

mutual benefit society organized exclusively for the providing of disability benefits in cases of tuberculosis may also purchase or lease the necessary lands and buildings for the operation of a tuberculosis sanatorium or sanatoria for the benefit of its members. Nonmembers of the society may be admitted to such sanatorium or sanatoria upon payment of at least the cost of maintenance and treatment, in case the sanatorium facilities are not all needed for the treatment of members, and provided that all such payments by nonmembers shall be placed in the funds of the society.

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

Approved June 14, 1917.

No. 109, S.]

[Published June 18, 1917.

CHAPTER 433

AN ACT to repeal section 4072 of the statutes and to create section 4072 of the statutes, relating to the testimony of husband and wife.

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

SECTION 1. Section 4072 of the statutes is repealed.

SECTION 2. A new section is added to the statutes to read: Section 4072. A husband or wife shall be a competent witness for or against the other in all cases, except that neither one without the consent of the other, during marriage, nor afterwards, shall be permitted to disclose a private communication, made during marriage, by one to the other, when such private communication is privileged. Such private communication shall be privileged in all except the following cases:

1. Where both husband and wife were parties to the action:
2. Where such private communication relates to a charge of personal violence by one upon the other:
3. Where one has acted as the agent of the other and such private communication relates to matters within the scope of such agency.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 15, 1917.