

Shall prevent hitching of teams.

edge of the walk leading around the grounds of the state capitol, and not to permit hereafter any railing or posts to be erected within twenty feet of the said capitol grounds; and it is further made the duty of the said superintendent to prevent any teams being hitched or tied to the trees standing at the outer edge of said walk, or to the fence to be erected as aforesaid, and not to allow any teams to be tied to wagons within twenty feet of said grounds.

Penalty for offenses.

SECTION 2. Any person or persons offending against the provisions of the foregoing section, upon the complaint of the superintendent of public property, made to any justice of the peace, or to the police justice of the city of Madison, shall, upon conviction thereof, be fined a sum not less than five dollars, and not more than twenty-five dollars for every such offense.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1872.

CHAPTER 103.

[Published April 5, 1872.]

AN ACT authorizing the formation of town insurance companies.

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

May form company—its purposes and powers.

SECTION 1. It shall be lawful for any number of persons, not less than twenty-five, residing in any town or adjoining towns, not exceeding four, in this state, who collectively shall own property of not less than twenty-five thousand dollars in value, which they desire to have insured, to form themselves into a company for mutual insurance against loss or damage by fire or lightning; which corporation shall possess the usual powers and be subject to the usual duties of corporations, and the corporate name thereof shall embrace the name of the town in which the business office of said company shall be located.

SECTION 2. Every company so formed shall choose of their number not less than five nor more than nine directors, to manage the affairs of such company, who shall hold their office for one year, and until others are elected; and such directors shall choose one of their number president, and one as secretary.

Shall choose directors.

SECTION 3. The directors of such company shall file their articles of association, together with a copy of their by-laws and the names of the officers of such company, in the clerk's office of the town in which the office of such company is located, and shall keep a record of their proceedings in a book to be kept for that purpose, together with the names of all persons insured, and the amount each person is insured; which record shall be kept open for the inspection of all the members of such company, from the hours of nine o'clock A. M., to four o'clock P. M., of each secular day, the established holidays excepted.

Shall file articles of association and keep record.

SECTION 4. The directors of such company may issue such policies, signed by the president and secretary, agreeing in the name of the company to pay all loss or damages which may be sustained by fire or lightning for a term not exceeding five years, by the holders of such policies, and not exceeding the sum named in such policy.

May issue policies.

SECTION 5. Every person so insured shall give his undertaking, bearing even date with the policy so issued to him, binding himself, his heirs and assigns, to pay his pro rata share to the company of all losses or damages by fire or lightning, which may be sustained by any member thereof, and every such undertaking shall, within five days after the execution thereof, be filed by the secretary of such company, in the office of the clerk of the town in which the office of the company is located, and shall remain on file in such office, except when required to be produced in court as evidence. He shall also, at the time of effecting insurance, pay such percentage in cash, and such reasonable sum for a policy as may be required by the rules or by-laws of the company.

Person insured shall give undertaking.

SECTION 6. Every member of such company who may sustain loss or damage by fire or lightning, shall immediately notify the president of such company, or in case of his absence, the secretary thereof, who shall forthwith convene the directors of such company, whose

Shall give notice of loss.

On failure to agree, may appeal to county judge for appointment of commissioners.

duty it shall be, when so convened, to appoint a committee of not less than three nor more than five members of such company, to ascertain the amount of such loss; and in case of the inability of the parties to agree upon the amount of such damages, the claimant may appeal to the judge of the county court of such county, whose duty it shall be to appoint three disinterested persons as a committee of reference, who shall have full authority to examine witnesses and to determine all matters in dispute, who shall make their award in writing to the president, or in his absence, to the secretary of such company, which award thereon shall be final. The said committee of reference shall each be allowed the sum of two dollars per day for each day's service so rendered, and the sum of five cents per mile for every mile necessarily traveled in the discharge of such duties, which shall be paid by the claimant, unless the award of said committee shall exceed the sum offered by the company in liquidation of such loss or damage, in which case said expenses shall be paid by the company.

May classify property.

