

located. Such permit shall contain the statement and be subject to the condition that such road, street or bridge shall be restored to its former condition and that the work shall be constructed subject to such rules and regulations as may be prescribed by said county highway committee. Said work shall be performed and completed to the satisfaction of said county highway committee and shall further provide that the person obtaining said permit shall be liable to said county for all damages which may occur during the progress of said work or as a result thereof. Nothing herein shall be construed as abridging the right of the county board or its state road and bridge committee to make such additional rules, regulations and conditions not inconsistent herewith, as may be deemed necessary and proper for the preservation of said roads, streets or bridges or for the safety of the public and to make the granting of any such permit conditional thereon. Any person who shall violate the provisions of this subsection shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five dollars nor more than one hundred dollars, or by imprisonment in the county jail not exceeding six months, or both, in the discretion of the court.

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

Approved June 14, 1917.

No. 653, A.]

[Published June 18, 1917.

CHAPTER 432

AN ACT to amend subsection 10 of section 1957 of the statutes, relating to the investments of fraternal or mutual benefit societies.

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

SECTION 1. Subsection 10 of section 1957 of the statutes is amended to read: (Section 1957) 10. Every society shall invest its funds only in securities permitted by the laws of this state for the investment of the assets of life insurance companies; provided that any foreign society permitted or seeking to do business in this state, which invests its funds in accordance with the laws of the state in which it is incorporated, shall be held to meet the requirements of this act for the investment of funds; and provided that a part thereof, not exceeding twenty per centum of its assets, may be invested in a building for use and occupancy by the society as its home office. *A fraternal or*

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.