

ernor and state treasurer, who shall establish rules governing the filing of such claims, thoroughly investigate all circumstances connected with the death of the member of the state militia whose death is the basis of a claim for pension, and this state military board may, after July 1, 1909, upon satisfactory evidence submitted or obtained, grant the pension hereinbefore provided for, and draw their warrant quarterly upon the state treasurer to the order of said pensioner for the payment of said pension, which warrant shall be audited by the secretary of state in the same manner as other warrants are audited.

3. No pension granted under this act shall be granted for a longer period than five years, but may be renewed for a further period of five years upon satisfactory evidence of the dependence of the pensioner.

4. The state military board shall have power to revoke any pension granted under this act when it shall appear to the satisfaction of said board that the pensioner is no longer dependent.

5. The provisions of this act shall not apply to any member of the state militia while in the service of the United States in case of war or under the orders of the president of the United States.

6. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated a sum sufficient to carry out the provisions of this act.

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

Approved June 3, 1909.

No. 346, A.]

[Published June 5, 1909.]

CHAPTER 287.

AN ACT to amend section 925—106 of the statutes, relating to construction of water mains.

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

SECTION 1. Section 925—106 of the statutes is amended to read: Section 925—106. The preceding provisions relating to the construction of water mains in whole or in part at the expense of abutting owners shall not apply except in cases where the city owns the works; and in cases where the water-works are now owned or may hereafter be purchased by the city * * the extension of mains after such purchase shall be made at the expense of the city at large or at the expense of abutting property as the council shall determine.

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

Approved June 3, 1909.

No. 241, S.]

[Published June 5, 1909.

CHAPTER 288.

AN ACT to create section 4202m of the statutes, relating to statements, representations, and warranties in insurance.

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

SECTION 1. There is added to the statutes a new section to read: Section 4202m. 1. No oral or written statement, representation, or warranty made by the insured or in his behalf in the negotiation of a contract of insurance shall be deemed material or defeat or avoid the policy, or prevent its attaching unless such statement, representation, or warranty was false and made with actual intent to deceive or unless the matter misrepresented or made a warranty, increased the risk or contributed to the loss.

2. No warranty incorporated in a contract of insurance relating to any fact prior to a loss shall defeat or avoid such policy unless the breach of such warranty increased the risk at the time of the loss, or contributed to the loss, or unless such breach existed at the time of the loss.

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

Approved June 3, 1909.

No. 288, S.]

[Published June 5, 1909.

CHAPTER 289.

AN ACT to amend section 496d of the statutes, relating to state graded schools.

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

SECTION 1. Section 496d of the statutes is amended to read: Section 496d. The school board of any school district * * * maintaining a graded school but no free high school nor a * * * school of a grade equivalent to a free high school, town free high schools excepted, may receive special state aid as hereinafter provided upon full compliance with the following conditions.