

lect to so apply, then upon the application of any other party to the action, or of a relation or friend of the infant, after notice of such application being first given to the general or testamentary guardian of such infant, if he have one in this state; and if he have none, then to the infant himself, if over fourteen years of age; or if under that age and within this state, to the person with whom such infant resides.

If not a resident of state.

3. If such infant is not a resident of this state or if being a resident of this state he shall be temporarily absent therefrom and so remain for three months, and his residence, or the place where such infant temporarily absent is living, be known, and that fact shall appear by affidavit to the satisfaction of the court, and it shall further appear that such infant has no general or testamentary guardian in this state, the court may grant an order that notice of an application for the appointment of a guardian for the infant be served upon such infant, if over fourteen years of age, by mailing a copy of said notice and order to such infant, directed to him at his place of residence; if under fourteen years of age, by mailing a copy of such notice and order to the person with whom such infant resides. If the residence of the infant be unknown, the court may grant an order that the service of said notice be made by publication thereof in a newspaper to be designated in such order, as most likely to give notice to such infant, and for such length of time as shall be deemed reasonable, not less than once a week for four weeks successively.

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

Approved March 31, 1882.

[No. 329, A.]

[Published April 14, 1883.]

CHAPTER 328.

AN ACT to authorize the city of Milwaukee to establish and maintain a public museum in said city.

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

City may accept.

SECTION 1. The city of Milwaukee is hereby authorized to receive and accept from "the Natural History Society of Wisconsin,"—a corporation located in the said city of Milwaukee,—a donation of its collection of objects in Natural History and Ethnology, or of the greater part thereof, upon such conditions as may

be agreed upon by and between said city and said society subject, however, to the provisions of this act.

SECTION 2. In case of such donation and acceptance, said city of Milwaukee is hereby authorized and empowered to establish and maintain in said city a free public museum, exhibition of objects in Natural History and Ethnology, and for that purpose to receive, hold and manage the collection so donated, and any devise, bequest or donation that may be made to said city for the increase and maintenance of such museum under such regulations and conditions as are herein contained, or may be agreed upon by and between the donors and said city, or as may be hereafter adopted as provided in this act.

Public museum.

SECTION 3. The museum established and maintained under this act shall be under the general management, control and supervision of a board of nine trustees, who shall be styled "The Board of Trustees of the Public Museum of the City of Milwaukee." Said board of trustees shall consist of the president of the school board and the superintendent of schools of said city, ex-officio, of three members of the common council of said city, designated and appointed by the mayor thereof, and of four residents and taxpayers of said city, to be appointed by the mayor as herein provided. The first appointments of trustees by the mayor under this act shall be made within ten days after the formal acceptance by the common council of said city of a donation by said natural history society as authorized in the first section of this act. Of the first three trustees appointed from the members of the common council of said city, one shall be appointed from the three year class, one from the two year class and one from the one year class of aldermen, and they shall serve as such trustees during their respective terms as such aldermen. And annually on the third Tuesday of April thereafter, at the expiration of the term of any such trustee, the mayor shall appoint his successor for three years, from the aldermen then having three years to serve. In case any such trustee shall vacate the office of alderman before the expiration of his term, he shall at the same time cease to be a trustee under this act, and the mayor shall appoint some other member of the common council of his class in his place for the balance of his term. In the appointment of the four remaining trustees, and their successors, the mayor shall prefer such persons as may be recommended for such appointment by said Natural History Society. Such four

Board of trustees, duties, terms, etc.

trustees first appointed shall, at the first meeting of the board after their appointment, determine by lot their term of service, so that one of their number shall serve for one year, one for two years, one for three years and one for four years, from the third Tuesday of May next after the organization of such board. And all vacancies shall be filled by like appointment of the mayor for the remainder of the term, and annually on the third Tuesday of April a trustee shall be appointed by said mayor in like manner for the term of four years, in place of the trustee whose term shall expire the following May. None of said trustees shall receive any compensation from the City Treasury or otherwise, for their services as such trustees. And no member of said Board of Trustees shall become, or cause himself to become interested, directly or indirectly, in any contract or job for the purchase of any matter pertaining to the museum, or of fuel, furniture, stationery or things necessary for the increase and maintenance of the museum. Said trustees shall take the official oath and be subject to the restrictions, disabilities, liabilities, punishments and limitations prescribed by the law as to aldermen in the said city of Milwaukee.

Meetings of
board.

SECTION 4. The first meeting of said Board of Trustees for the purpose of organizing shall be held on the third Tuesday of the month next following their appointment and the city clerk shall give at least one week's previous notice of the time and place of such meeting to each member of such board, in writing. At such first meeting said board shall organize by the choice of one of their number as president to serve until the third Tuesday of May next following and until his successor shall be chosen. The annual meeting of said board shall be held on the third Tuesday of May in each year, and at such meeting a president shall be chosen from their number to serve for one year and until his successor shall be chosen.

Duties of
board.

SECTION 5. The board of trustees shall have general care, control and supervision of the public museum, its appurtenances, fixtures and furniture, and of the selection, arrangement and disposition of the specimens and objects appertaining to said museum, and also of the disbursements of all the moneys appropriated for and belonging to the museum fund, in the manner hereinafter provided. And the said board shall adopt, and at their discretion modify, amend or repeal by-laws, rules and regulations for the management, care and use of

the public museum, and fix and enforce penalties for their violation, and generally shall adopt such measures as shall promote the public utility of the museum; provided, that such by-laws, rules and regulations shall not conflict with the provisions of this act.

