

and office supplies, the expense thereof to be paid out of the state treasury. All reports required to be made by any insurance corporation shall be made to said commissioner.

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

Approved June 20, 1905.

No. 177, S.]

[Published June 23, 1905.

CHAPTER 426.

AN ACT authorizing cities of the first class to provide for the erection and maintenance of auditoriums and music halls by co-operating with private associations or corporations.

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

Co-operation authorized. SECTION 1. All cities of the first class, whether operating under a general or a special charter, are hereby authorized and empowered to provide for the erection and maintenance of public auditoriums and music halls in the manner provided by this act.

Petition of private parties to aid in. SECTION 2. Whenever any private corporation or voluntary association shall desire to aid in the erection and maintenance of an auditorium or music hall it shall make petition to the common council of the city, in which such auditorium or music hall is to be located, setting forth the character of its organization, the purposes for which it was organized, the amount of its capital stock if it is a stock corporation, the amount subscribed and the amount paid in, the names of its subscribers or stockholders, and if a voluntary association, the names of the members thereof. Such petition shall also state whether it is desired to erect and maintain an auditorium or a music hall, the proposed dimensions, the general plan and estimated cost thereof, and that it is the purpose of the petitioner to join with the city in the erection

and maintenance of the same under and pursuant to the terms and conditions of this act.

Petition, action upon. SECTION 3. Whenever a petition shall be received by the common council complying with the provisions of section 2 the common council may determine by resolution whether the public welfare will be promoted by the erection and maintenance of an institution proposed by the petition, and if it shall be determined that the public welfare will be promoted thereby, then by resolution the common council may agree to join with the petitioner in the erection and maintenance thereof.

Conditions of co-operation. SECTION 4. No resolution shall be passed pursuant to the provisions of section 3 unless the petitioner shall undertake and agree with the common council to provide and furnish as required one-half of the money necessary to erect such institution and shall satisfy the common council that it then has in its treasury, or that it has the ability to secure through its subscriptions for stock, if a corporation, or by obligations of its members, if a voluntary corporation, the money necessary therefor and shall execute to such city a bond in such sum as the common council shall determine and with sureties to be approved by the common council, conditioned that it will furnish its share of such money as the same shall be required for that purpose.

Governing board, how elected. SECTION 5. Whenever the common council shall decide by resolution to join in manner aforesaid in the erection of an auditorium or music hall there shall be created a board which shall have full and complete authority over such institution and in the building and maintenance thereof in the following manner: The association or corporation shall elect from its members or stockholders five members of such board; the first five so elected to hold for the terms of one, two, three, four and five years respectively and annually one member of said board shall be elected to hold for the term of five years. The mayor, city attorney, city comptroller, city treasurer, president of the board of trustees of the public library and president of the board of trustees of the public museum shall be ex-officio members of the said board, so that as thus constituted the said board shall consist of eleven members.

First meeting; organization. SECTION 6. Within ten days after the members of said board shall have been elected or ap-

pointed as aforesaid they shall hold a meeting and shall elect a president, a vice-president, a secretary and a treasurer from their numbers, and the latter shall, immediately upon his election furnish to the board a bond in double the amount of such funds as may come into his hands; and said board as organized shall have full and complete power to purchase or in any manner acquire the real estate necessary for a site or location for the institution to be erected and to erect the same, provided that no work shall be done or materials furnished except upon contract let to the lowest bidder in the same manner that contracts are required to be let by the laws of this state relating to cities of the first class, and shall have full power to rent or lease the said institution or any part thereof for stated terms or from time to time as in the judgment of said board shall be advisable.

Payments, how made. SECTION 7. Before any liability shall be incurred by said board it shall by resolution determine the amount of money that is necessary for the purposes aforesaid and thereupon such association or corporation shall pay into the treasury one-half thereof and such city shall pay into the treasury one-half thereof, in such installments as may be required and agreed upon.

Tax levy for, authorized. SECTION 8. Any city availing of the provisions of this act shall have the right to levy a tax upon all the taxable property thereof of not to exceed one-half of one mill per annum and the same shall be a special and separate tax for the exclusive benefit of said fund and may issue and sell bonds for said purpose and provide for the payment of the same with interest by a special tax levied as aforesaid.

Powers conferred. SECTION 9. The said board shall have full power and authority to advertise for or in any manner obtain plans and specifications for the institution sought to be erected and may in the manner herein defined erect and provide a building with one or more auditoriums, offices, class rooms, studios, music halls, music rooms, gymnasiums, lodge rooms and accommodations for any other industrial, commercial, scientific, educational, fraternal and musical organization and labor associations desiring to use the same for kindred purpose and may fix and establish the rentals and the terms and conditions of leases and do everything whatsoever necessary for the maintenance and operation thereof.

City may convey real estate; stock. SECTION 10. Any city entering into the union herein provided for, or any association becoming a party to any such jointure, may convey to the city any real estate to be used for the site for any such institutions that the said board may decide to accept and for the price agreed upon by the said board; and the title to all property acquired for the purposes aforesaid shall be taken in the name of such city and shall be held by such city perpetually for the purposes aforesaid; provided however that nothing herein contained shall deprive the city of the rights to acquire all the stock of the joint corporation and become the sole owner of said property and any stockholder may transfer such stock owned by him or her to the city by sale, gift or otherwise, and in case such city shall at any time be unable to agree upon the purchase price of any such stock then the city shall be authorized and empowered to purchase any such stock from any persons or parties owning the same at a price to be determined by a board of arbitration, consisting of three persons, one to be chosen by the common council of such city, the second to be chosen by the party or parties owning such stock, and the third to be chosen by the aforesaid two, and the finding of such board of arbitration shall be final and conclusive upon the parties.

Profits, how apportioned. SECTION 11. If such auditorium or music hall shall at any time become profit earning over and above the expense of maintenance, repairs, insurance and other expenses connected with the operation thereof then one-half of the net profits shall be paid over to the association or corporation belonging to such jointure to be distributed among its members or stockholders in such manner as such association or corporation shall decide and the other half of such profits shall be paid into the treasury of such city and shall be credited to the school fund.

Annual statement. SECTION 12. It shall be the duty of said board to make an annual report to the common council of all receipts and disbursements and balance on hand.

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

Approved June 20, 1905.