

of her body which, if born alive, would be * * * *an illegitimate child*, so that it may not be known whether such issue was born alive or not or whether it was not murdered, shall be punished by imprisonment in the county jail not more than one year nor less than six months, or by a fine not exceeding three hundred dollars nor less than one hundred dollars.

351.25 Any woman who shall be indicted or informed against for the murder of her * * * *illegitimate* child may also be charged in the same indictment or information with the offense described in section 351.24, and if on the trial the jury shall acquit her of the charge of murder and find her guilty of the other offense judgment and sentence may be awarded against her for the same.

SECTION 12. The amendments to chapter 166 of the statutes included in this act shall apply to all proceedings commenced after this act takes effect.

SECTION 13. This act shall take effect upon passage and publication.

Approved August 26, 1929.

No. 551, A.]

[Published August 31, 1929.

CHAPTER 440.

AN ACT to renumber chapter 211 of the statutes to be chapter 213 and to create a new chapter 211 of the statutes, relating to registered town mutual insurance companies.

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

SECTION 1. Chapter 211 of the statutes is renumbered Chapter 213.

SECTION 2. A new chapter is added to the statutes to read:

CHAPTER 211

211.01 (1) A registered town mutual insurance company is defined to be a town mutual insurance company organized under, or, if heretofore organized, by registration with the department of insurance and conforming to the provisions of this chapter and licensed thereunder to transact the business of fire and lightning insurance authorized in subsection (1) of section 201.04, and adopting as herein provided, the standard articles

of incorporation and by-laws, the standard form of policy, mortgage clause and application and a standardized uniform system of records and accounting. The standard form of policy shall be known and designated as "standard registered town mutual policy".

(2) Acceptance of the provisions of this chapter shall be optional, any existing town mutual insurance company being privileged to conform to the standard herein provided, and thereafter, any such company so conforming, shall be authorized to incorporate in its name and imprint on its forms and literature the designation "registered" to specify the standard of compliance in the transaction of its business.

211.02 (1) Not less than twenty-five persons, residing in the same town or adjoining towns, but not embracing more than thirty towns in any one county or adjoining counties, or all the towns in three adjoining counties, who collectively own insurable property of not less than one hundred thousand dollars in value which they desire to have insured, may form themselves into a company for mutual insurance to transact the business of fire and lightning insurance. Such company may be licensed to transact such business by the commissioner of insurance as a "registered town mutual insurance company" when the provisions of this chapter have been complied with, after the company has secured not less than two hundred bona fide applications for insurance representing not less than an aggregate of five hundred thousand dollars of insurance, provided that no single application then or thereafter shall exceed three times the average policy or one-fourth of one per cent of the insurance in force, whichever is the greater, except, that application for an amount in excess of the company's own limit may be received, provided such excess is reinsured by treaty or agreement in similar registered company or companies.

(2) The "standard" articles of incorporation shall be as follows:

ARTICLES OF INCORPORATION
OF THE

.....REGISTERED TOWN MUTUAL INSURANCE
COMPANY OF....., WISCONSIN

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, that we :

Name	Residing in the Town of	County of	Mail Address	Insurable property not less than
.....
.....
.....

(N. B. Not less than twenty-five lines for not less than twenty-five incorporators.)

citizens of the state of Wisconsin, do hereby associate, for ourselves and for others who are now or may become associated with us, for the purpose of organizing a town mutual insurance company under the provisions of chapter 202 and the acts amendatory thereof and supplementary thereto, and for that purpose do adopt the following :

ARTICLES OF INCORPORATION

ARTICLE I

Name and Location

Section 1. The name of this company shall be “.....
REGISTERED TOWN MUTUAL INSURANCE COMPANY”
and the principal office for the transaction of business shall be
located at, county of,
State of Wisconsin.

ARTICLE II

Business to be Undertaken

Section 1. The business of the company shall be fire and lightning insurance as authorized by subsection (1) of section 201.04 defining the classes or kinds of insurance fire insurance companies may transact, subject to all the regulations, restrictions and obligations upon registered town mutual insurance companies.

Section 2. The company shall have authority to transact business in the adjoining towns of,,, and in any of the villages therein, located in the county of, state of Wisconsin, and in adjoining towns and any villages therein, in adjoining counties,,, not exceeding in all thirty towns, or in all the towns in the three adjoining counties of,,, ; subject to such limitation the territory of the company may be extended from time to time as authorized by a vote of the members at an annual, or special meeting of the company; and the directors may also authorize the insurance of property in adjoining towns as limited by the by-laws of the company.

ARTICLE III

Administration—Board of Directors

Section 1. The board of directors, to serve until the first regular annual meeting shall be :.....,,,,,,,,,, at which said annual meeting a new board of directors shall be elected, the members of which shall be divided into three classes to serve for the term of one, two and three years respectively, and thereafter, except to fill vacancies, one-third of the directors elected at the annual meeting of the company shall hold office for the term of three years and until their successors are elected.

Section 2. The board of directors shall consist of not less than nine nor more than fifteen members, all of whom shall be policyholders. The company in its supplementary by-laws may provide for the increase of the number of directors from time to time, over and above nine, as the needs of the company may require.

