

case of the failure of said connecting lines to agree on the place of location or division of expense of erection or maintenance of such depot or waiting room at junction points as aforesaid, said commission shall have the power to determine all matters in dispute in reference thereto on application of either party.

2. Any such corporation neglecting or refusing to comply with any of the foregoing provisions shall forfeit and pay a penalty to the state of not less than fifty, nor more than one hundred dollars. Each day that any such railway shall be operated in violation of the foregoing provisions shall be deemed a separate offense.

3. Any person who shall wilfully, maliciously, or wantonly destroy, injure, deface, or damage any portion of any such depot or waiting room, or destroy, remove, or injure any personal property of any interurban or other railway company therein, or who shall commit any nuisance therein, shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding one hundred dollars.

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

Approved June 10, 1909.

No. 840, A.]

[Published June 12, 1909.]

## CHAPTER 354.

AN ACT to legalize proceedings taken or to be taken under chapter 426 of the laws of Wisconsin for 1905, regulating actions by tax payers and cities joined in the erection of buildings thereunder, and amending said chapter 426, laws of 1905, relating to the erection and maintenance of auditoriums and music halls for cities of the first class.

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

SECTION 1. After any city of the first class has joined, or may hereafter join, under the provisions of chapter 426 of laws of Wisconsin of 1905, in the erection of an auditorium building, and has actually made a payment towards the erection of such institution, and which building contains one or more auditoriums and is not designed as a building for offices, class rooms, studios, gymnasiums, lodge rooms, or accommodations for any industrial, commercial, scientific, educational, fraternal or musical organizations or labor associations, any lack of authority on the part of said city, and any irregularity in the

proceedings or failure to comply with any of the provisions of chapter 426 of the laws of Wisconsin of 1905, or any other statute, shall be disregarded, and the exercise of any such power by such city is hereby legalized, and all such proceedings are hereby validated, and the uses and purposes of any such institution are hereby declared to be public uses and public purposes.

SECTION 2. After any city of the first class has made a payment toward the erection of an institution under the provisions of chapter 426 of the laws of Wisconsin of 1905, no injunction or other restraining order or judgment shall be granted, entered or made, to enjoin or prevent any further payment by such city or to interfere in any way with the erection, maintenance or operation of said institution, and no action for the recovery of any payment made by any such city toward the erection of any such institution shall be maintained, whether such action be instituted or prosecuted by any such city or by any tax payer of such city or by any other person, unless it appear that such action was commenced within six months after the making of the first payment by such city toward the erection of such institution; provided, however, that in case the first payment made by any such city toward the erection of any such institution shall have been made prior to the enactment of this statute, then, and in that event, such action may be commenced at any time within six months after the enactment hereof.

SECTION 3. After any city of the first class shall have erected an institution under the provisions of chapter 426 of the laws of Wisconsin for 1905, such as is described in section 1 of this act, the common council of such city shall have power to provide for and defray from its general city fund one half of the expense of maintenance and repair of such institution, one half the payment of salaries of employees thereof and one half all necessary expenses incurred by said board in keeping up and conducting such institution; provided, that if the city shall acquire the rights to all the stock of the joint corporation and become the sole owner of said institution, the fund so provided shall be sufficient to defray the entire expense of maintenance and repair, salaries and other expenses of such institution after all the income derived from the use of the institution shall be first applied for such purposes.

SECTION 4. Sections 6, 8 and 9 of chapter 426, laws of 1905, are amended to read: Section 6. Within ten days after the members of said board shall have been elected or appointed as aforesaid they shall hold a meeting and shall elect a president,

a vice-president, a secretary and a treasurer from their numbers, *who shall hold office until the fourth Tuesday of April of the next following even numbered year, and said officers shall thereafter be elected biennially on the fourth Tuesday in April of the even numbered years, and shall hold for a term of two years.* \* \* \* The \* \* \* treasurer shall, immediately upon his election furnish to the board a bond in double the amount of such funds as may come into his hands. \* \* \* Said board \* \* \* when organized shall have full and complete power to purchase or in any manner acquire the real estate necessary for a site or location \* \* \* of 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. \* \* \*

Section 8. Any city availing *itself* 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 upon each dollar of the assessed value of the taxable property in said city, 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.

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 hereinafter defined erect and provide a building with one or more auditoriums, halls, offices, \* \* \* and accommodations to be used for public meetings, conventions, expositions, and other purposes of a public nature, which uses and purposes are hereby declared to be public uses and public purposes. Said board shall have power to regulate and control the use of said building, and fix the terms and conditions on which said building, or any part thereof, shall be used, and when said building, or any part thereof, shall not be in use for any of the purposes hereinbefore mentioned, said board may rent the same on such terms and for such purposes as in the judgment of the board may be deemed advisable and not inconsistent with the purposes hereinabove enumerated, and may do all things necessary or convenient for the maintenance and operation of said building. \* \* \*

SECTION 5. This act shall not apply to or affect any action now pending.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved June 10, 1909.

No. 390, A.]

[Published June 12, 1909.

## CHAPTER 355.

AN ACT to amend subsection 7 of section 1772 of the statutes, relating to fees for filing articles of incorporation.

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

SECTION 1. Subsection 7 of section 1772 of the statutes, is amended to read: Section 1772. 7. Such other provisions or articles, if any not inconsistent with law, as they may deem proper to be therein inserted for the interests of such corporation or the accomplishment of the purposes thereof, including, if desired, the duration of its existence. In case the corporation is formed without capital stock the articles shall fix the time and place for the first meeting for the election of officers, and the signers of such articles shall give notice thereof to the members in the manner provided in the next section. Such original articles or a true copy thereof, verified as such by the affidavits of two of the signers thereof, shall be filed with the secretary of state. A like verified copy and certificate of the secretary of state, showing the date when such articles were filed and accepted by the secretary of state, within thirty days of such filing and acceptance, shall be recorded by the register of deeds of the county in which such corporation is located, and no corporation shall, until such articles be left for record, have legal existence. The register of deeds shall forthwith transmit to the secretary of state a certificate stating the time when such copy was recorded and shall be entitled to a fee of twenty-five cents therefor to be paid by the person presenting such papers for record. Upon the receipt of such certificate the secretary of state shall issue a certificate of incorporation.

For filing the articles of incorporation of corporations for the manufacture of beet sugar, or of butter, cheese or other dairy products, or of corporations organized for the business of preparing for market, storing and selling products of the farms of members of such corporation, there shall be paid the secretary of state ten dollars and for the filing an amendment to such articles, five dollars; for filing in his office the articles of any other corporation, except as is otherwise provided in these stat-