SECTION 7. The companies formed under the provisions of this act may classify the property insured at the time of issuing policies thereon, under different rates, corresponding as nearly as may be to the greater or less risk from fire and loss which may attach to each several buildings or personal property insured. Whenever the amount of any loss shall be ascertained, which exceeds in amount the cash funds of the company, the president shall convene the directors of said company, who shall make an assessment upon all property insured to the amount for which each several piece of property is insured, taken in connection with the rate of premium under which it may have been classified.

May make assessment.

Shall give notice of assessment.

SECTION 8. It shall be the duty of the president whenever such assessment shall have been completed, to immediately notify every person composing such company, by letter, sent to his usual postoffice address, of the amount of such loss, and the sum due from him as his share thereof, and of the time when and to whom such payment is to be made, but such time shall not be less than sixty nor more than ninety days from the date of such notice, and every person designated to receive such money may demand and receive two per cent. in

addition to the amount due on each assessment as aforesaid, for his fees in receiving and paying over the same.

SECTION 9. Suits at law may be brought against any member of such company, who shall refuse or neglect to pay any assessment made upon them by the provisions of this act, and the directors of any company so formed, who shall willfully neglect or refuse to perform the duties imposed upon them by the foregoing sections of this act, shall be liable in their individual capacity to the person sustaining such loss.

May bring suit to recover assessment.

SECTION 10. No company formed under this act shall insure any property out of the limits of the town or towns in which the said company is located, nor shall they insure any property other than detached dwellings and their contents, and farm buildings and their contents and live stock while on the premises or running at large, and hay and grain in the bin or stack, nor shall they insure any property within the limits of any incorporated city in this state.

Where and what to insure.

SECTION 11. The directors of each company so formed shall be chosen by ballot at the annual meeting thereof, which shall be held on the first Tuesday of January in each year, and every person shall have one vote for each two hundred dollars which he may be insured, but no person shall be allowed to vote by proxy at such election.

How directors to be chosen.

SECTION 12. It shall be the duty of the secretary of every company as aforesaid, to prepare a statement showing the condition of such company on the day preceding their annual meeting, which statement shall contain the amount insured, the number of policies issued, and to whom, and the amount insured by each policy, and all other matters pertaining to the interests of such company, which statement shall be filed in the office of the town clerk, in which said company may be located, on or before the fifteenth day of January in each year, and which statement shall also be read to the members of said company at their annual meeting.

Shall prepare annual statement of condition.

SECTION 13. Any member of such company may withdraw therefrom at any time, by giving notice in writing to the president, or in his absence, to the secretary thereof, and paying his share of all claims then existing against said company; and the directors, or a majority thereof, shall have power to annul any policy

May withdraw from company on notice.

by giving notice in writing to that effect to the holder thereof.

Non-residents
may insure.

SECTION 14. Non-residents of any town in this state, owning property therein, may become members of any company founded under this act, and shall be entitled to all rights and privileges appertaining thereto, except that it shall not be lawful for such non-resident to become a director of said company, unless he be at the time of such membership, a resident of a town adjoining the town or towns in which said company has been formed under the provisions of this act.

May adopt by-
laws.

SECTION 15. The company so formed may adopt such by-laws for its regulation as are not inconsistent with the provisions of this act, and may therein prescribe the compensation of its officers.

Limitation of
time.

SECTION 16. No company formed under this act shall continue for a longer term than thirty years.

Application of
act

SECTION 17. This act shall apply to all companies heretofore organized in compliance with the provisions of chapter forty-six of the general laws of 1859, and the amendments thereto.

SECTION 18. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 19. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1872.

CHAPTER 104.

[*Published March 25, 1872.*]

AN ACT to provide for the republication and stereotyping of certain volumes of the reports of the decisions of the supreme court.

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

Shall republish
reports.

SECTION 1. There shall be republished by the publishers of the Wisconsin reports, from time to time, under the direction and by the approval of the supreme court, all volumes of the reports of the decisions of said court, which shall be out of print, or so nearly so