Section 3. Any vacancy occurring during the interim of the annual meetings of the policyholders shall be filled by the board of directors, and the person so elected shall serve until the next annual meeting of the company.

Section 4. The regular meetings of the board of directors shall be held quarterly, subject to the call of the president and secretary, at the office of the company. Special meetings may be called by the president, and special meetings shall be called upon the written request signed by five directors and served upon the secretary of the company. A majority of the board shall constitute a quorum for the transaction of business, but less than that number may adjourn to a definite or fixed time.

Section 5. Any director who shall absent himself from three consecutive regular meetings shall forfeit his office and shall not be eligible to election again for a period of six months.

Section 6. The board of directors within one week after the filing of the articles of incorporation, and thereafter within one week after each annual meeting shall elect the officers of the company, and such board shall have authority to appoint or authorize the appointment of all committees, agents and employes necessary for the conduct of the business, determine and fix all salaries and compensation and define and direct their duties.

Section 7. The board of directors shall exercise the corporate powers of the company and shall adopt rules and regulations for the government of officers and employes and the affairs of the company not otherwise provided by insurance laws, articles of incorporation or the by-laws. Such rules and regulations may be changed or amended at any meeting of the board of directors or by a vote of the policyholders at any annual or special meeting.

ARTICLE IV

General Officers

Section 1. The general officers of the company shall be a president, vice-president, a secretary, a treasurer and a finance committee consisting of three members. All officers, except the secretary, shall be required to be members of the board of directors.

Section 2. The president shall preside at all meetings of the policyholders and of the board of directors, countersign all policies, verify the adjustment of all claims and countersign all

checks for the authorized payment of adjusted claims, jointly with the secretary sign all calls upon policyholders for premium payments as directed by a vote of the board of directors, and shall perform such other duties as are or may be imposed upon him by law, the articles, the board of directors, by-laws or rules and regulations of the company.

Section 3. The vice-president shall perform such duties as may be assigned or required by the board of directors, the president, or the articles or the by-laws, and in the absence of disability of the president shall perform all the duties of that office.

Section 4. The secretary shall be the recording officer of the company, keep full and complete minutes of all meetings of the company, board of directors, executive and finance committee, and shall keep his books and records according to the standardized requirements of the law under the direction of the commissioner of insurance and shall perform all such other duties incident to his office as may be required by the law, articles, by-laws, rules and regulations, the orders of the president, and the board of directors. At each meeting of the board of directors the secretary shall furnish to each member a detailed financial statement, showing receipts and disbursements, amounts due the company, claims paid for losses, claims pending and such other information as will clearly show the financial condition and needs of the company.

Section 5. The treasurer shall be the custodian of the funds and securities of the company; he shall keep his books and records according to the standardized requirements of the law, and shall do and perform such other duties as required by the law, articles, by-laws, rules and regulations, the president, and the board of directors, and at each meeting of the board of directors submit a financial statement of the receipts, disbursements and funds on hand.

Section 6. The finance committee shall audit all financial statements of the secretary and the treasurer, and make semi-annual audit and examination of the books and accounts of the secretary and treasurer and of all the financial transactions of the company, and shall report in detail the results of each such audit and examination to the board of directors. The reports of the finance committee shall be submitted to the policyholders at the annual meeting for their inspection. The finance committee shall perform such other duties as may be required by law and as may from time to time be assigned.

ARTICLE V

Membership and Annual Meeting

Section 1. All persons who have become insured in this company are members thereof as long as their insurance continues in force, and every policyholder shall be entitled to one vote at all meetings and elections of the company in person, but not by proxy.

Section 2. The annual meeting of the policyholders shall be held at one o'clock P. M. on the first Saturday after the first Monday of June of each year at the office of the company. The time and place of the annual meeting shall be conspicuously printed on the filing page of each policy issued, and no further personal notice to policyholders shall be required other than that the president shall publish, by two insertions on different dates, a notice of such annual meeting, giving date, time and place, in a newspaper published in the county having the most general circulation in the towns in which the company is doing business. Ten or more policyholders present at the meeting shall constitute a quorum, but less than that number may adjourn to a future date, of which such adjourned meeting, notice by publication as for the regular meeting shall be given the policyholders.

Section 3. Special meetings may be called by a majority vote of the board of directors, and shall be called by the president when requested in writing by not less than twenty-five members. Notice of such special meetings shall be given policyholders by mail, and the purpose of such meeting and the business to be transacted shall be clearly and fully stated in the notice of the meeting.

ARTICLE VI

Fiscal Year

The fiscal year of the company shall commence January first, and terminate on the thirty-first day of December of each year.

In witness whereof, the said parties have hereunto set their hands and seals this day of, 19.....

Signed in the presence of..... (Seal)

..... (Seal)

Witness (N. B. Line for signature of each incorporator—
not less than twenty-five.)

State of Wisconsin }
County of } ss.

On the day of A. D., 19....,
personally came before me the above named
.....,
.....,
.....,
.....,
to me known to be the persons who signed the foregoing articles
of incorporation and severally acknowledged the same for the
uses and purposes therein mentioned.

(Notary seal)
Notary Public, County, Wisconsin.
My commission expires, 19....

