

right to receive payment for the upkeep of such automobile shall not be incidental to or inseparable from such office of superintendent of highways, but may be allowed or discontinued by the supervisors in their discretion, at any meeting of such supervisors.

SECTION 2. All acts and portions of acts conflicting herewith are repealed.

SECTION 3. This act shall take effect upon passage and publication.

Approved May 27, 1919.

No. 539, A.]

[Published May 31, 1919.

### CHAPTER 246.

AN ACT to amend paragraph (d) of subsection (4) of section 20.38 of the statutes, relating to the board of normal school regents, and making appropriations.

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

SECTION 1. The board of normal school regents is authorized to pay to A. Burkhardt the sum of eight hundred fifty-eight dollars sixty-three cents, for labor and material for the plumbing work in the Eau Claire normal school building, and to charge such payment to the appropriation made by paragraph (c) of subsection (3) of section 20.38 of the statutes.

SECTION 2. Paragraph (d) of subsection (4) of section 20.38 of the statutes is amended to read: (20.38) (4) (d) On July 1, 1917, four thousand forty-four dollars, and on July 1, 1919, two thousand two hundred forty-three dollars, for construction and equipment of the building for physical education.

SECTION 3. This act shall take effect July 1, 1919.

Approved May 27, 1919.

No. 4, S.]

[Published May 31, 1919.

### CHAPTER 247.

AN ACT to consolidate chapter 53 of the statutes, relating to ferries, with chapter 30 of the statutes, relating to navigable waters and navigation; and to amend, repeal and renumber certain sections of the statutes relating to those subjects.

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

SECTION 1. Subsection (4) of section 30.01 of the statutes is renumbered to be paragraph (a) of said subsection (4); section 30.11 of the statutes is renumbered to be paragraph (b)

of said subsection (4); and section 30.10 of the statutes is renumbered to be paragraph (e) of said subsection (4).

SECTION 2. Subsection (1) of section 30.02 of the statutes is amended by adding at the end thereof the sentence: "All such lines shall conform as nearly as practicable to the original meander lines and surveys of such waters."

SECTION 3. Subsection (2) of section 30.02 of the statutes is amended by adding at the end thereof the following sentence: "Whenever any such dredging shall be subject to the direction of any officer of the United States government the same shall be done in a manner and to the depth conforming it to such direction."

SECTION 4. The first sentence of subsection (3) of section 30.02 of the statutes is amended to read:

(30.02) (3) PROCEDURE, ACQUISITION OF LANDS, EXPENSE. In exercising the powers granted by this section, either in original construction or in repairs, changes, extensions, or discontinuance, every municipality may proceed and shall be governed by the law governing it in the *location*, laying out, improvement and repair of streets and bridges, so far as applicable, except that no petition of property owners for doing any such work shall be necessary.

SECTION 5. A new subsection is added to section 30.02 of the statutes to be numbered and to read:

(30.02) (6) WORK IN CHARGE OF MUNICIPAL BOARD. The town or village or county board, or the city council, as the case may be, of any municipality exercising the powers granted to it by this section, shall have charge of the work of construction and maintenance, except that the board of public works shall have such charge in cities having such a board, unless such powers are vested by law in some other board, body or department.

SECTION 6. A new subsection is added to section 30.02 of the statutes to be numbered and to read:

(30.02) (7) RIPARIAN OWNERS. Every city may require riparian owners to build and maintain docks for the protection of the banks of navigable waters within such city; and upon the failure of such owners to perform such work as directed may cause the same to be done and the expense thereof charged to the abutting lot or lots.

SECTION 7. Subsections (1) and (2) of section 30.03 of the statutes are renumbered to be respectively subsections (6) and (7) of section 30.06.

SECTION 8. A new subsection is added to the statutes to be numbered and to read:

**30.03 REGULATIONS. (1) SPECIAL ASSESSMENTS.** Special assessments for benefits to lands may be made on account of any harbor, dock, wharf or other improvement of navigable waters in the cases specified in section 30.05 and also where the owners of property to be benefited thereby consent in advance to such assessments, and in no other case. All such assessments shall be made and enforced in the manner provided by section 30.05.

**SECTION 9.** Section 925—247 of the statutes is renumbered to be subsection (2) of section 30.03 and is amended to read:

(30.03) (2) **WORK, WHEN AND WHEN NOT TO BE BY CONTRACT.**  
 \* \* \* Whenever it shall be necessary for the construction or maintenance of a harbor that any lake, bay, slough, pond, river or creek shall be dredged or otherwise deepened the \* \* \* *work may be done by contract with the lowest bidder as in the case of other public works, except as otherwise provided by law for cities of the first class, or the city may purchase and maintain for its use the necessary dredges and other apparatus for such work and provide funds for the purchase, use and maintenance of such apparatus by appropriations made from the general fund, to be charged to the harbor account, the money for that purpose to be raised by taxation or loan as other moneys in the general fund are raised* \* \* \*.

