S.]

[Published July 7, 1911.

CHAPTER 575.

AN ACT to create section 959—35a of the statutes, relating to special assessments in cities of the second class.

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

SECTION 1. There is added to the statutes a new section to read: Section 959—35a. The exemptions provided in section 959—35 shall not apply to cities of the second class.

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

Approved July 5, 1911.

No. 975, A.]

[Published July 7, 1911.

CHAPTER 576.

AN ACT to repeal section 4587c of the statutes, and to re-enact section 4587c of the statutes, relating to desertion and nonsupport of wives and children.

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

SECTION 1. Section 4587c of the statutes is repealed.

SECTION 2. There is added to the statutes a new section to be designated and to read: Section 4587c. 1. Any person who shall, without just cause, desert or wilfully neglect or refuse to provide for the support and maintenance of his wife in destitute or necessitous circumstances; or any person who shall, without lawful excuse, desert or wilfully neglect or refuse to provide

for the support and maintenance of his or her legitimate or illegitimate minor child or children under the age of sixteen years in destitute or necessitous circumstances, shall be guilty of a crime, and, on conviction thereof, shall be punished by fine not exceeding five hundred dollars, or imprisonment in the state prison, county jail or in the county workhouse not exceeding two years, or both, in the discretion of the court. And it is hereby made the duty of the parent of any illegitimate child or children, under the age of sixteen years, to provide for the support and maintenance of such illegitimate child or children. Provided, that the parent of any illegitimate child who shall have made provision for the support of such child by giving bond, or by settlement with the proper officers in accordance with the provisions of chapter 64 of the statutes, shall not be subject to the provisions of this act.

(Am. 1911, c. 664, s. 124.)

2. Proceedings under this act may be instituted upon complaint made under oath or affirmation by the wife or child or children, or either of them, or by any other person or persons, or organization, against any person guilty of either of the above named offenses.

(Am. 1911, c. 664, s. 124.)

3. At any time before trial, upon petition of the complainant and upon notice to the defendant, the court, or a judge thereof in vacation, may enter such temporary order as may seem just, providing for support of the deserted wife or children, or both, pendente lite, and may punish for violation of such order as for contempt.

4. Before the trial, with the consent of the defendant, or at the trial, on entry of a plea of guilty, or after conviction, instead of imposing the penalty hereinbefore provided or in addition thereto, the court in its discretion, having regard to the circumstances, and to the financial ability or earning capacity of the defendant, shall have the power to make an order, which shall be subject to change by the court from time to time, as circumstances may require, directing the defendant to pay a certain sum weekly, for a period not exceeding two years, to the wife or to the guardian, curator or custodian of the said minor child or children, or to an organization or individual approved by the court as trustee; and shall also have the power to release the defendant from custody on probation for the period so fixed, upon his or her entering into a recognizance, with or without surety, in such sum as the court or a judge thereof in vacation, may order and approve. The condition of the recognizance shall be such that if the defendant shall make his or her personal ap-

pearance in court whenever ordered to do so, and shall farther comply with the terms of such order of support, or of any subsequent modification thereof, then such recognizance shall be void, otherwise of full force and effect.

5. If the court be satisfied by information and due proof under oath, that at any time during said period of two years the defendant has violated the term of such order, it may forthwith proceed with the trial of the defendant under the original charge, or sentence him or her under the original conviction, or enforce the suspended sentence, as the case may be. In case of forfeiture of recognizance, and enforcement thereof by execution, the sum recovered may, in the discretion of the court, be paid, in whole or in part, to the wife, or to the guardian, curator, custodian or trustee of the said minor child or children.

6. No other or greater evidence shall be required to prove the marriage of such husband and wife, or that the defendant is the father or mother of such child or children, whether legitimate or illegitimate, than is or shall be required to prove such facts in a civil action. In no prosecution under this act shall any existing statute or rule of law prohibiting the disclosure of confidential communications between husband and wife apply, and both husband and wife shall be competent and compellable witnesses to testify against each other to any and all relevant matters, including the fact of such marriage and the parentage of such child or children; provided, that neither shall be compelled to give evidence incriminating himself or herself, proof of the desertion of such wife, child or children in destitute or necessitous circumstances or of neglect or refusal to provide for the support and maintenance of such wife, child or children shall be prima facie evidence that such desertion, neglect or refusal is wilful.

(Am. 1911, c. 664, s. 124.)

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved July 6, 1911.

No. 1051, A.]

[Published July 7, 1911.

CHAPTER 577.

AN ACT to create section 1989m of the statutes to provide for the administration by the state of a life fund for granting life insurance and paying old age annuities.

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

SECTION 1. There is added to the statutes a new section to read: Section 1989m. 1. There is established a "life fund" to