VERIFICATION OF COPY OF ARTICLES

State of Wisconsin }
County of } ss.

..... and, being each
duly sworn, doth each for himself depose and say that he is one
of the original signers of the above declaration and articles, that
the above and foregoing is a true, correct and complete copy of
such original declaration and articles and the whole thereof.

..... (Seal)
..... (Seal)

Subscribed and sworn to before me this day of
....., A. D., 19....

.....
Notary Public County, Wisconsin.
My commission expires, 19....

211.03 Any existing town mutual insurance company desir-
ing to qualify as a "registered town mutual company" may at
a regular or called meeting of its policyholders, either adopt the
standard articles of incorporation as an amendment of the ar-
ticles of incorporation of such company; or by the repeal of any
and all parts of such articles contrary to or in conflict with such
standard articles, the acceptance, by a vote of the policyholders,
of the standard by-laws, standard registered town mutual policy,
mortgage clause and application, and the adoption of the fol-
lowing "declaration and application for registration:"

DECLARATION AND APPLICATION FOR REGISTRATION

The policyholders of the TOWN MUTUAL INSURANCE COMPANY OF, Wisconsin, in regular (or "at a called") meeting, held at, this day of, 19...., of which said meeting and the questions to be considered all members were duly notified, having fully considered the merit and benefit of transacting the business of this company as a registered town mutual company, by a vote of two-thirds of all the members present, voting aye, and voting no, adopted the following resolutions:

"Resolved, That the board of directors of this company be and are hereby directed to petition the commissioner of insurance to classify the Town Mutual Insurance Company of, Wisconsin, as a "Registered Town Mutual."

"Resolved, That the standard by-laws, standard registered town mutual policy, mortgage, clause, and application, together with the requirements of chapter 211, be and are hereby accepted as the standard and requirements under which this company, from and after the date of such registration, shall transact its business."

We, the undersigned, president and the secretary of the..... Town Mutual Insurance Company of, Wisconsin, HEREBY CERTIFY that the foregoing Declaration and Application for Registration, together with the Resolutions therein contained, were duly adopted by vote of the members as therein stated, and we hereby file with the department of insurance of Wisconsin copy of this Declaration and Application, a copy of the Standard By-Laws, the Standard Registered Town Mutual Policy, with Mortgage Clause, and Application, and HEREBY APPLY FOR REGISTRATION as directed by vote of the policyholders at such meeting.

..... President,
(Seal of company) Secretary.
.....Town Mutual Insurance
Company.

Subscribed and sworn to before me this.....day of
....., A. D., 19....

Notary Public, county,
Wisconsin.

My commission expires, 19....

Such declaration and application having been filed and having been approved by the commissioner of insurance, such company shall be recorded in the department of insurance as a "Registered Town Mutual" and shall be privileged to so imprint its registration on its literature and present itself to the public as a Registered Town Mutual authorized to transact business under the provisions of this chapter.

211.04 (1) Whenever referred to in this chapter, a stipulated premium shall mean an amount payable in advance and assumed, from past experience, to be sufficient to cover the cost of insurance during the period for which the premium was paid, distinguished from a fixed premium in that if the stipulated premium is not sufficient then the policyholder may be called upon for such additional payment or payments as may be necessary for the contribution of his share of the cost.

(2) Any town mutual insurance company registered under this chapter, may conduct its business on a stipulated annual premium basis.

(211.05) (1) Every registered town mutual insurance company, in addition to the standard by-laws, is authorized to adopt such supplementary by-laws as it may deem necessary for the conduct of its business; provided, however, that any supplementary by-law in any manner conditioning the insurance provided in the standard registered town mutual policy shall be filed with and be approved by the commissioner of insurance, and after having been approved shall be printed on the policy under the caption: "Supplementary By-laws," and no such supplementary by-law unless so printed on the policy shall condition the insurance provided in the policy. The standard by-laws to be accepted by every such company and embodied in the policy shall be as follows:

BY-LAWS

Section 1. The president, secretary and the finance committee shall constitute the executive committee and shall approve all applications for insurance, adjust or direct and supervise the adjustment of all losses by committees of members appointed by the president for such purpose.

Section 2. Any person owning insurable property within the territory in which this company is authorized to transact business may apply for insurance herein, and when such application

has been approved by the executive committee and the requirements for such insurance have been complied with, a policy signed by the president and secretary shall be issued and the insured thereby admitted to all the rights, privileges, duties, and obligations of membership in this company incident to such insurance.

Section 3. The policy shall constitute the entire contract, and no one shall have power to waive any provisions or conditions therein contained except such as by its terms may be the subject of agreement added thereto and not contrary to the articles of incorporation and by-laws printed thereon and incorporated therein, nor shall any provision or condition be held to be waived unless such waiver shall be in writing added thereto, nor shall any provision or condition of the policy or any forfeiture be held to be waived by any requirement, act, or procedure on the part of the company relating to appraisal or any examination therein provided for; nor shall any privilege or permission affecting the insurance thereunder exist or be claimed by the insured unless granted therein or by rider is added thereto.