**SECTION 10.** Sections 925—248, 925—248a and 925—248b of the statutes are repealed.

**SECTION 11.** Section 824m is withdrawn from the statutes without repealing chapter 242 of the laws of 1917 creating said section, which chapter is continued in force without modification or amendment except that the same is amended by striking from the first sentence thereof the words “added to the statutes” and by inserting in place of said words, the word “enacted”.

**SECTION 12.** Section 30.09 is withdrawn from the statutes without repealing chapter 288 of the laws of 1899, the origin of said section, which chapter is continued in force without modification or amendment.

**SECTION 13.** Section 1348 of the statutes is renumbered to be section 30.09 and amended to read:

#### FERRIES.

**30.09 COUNTY BOARD MAY LICENSE.** \* \* \* The several county boards may grant licenses for keeping ferries in their respective counties, to continue in force for a time therein specified, which shall not exceed ten years on the St. Croix and Mississippi rivers, and for steam ferries on the Chip-

pewa river not to exceed five years, nor three years on other waters. \* \* \* *The licensee may be one or more persons, \* \* \* and any railroad company \* \* \* may be licensed to keep a ferry on waters crossed by, or at any terminus of, \* \* \* its road. But no license shall be granted to keep a ferry on the Wisconsin river within one mile from the points designated for landing in any ferry charter or license then in force, unless the person owning such existing ferry shall fail to sufficiently and properly accommodate the public.*

SECTION 14. Section 1349 of the statutes is renumbered to be section 30.10 and amended to read:

30.10 RATES OF FERRIAGE. \* \* \* *Every such license \* \* \* shall \* \* \* specify the rates of ferriage which the \* \* \* licensee may receive and the hours of each day during which the ferry shall be operated; and the county board may from time to time thereafter, during the continuance of such license, alter such rates and hours. \* \* \**

SECTION 15. Section 1350 of the statutes is renumbered to be section 30.11 and amended to read:

30.11 WHO MAY BE LICENSED. \* \* \* *No such license shall be granted to any person \* \* \* other than the owner or owners of the land through which the highway adjoining the ferry shall run unless such owner or owners shall consent thereto in writing or shall neglect to apply for such license after notice as hereinafter provided.*

SECTION 16. Section 1351 of the statutes is renumbered to be section 30.12.

SECTION 17. Section 1352 of the statutes is renumbered to be section 30.13 and amended to read:

30.13 LICENSEE'S BOND. \* \* \* *Every \* \* \* party applying for such license shall, before the same is granted, give a bond to the county in \* \* \* a sum \* \* \* and with \* \* \* sureties \* \* \* approved by the board, conditioned that he will use only \* \* \* a safe and good boat or boats kept in good repair and adapted to the waters where they are to be used, and that he will faithfully \* \* \* operate the ferry in accordance with his license, and in conformity with law. \* \* \* Such bond shall be filed with the county treasurer; and any person injured by a breach thereof may maintain an action thereon in the manner provided in chapter \* \* \* 19.*

SECTION 18. Section 1353 of the statutes is renumbered to be section 30.14.

SECTION 19. Section 1354 of the statutes is renumbered to be section 30.15.

SECTION 20. Section 1355 of the statutes is renumbered to be section 30.16.

SECTION 21. Section 1356 of the statutes is renumbered to be section 30.17.

SECTION 22. Section 1357 of the statutes is renumbered to be section 30.18.

SECTION 23. Section 1358 of the statutes is repealed.

SECTION 24. This act shall take effect upon passage and publication.

Approved May 28, 1919.

No. 107, A.]

[Published May 31, 1919.

### CHAPTER 248.

AN ACT to create section 4202p of the statutes, relating to fire insurance policies.

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

SECTION 1. A new section is added to the statutes to read: Section 4202p. 1. Knowledge of an agent of a fire, casualty or marine insurance company at the time a policy is issued or an application made shall be knowledge of the company, and any fact which breaches a condition of the policy and is known to the agent when the policy is issued or the application made shall not void the policy or defeat a recovery thereon in the event of loss.

2. Error or mistake in designating the person to whom the insurance is payable in a policy of fire insurance shall not void the policy notwithstanding its terms, unless it shall be found as a fact that such error or mistake was due to fraud, misrepresentation or concealment on the part of the owner of the property, or the person representing him, in procuring the issue of the policy, or that the company would not have issued or continued the policy if it had known the facts.

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

Approved May 28, 1919.