SECTION 6. The board of trustees shall at their first meeting, or thereafter as soon as practicable and every five years thereafter, at an annual meeting, elect by ballot a person of suitable scientific attainments, ability and experience for custodian, who shall so act and be ex-officio secretary of said board of trustees. The custodian first appointed shall hold his office for five years from the time of the first annual meeting, unless previously removed, and thereafter the term of appointment shall be for the term of five years, and the compensation of the custodian shall be fixed by said board of trustees. Said board of trustees shall also appoint such assistants and employes for said museum as they may deem necessary and expedient, and shall fix their compensation. All vacancies in the office of the custodian, assistants and other employes shall be filled by said board of trustees, and the persons so elected or appointed shall hold for the unexpired term.

Secretary of board—term.

SECTION 7. The custodian elected under this act may be removed from office for misdemeanor, incompetency or inattention to the duties of his office, by a vote of two thirds of the board of trustees; the assistants and other employes may be removed by the board for incompetency or for any other cause.

May be removed.

SECTION 8. It shall be the duty of the board of trustees, within ten days after the appointment of the custodian and other salaried employes, to report and file with the city comptroller a duly certified list of the persons so appointed, with the salary allowed to each, and the time or times fixed for the payment thereof, and they shall also furnish such comptroller with a list of all accounts and bills which may be allowed by said board of trustees, stating the character of the materials or services for which the same were rendered immediately after the meeting of said board at which such allowance shall be made. And said board of trustees shall also, on or before the first day of October in each year, make to the common council a report, made up to and including the 31st day of August of the said year, containing a statement of the condition of the museum, and of the additions thereto during the year, together with such information and suggestions as they may deem important, and such re-

Further duties of board of trustees.

port shall also contain an account of the moneys credited to the museum fund, and expended on account of the same during the year.

Tax to be levied.

SECTION 9. From and after the organization of the board of trustees under this act, the common council of said city shall levy and collect annually upon all the taxable property of the said city, at the same time and in the same manner as other city taxes are levied and collected by law, a special tax, not exceeding one-tenth of a mill upon each dollar of the assessed value of said taxable property, the amount of which shall be determined by said board of trustees, and certified to the common council at the time of making their annual report to said council, and the entire amount of said special tax shall be paid into, and held in, the city treasury, as a separate and distinct fund, to be known as the museum fund, and shall not be used or appropriated directly or indirectly in any other purpose than for the maintenance and for the increase of the public museum, the payment of the salaries of the custodian, assistants and other employes of the museum, the purchase of furniture, fixtures, supplies and fuel, and the incidental expenses of the museum.

Grounds for museum.

SECTION 10. The board of trustees shall erect, purchase, hire or lease buildings, lots, rooms and furniture, for the use and accommodation of said public museum, and shall improve, enlarge and repair such buildings, rooms and furniture; but no lot or building shall be purchased, erected or enlarged for the purpose herein mentioned, without an ordinance or resolution of the common council of said city, and deeds of conveyance and leases shall run to the city of Milwaukee.

Moneys to be paid over to city treasurer.

SECTION 11. All moneys received by or raised in the city of Milwaukee for museum purposes shall be paid over to the city treasurer to be disbursed by him on the orders of the president and secretary of the said board of trustees, countersigned by the city comptroller. Such orders shall be made payable to the order of the persons in whose favor they shall have been issued, and shall be the only voucher of the city treasurer for the payments from the museum fund. The said board of trustees shall provide for the purchase of specimens, supplies, fuel and other matters necessary or useful for the maintenance of the museum; provided, however, that it shall not be lawful for said board of trustees to expend or contract a liability for any sum in excess of the amount levied in any one year, for the museum fund, on account of such fund.

SECTION 12. All moneys, books, specimens and other property received by the city of Milwaukee by device, bequest or gift, from any person or corporation, for public museum purposes, shall, unless otherwise directed by the donors, be under the management and control of said board of trustees; and all moneys derived from fines and penalties for violation of the rules of the museum, or from any other source in the course of the administration of the museum, including all moneys which may be paid to the city upon any policy or policies of insurance, or other obligation or liability, for or on account of loss or damage to any property pertaining to the museum, shall belong to the museum fund in the city treasury, to be disbursed on the orders of the said board of trustees, countersigned by the city comptroller, for museum purposes in addition to the amount levied and raised by taxation for such fund.

Gifts to be under control of board.

SECTION 13. This act shall take effect and be in force from and after its passage and publication.

Approved March 31, 1882.

[330, A.]

[Published April 13, 1882.]

CHAPTER 329.

AN ACT relating to the Natural History Society of the city of Milwaukee.

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

SECTION 1. The board of directors of the Natural History Society of the city of Milwaukee is hereby authorized and empowered, in the name of said association or society, to assign, transfer and convey to the city of Milwaukee, all and singular, the natural historical collections of every kind constituting the museum belonging to said Natural History Society, in trust, to be kept, supported and maintained by said city, as a free museum for the benefit and use of all citizens of said city; provided, the said city shall accept the trust and assume the care and maintenance of such museum.

Relating to Natural History Society.

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

Approved March 31, 1882.