Section 4. (a) This company will insure farm buildings, village dwellings, barns, private garages, household furniture, live stock, farm machinery, farm products (including hay, straw, feed, fodder and silage, except on or near a marsh), while in stack or in buildings insured in this company, and on premises of the assured; potatoes, provisions and fuel while in buildings on the premises of the assured only. (Add here additional risks assumed.)

(b) All risks are to be written for a term of year..., and every person applying for membership and insurance in this company shall in the application bind himself, his heirs and assigns to pay his pro rata share, according to classification of risk, to the company of all losses or damages which may be sustained and of its necessary business expenses, together with all legal costs and charges incurred in case legal proceedings are commenced to collect any assessment or call made upon him.

(c) 1. The rate of premium charged is cents when risks are seventy-five feet apart; cents when risks are less than seventy-five feet apart; except in cities and villages of classes four and four and one-half, according to the rating of the

Wisconsin Inspection Bureau, when the rate of premium charged shall be cents.

2. Summer cottages, boathouses, boats and fishing tackle at a rate of

3. Town and village halls, and schoolhouses at a rate of

4. Tobacco while on premises of the assured, whether in shed, cased or in stripping room or in storage in buildings insured in this company, at a rate of

5. Co-operative and private cheese factories and creameries at a rate of

6. Co-operative and private threshing outfits, tractors, steam engines, threshing machines, corn shredders, hay bailers, ensilage cutters and saw outfits, at a rate of

7. Automobiles and tractors at a rate of

8. Live stock is insured while at pasture in company's territory or within six miles of the boundary line thereof, and teams of horses and equipment, while on the road temporarily, in company's territory or within ten miles of the boundary line thereof, against loss or damage by lightning only.

(d) No more than dollars shall be directly assumed in any one risk; the company however may accept applications for larger amounts provided it has made provision for the placing of the excess of reinsurance. In no case shall the company entertain or accept applications for insurance to exceed eighty per cent of the buildings' value or where such insurance if issued would exceed such percentage.

(e) The company shall not be liable for any loss or damage occurring to live stock or other personal property kept permanently in buildings that this company will not insure.

(f) The rates herein stated shall constitute the initial premium for such insurance, which said insurance shall not take effect until the policy has been issued and countersigned by the duly authorized officers of the company. Whenever the company shall conduct its business on the stipulated premium plan authorized by section 211.04, the words "initial premium" on the policy shall be changed to "stipulated premium" and the rates of premium shall be changed to conform to the requirements of such stipulated rate.

Section 5. When insurance is taken on more than one build-

ing in the same policy, the amount of each must be named, and also the amount on each kind of personal property.

Section 6. Whenever any buildings are being built or being repaired, or a dwelling house is unoccupied, such building or buildings being insured in this company, and a loss occurs, this company shall be held for only sixty-six and two-thirds per cent of the insurance thereon, and the same for vacant houses and houses being built, and in the latter case the sixty-six and two-thirds per cent shall be based upon and prorated according to the nearness of completion when loss has occurred. A house shall be deemed unoccupied when the assured or family or his tenant or tenant's family is not actually living in such house for thirty days. A house shall be deemed vacant when household goods are taken therefrom.

Section 7. This company shall not be held liable for any loss which may occur from the presence or use of gasoline or steam engines, gasoline or kerosene stoves, or the use of any extra hazardous illuminating oil, or by keeping explosive substances in or about the property insured, with the following exceptions to the above rule: Steam threshing machines may be used under the following restrictions: Coal or hardwood must be used for fuel; a good and sufficient spark arrestor must be constantly in use; engine must be at least thirty feet from any grain, hay or straw stack while threshing. Permission is given to members of this company to use gasoline or oil stoves and gasoline or acetylene lights as per permits printed in body of policy. This company will not be liable for any losses arising from the use of brooders, nor for any increase of risks taken by the assured without the written consent of the president and secretary.

Section 8. (a) The board of directors may enter into reciprocal reinsurance agreements and treaties with other like registered town mutual insurance companies of this state wherein the net rates and assessments or calls do not exceed the rates and amount of assessments in this company, and when such reinsurance agreements and treaties have been entered into, applications may be received for larger amounts of insurance; provided, however, that this company shall in no case accept by reinsurance or otherwise more than dollars in any one risk, nor place in any one other company a larger portion or excess over and above its own coverage than dollars, and whenever reciprocal reinsurance agreements or treaties have

been entered into with two or more companies, the reinsurance of any such excess shall be apportioned, as near as may be, among such reinsuring companies; and provided further that this company shall not in any event entertain an application wherein there is assumed a larger amount of insurance than the company's own limit, plus an amount in excess of not more than dollars for each other similar company with which this company has reciprocal reinsurance agreement or treaty. All such reinsurance companies shall have qualified under the provisions of this chapter and all property so reinsured shall be located within the territory of the company to which such original application is submitted.

(b) Upon the reinsurance of any property under agreement or treaty, this company shall issue to the reinsured company the policy of this company for the amount so accepted, but the insurance of such policy shall not carry with it membership or the right to participate or vote at the meetings of this company.

(c) All such reinsurance agreements and treaties shall be reciprocal and shall provide for the acceptance of the adjustment of the loss by the reinsured company, by the company or companies to whom such reinsurance was granted, except that where reinsurance is placed with two or more companies and the claim for loss involves an amount greater than twice the amount carried by the reinsured company, the companies who are participants in such loss by reinsurance shall be given notice of the time and place of the appraisal and adjustment of such loss and shall be privileged to be represented at such appraisal and adjustment, but such representation shall not avoid the acceptance of such adjustment on the part of the company reinsuring any portion of such risk.

Section 9. Policies may be assigned with the consent of the president and secretary and in all such cases a duplicate of the assignment shall be filed with the company on a blank furnished for such purpose.

Section 10. The secretary and the treasurer shall each give a bond in the sum of thousand dollars for the faithful performance of the duties of their respective offices, and the company shall pay the premium on such bonds.

Section 11. No payments from the treasury of the company for donations or relief for any purpose shall be authorized except by a vote of the members at an annual or special meeting

and no such proposal shall be entertained unless an explanatory statement of such proposal, demand or request was filed with the secretary at least twenty days before such meeting and notice thereof given the members that such matter is to be presented at the meeting for consideration and vote.

Section 12. It shall be the duty of the board of directors to meet at the place of the last annual meeting of the company, unless otherwise notified by the secretary, on the Saturday after the first Monday in January in each year. At such meeting the board shall settle all accounts of the preceding year. The secretary shall notify each director and agent of the company to be present at such meeting.

Section 13. Whenever the amount of any ascertained loss shall exceed the amount of the cash funds of the company, the president shall convene the board of directors, who shall make an assessment upon all property insured by it, at the time of the loss, in proportion to the amount thereof and the rate under which it may have been classified, sufficient at least to pay such loss; provided, that such board may assess up to three and a half mills even if such loss should not require such an amount, or for such fractional amount of the stipulated premium if the company has adopted such plan. The board of directors may also levy an assessment at any time for the purpose of carrying on the business of the company, regardless of whether or not a loss has occurred. When any 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 a company is doing business, stating therein the time when such assessment was levied and the time when the same becomes due. Such notice together with the proof of the publication thereof shall be conclusive evidence of notice of such assessment to every member of the company. The secretary shall also notify every member by letter or postal card sent to his usual post-office address, of the amount of such loss, or assessment, 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 thirty nor more than sixty days from the date of such notice. If the insurance under any policy is payable to a mortgagee and the assessment thereon is not paid within the time specified in the notice to the member, the secretary shall within ten days after the expiration of such time give notice of such non-payment

to the mortgagee. The mortgagee shall have twenty days from the date of such notice to pay the assessment, and the policy, as to his interest, shall be in full force until the expiration of that time.

Section 14. The company by a vote of the board of directors may borrow money without the levy of an assessment at the time of such loan, on the condition that such money may be used to pay losses incurred, and that an assessment or assessments to cover such losses be levied upon all persons insured at the time such losses were incurred. No loan or renewal thereof made prior to November first shall extend beyond the first day of January next following the original making of such loan.

Section 15. An action at law shall be brought against any member of such company who shall refuse or neglect to pay any such assessment made upon his insured property. The directors of any such company who shall wilfully neglect or refuse for thirty days to perform the duties imposed in this or the section imposing duty to levy assessments for the payments of losses shall be jointly and severally liable in their individual capacity to the person sustaining such loss.

Section 16. It shall be the duty of the secretary to notify each member when an assessment is ordered, giving on such notice the amount due, when and where payable. Every member of such company who shall either neglect or refuse to pay such assessment at the time specified in the notice sent to him in compliance with the provisions of this section shall pay to such company a fine of two per cent of the amount of such assessment for each week or part thereof during which such assessment shall remain due and unpaid, and any member refusing or neglecting to pay any assessment within sixty days from the issuance of notice of assessment, his policy shall be void as to any claim against this company for any loss occurring while such assessment remained unpaid after the expiration of the said sixty days' notice, and all property real and personal, of each member of the company shall be liable for the assessment upon it.

Section 17. It shall be the duty of each member of the company, within sixty days after date of such notice, to pay to the treasurer the amount assigned as his or her proportion of the assessment. If any member fails to pay his or her assessment within the time specified it may be collected by the president in behalf of the company, in civil suit with costs.

Section 18. The directors may insure property in any town adjoining the territory of this company; provided, that such property insured shall be adjoining property insured in the territory now belonging to this company and by this company; and provided further, that the applicant for insurance of such adjoining property shall have property within the company's territory insured in this company.

Section 19. The treasurer shall deposit all money received for and on account of the company in such banks as designated by a vote of the board of directors, and all such deposits shall be made in the name of the company as follows:

“..... Registered Town Mutual Insurance Company
Per.....treasurer,”

and when any such deposit is made the bank shall be notified in writing, signed by the president and secretary, of the manner and method in which any of the deposited funds may be withdrawn by check or order, together with the signatures of the officers required to sign the checks drawn on such account, and the manner in which notice shall be given to the bank of any change in the office of treasurer, and in the offices of other officers authorized to sign and countersign checks. The treasurer while complying with the provisions of this section shall be relieved from personal liability after the deposits have been so made in the bank or banks designated by the board of directors.

Section 20. It shall be the duty of any agent of this company to carefully examine all buildings upon which insurance is asked, to see that all the questions are answered and especially that assured places a valuation on each building on which insurance is asked. The agent must always give his own valuation of the buildings as they stand, and not on their cost at time of erection, and whether such buildings are in “good repair,” “ordinary repair,” or “poor repair,” as the case may be, and in no case to insure for more than eighty per cent of his own valuation. The president and secretary are hereby forbidden to sign any policy based upon a survey where material questions are unanswered, and in no case where the agent has failed to put his own cash valuation on buildings. It shall be the duty of the secretary to refuse a policy where he deems the amount of insurance on buildings is more than eighty per cent of their real value. And in all cases where the president refuses his signature to a policy, which has been approved by the secretary, on the ground that the

amount of insurance is too high, the president shall report such case to the next annual meeting.

Section 21. Unless otherwise provided by agreement in writing added hereto this company shall not be liable for loss or damage occurring while the insured shall have any other contract of insurance, whether valid or not, on property covered in whole or in part by this policy.

Section 22. Directors shall receive.....dollars per day of services rendered while attending meetings of the board of directors, adjusting losses or any special business, and in addition to this, mileage at the rate of five cents per mile each way for distance traveled. The president, in addition, shall receive dollars. The secretary shall receive dollars. The treasurer, in addition, shall receive dollars per annum, and also two per cent of all collections made by him, which amounts shall be payable by this company when not paid individually, by members thereof. All fees received by the secretary shall be paid over to the treasurer. An agent shall receive on each policy secured by him. The remainder of the premiums collected, or other money coming into their hands, shall be paid to the secretary, whose duty it shall be to give a receipt therefor. All necessary books, stationery, postage and supplies shall be at the expense of the company, and orders shall be drawn in favor of the parties from whom they were obtained.

Section 23. This policy shall be canceled at any time at the request of the member upon payment to the secretary of the company the policy's share of all claims then existing against the company, and if thereafter there shall be a credit balance due such member there shall be a refund of such credit. The board of directors or a committee thereof shall have power to annul any policy by giving five days' written notice to that effect to the holder thereof, accompanied by a statement of the policy's share of all claims then existing against the company, and the amount then due shall be promptly paid the company by such retiring member; if thereafter there shall result or be found a credit balance over and above such retired member's share of the losses as aforesaid, check for such credit balance shall be mailed to such retired member as soon as such credit balance has been ascertained.

(2) Before adoption of the by-laws, the company shall fill out in "section 4" the term of insurance, amount and the rates;

in "section 10" the amount of the bond to be furnished, and in "section 22" the amount of compensation payable.

211.06 (1) The standard policy to be used exclusively by the registered town mutual insurance company shall be known as the "standard registered town mutual policy"—in which, when issued, shall be incorporated the standard articles of incorporation, and standard by-laws of the company. Such policy form shall correspond in all respects to the sample hereto attached:

(2) Printed or written forms of description and specifications or schedules of the property covered by any particular policy, and any schedules of the property covered by any particular policy, and any other matter necessary to clearly express all the facts and conditions of insurance on any particular risk (which facts or conditions shall in no case be inconsistent with or a waiver of any of the provisions or conditions of the standard registered policy herein provided for), may be written upon or attached or appended to any policy issued on property in this state.

211.07 (1) The standard mortgage clause to be used by the registered town mutual insurance company shall be as follows:

REGISTERED STANDARD MORTGAGE CLAUSE

Loss, if any, payable to
, as Mortgagee (or Trustee) as such interest may appear.

This policy, as to the interest therein of the said payee, as mortgagee (or trustee) only, shall not be invalidated by any act or neglect of the mortgagor or owner of the within described property nor by the commencement of foreclosure proceedings, nor the giving of notice of sale relating to the property, nor by any change in the interest, title, or possession of the property, nor by any increase of hazard; and PROVIDED that the mortgagee (or trustee) shall notify this company of the commencement of foreclosure proceedings, and of any notice of sale relating to the property, and of any change of ownership or occupancy or increase of hazard which shall come to the knowledge of said mortgagee (or trustee) and, unless permitted by this policy, the same shall be noted thereon and the mortgagee (or trustee) shall, on demand, pay the premium for any increased hazard; and PROVIDED also that upon failure of the insured to render proof of loss, such mortgagee (or trustee) shall, as if named in this policy as the insured, but within sixty days after notice of such failure,

CONSENT BY COMPANY TO ASSIGNMENT OF INTEREST

The Insurance Company hereby consents that the interest of as owner of the property covered by this policy be assigned to.....

Dated at....., Wis.,.....
By....., Secretary.

.....INSURANCE COMPANY.

No.....

Name of Co.....

Assured

Of the { Town } of.....
Village }

Amount Insured - - -

Premium - - - - -

Expires.....

IN CASE OF LOSS THE SECRETARY MUST BE NOTIFIED

It is important that the policies covering the same alike.

Be sure and send the receipt to the State Fire Marshal, Madison, Wis., Fire Department where the policy is issued.

In communicating with the company give the policy number of your policy.

Read your policy, follow the conditions we have agreed, and the Company will pay when loss occurs.

ASSIGNMENT OF INTEREST BY INSURED

The interest of.....as owner of property covered by this Policy is hereby assigned to..... subject to the consent of the.....Insurance Company.

Dated..... Signature of the Insured.

Note—To secure mortgages, if desired, the policy should be made payable on its face to such mortgagee, as follows: Loss, if any, payable to John Doe, mortgagee.

CONSENT BY COMPANY TO ASSIGNMENT OF INTEREST

The.....Insurance Company hereby consents that the interest of..... as owner of the property covered by this policy be assigned to.....

Dated at....., Wis.,..... INSURANCE COMPANY.

By....., Secretary.

ASSIGNMENT OF INTEREST BY INSURED

The interest of.....as owner of property covered by this Policy is hereby assigned to..... subject to the consent of the.....Insurance Company.

Dated.....

render Proof of Loss, and shall be subject to the provisions of this policy as to appraisal and the times of payment and of bringing suit.

Failure upon the part of the mortgagee (or trustee) to comply with any of the foregoing obligations shall render the insurance under this policy null and void as to the interest of the mortgagee (or trustee).

The insured has filed with the company an Undertaking agreeing for himself, heirs and executors, to annually deposit with the company an Estimated Cost Premium or a Stipulated Premium sufficient to meet the probable year's cost of insurance and at the end of each year, on the demand of the company, pay any excess cost, if any then due, while any indebtedness under this mortgage clause continues, thus relieving the mortgagee of any assessment or premium liability for the policy's share of the losses incurred. Such an annual deposit having been made, the company hereby acknowledges the release of the mortgagee from assessment or premium liability, except for increase of hazard, and agrees to inform said mortgagee, by ten days' notice, of any failure on the part of the insured to continue such deposit or pay any excess yearly cost, or of any increase of hazard coming to its knowledge, before cancellation of the policy.

This insurance may at any time be cancelled as to such mortgagee (or trustee) interest by giving the mortgagee (or trustee) a ten days' written notice of such cancellation.

In case of any other insurance upon the within described property this Company shall not be liable to said mortgagee (or trustee) under this policy for a greater proportion of any loss or damage to the within described property, than the sum hereby insured bears to the whole amount of insurance on said property, payable to, held by, or consented to by said mortgagee (or trustee).

On payment to such mortgagee (or trustee) of any sum for loss or damage hereunder, if this company shall claim that as to the mortgagor or owner, no liability existed, it shall, to the extent of such payment, be subrogated to the mortgagee's (or trustee's) right of recovery any claim upon the collateral to the mortgage debt, but without impairing the mortgagee's (or trustee's) right to sue; or it may pay the mortgage debt and require an assignment thereof and of the mortgage.

Attached to and forming part of Policy No. of the.....

..... (name of insurance company) issued at its home office and dated 19.....

.....Secretary,
.....Registered Town Mutual Insurance Company.

211.08 (1) Every contract of insurance made under the provisions of this chapter shall be in writing and based wholly upon the written answers in the application over the signature of the applicant for such insurance and the survey and action of the company taken thereon, and no oral agreement or understanding with any person or made in any manner shall be binding upon the company, and the whole of such contract being contained in the policy of insurance as added to or modified only by the endorsements incorporated in or attached thereto as specifically authorized and so added to or modified by an officer of the company. No soliciting agent of any such registered town mutual insurance company shall have any other authority than to solicit, correctly filling out and countersigning applications for insurance according to the law, and the rules and regulations of the company, receiving and receipting for the initial or stipulated premium and promptly transmitting the application and premium to the company, together with a survey of the property to be insured in accordance with the directions and instructions of the company; no information given to or possessed by the agent unless stated in writing to the company over the signature of the applicant affecting any provision or condition shall be accepted as notice to the company. A copy of the application containing the statements of the applicant shall be incorporated in or attached to the policy, and the failure of the insured to notify the company of any error or omission in such application or schedule of property to be covered by the policy and returning the policy for correction before any claim for loss or damage arises thereunder shall act as an estoppel to any claim of error, omission, understanding or agreement after claim under such policy arises. A copy of this subsection shall be printed on all applications for the information of the insured. Every person applying for insurance in any such registered town mutual insurance company shall sign an application of the form prescribed by the commissioner of insurance and containing also the following:

Application for Insurance and Membership in the.....

.....Registered Town Mutual Insurance Company of.....
Wisconsin:

The undersigned hereby applies for fire and lightning insurance for the amount stated and upon the property described in the rider attached to this Application, and in connection therewith, represents that the answers to the following questions are true and correct:

1. Are you the sole and unconditional owner of the property described in the rider attached thereto?.....

(a) If the real estate described in the attached rider is the subject of a mortgage, land contract or any other similar agreement, state the following:

Name of mortgagee or other party interested

Amount and terms of mortgage, land contract or other similar agreement

(b) If any of the personal property described in the rider attached hereto is the subject of a chattel mortgage, condition of sale or other similar agreement, state the following:

Name of mortgagee or other party interested

Amount and terms of chattel mortgage, conditions of sale or other similar agreement

2. Do the buildings (if any) described in the attached schedule stand on ground owned by you in fee simple?

3. Do you agree to permit the authorized inspector of this company to make an inspection of the property insured at any reasonable time?

(Space for attachment of schedules or rider descriptive of property and amounts of insurance applied for.)

And the said applicant hereby covenants and agrees to and with said company that the attached schedule is a just, full and true exposition of all the facts and circumstances in regard to condition, situation, and value of property to be insured. The insured hereby agrees that the provisions and conditions of the Standard Registered Town Mutual Policy, Articles and By-Laws of the company incorporated in the Policy shall be, and are hereby made a part of this contract; and any claim for loss or damage, except in strict compliance therewith is hereby waived.

to pay Incidental Expenses of the company, as per conditions in said policy. And my property, both personal and real, waiving all Exemptions, shall be liable for said pro rata share.

Given under my hand this day of,
19.....

.....
Applicant.

..... Agent.

..... REGISTERED TOWN MUTUAL INSURANCE COMPANY.

211.10 (1) The commissioner of insurance shall issue to every town mutual insurance company complying and registering under the provisions of this chapter, a certificate of registration, certifying that the company has complied with all the provisions of the law governing registered town mutuals and “is authorized to transact the business of fire insurance including loss or damage from lightning as permitted by subsection (1) of section 201.04, and may also under such subsection (1) insure automobiles and motor vehicles against such loss or damage wherever temporarily located at the time of such loss or damage, and that the company may imprint upon its policy and literature that the company is a ‘registered town mutual insurance company.’ ”

(2) While giving compliance with the provisions of this chapter such certificate of registration shall annually on the first day of March be renewed and not otherwise. For failure on the part of any such company to comply with the provisions of this chapter, it shall be the duty of the commissioner of insurance to cancel such certificate of registration and thereafter it shall be a violation of the insurance laws for such company to hold itself out to the public as a registered town mutual insurance company.

211.11 (1) Two or more registered town mutual insurance companies located in any one county, may consolidate, by the adoption of a resolution by a two-thirds vote of the board of directors of each such company clearly stating the reasons for and the conditions of such consolidation, and approved by a vote of two-thirds of the members of each such company ; such vote of the members being either in person or by mail.

(2) (a) Every member of such company shall receive a printed or written notice of any such proposed consolidation, containing a copy of the resolution adopted by the board of di-

rectors with the vote thereon, with a statement of the purpose and advantages of such proposed consolidation, together with a printed return envelope, and a ballot.

“Proposed Consolidation of

.....Registered Town Mutual Ins. Co., of.....
 and
Registered Town Mutual Ins. Co., of.....

BALLOT

Yes

No

:	:	:	:
:	:	:	:

Vote on Consolidation :

..... Insured
 Policy No.
 Registered Town Mutual Ins. Co.”

(b) A meeting of the company for the canvass of such vote shall be held two weeks from the date and mailing of the notice to the members, which shall also give the time and place of such meeting. At such meeting, three tellers shall be elected, to whom the sealed ballots shall be delivered, who shall then proceed to canvass the vote. If two-thirds of the members of the company vote in favor of such consolidation, the board of directors, under the supervision of the commissioner of insurance, may proceed with such consolidation.

(3) The board of directors of the companies—parties to such proposed consolidation—shall determine upon a date, time and place of a joint meeting when such consolidation shall be consummated, and each such company shall by publication, as for an annual meeting, notify all its members of the time and place of such joint meeting for the election of a board of directors, and the formal adoption of the name, articles, by-laws and complying with such other requirements and transfers as enjoined by this chapter, and the directions of the commissioner of insurance under whose supervision, after an examination of the companies, the consolidation shall become effective.

211.12 Every such registered town mutual insurance company may exercise all powers, privileges and authority granted to mutual fire insurance companies organized under the provi-

sions of chapter 202, so far as applicable and except as limited by or inconsistent with, the provisions of this chapter.

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

Approved August 26, 1929.

No. 6, S.]

[Published August 29, 1929.

CHAPTER 441.

AN ACT to amend the introductory paragraph and paragraphs (b) and (c) of subsection (2) and to create subsections (3), (4) and (5) of section 74.03 of the statutes, relating to the time of payment of taxes.

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

SECTION 1. The introductory paragraph and paragraphs (b) and (c) of subsection (2) of section 74.03 of the statutes are amended to read: (74.03) (2) The common council of any city, * * * *the board of trustees of any village, and the board of any town*, shall have power to extend the time for the collection of all or a portion of the taxes, assessed for city, *village or town* purposes, to all persons desiring such extension, for a period of time not exceeding six months under the following conditions:

(b) No such extension of time shall be operative in favor of any taxpayer unless he shall have paid to the city, *village or town* treasurer, before the expiration of the time limited therefor, the full amount of all taxes required to be by him paid for all purposes, exclusive of city, *village or town* purposes.

(c) If any taxes, the payment of which shall have been thus postponed, shall not be paid on or before the expiration of the said six months, the city, *village or town* treasurer shall declare the same to be delinquent, and such taxes shall be collected, including accrued interest, together with an additional charge thereon at the rate of twelve per cent per annum from the expiration of the said six months. If any such taxes shall have been levied upon personal property, the same shall be collected forthwith in the manner provided for the collection of delinquent taxes on personal property. If any of such taxes shall have been assessed upon real estate, all tracts or parcels of land upon