

CHAPTER 340.

[Published April 28, 1930.]

AN ACT concerning warehouse receipts and bills of lading, and to repeal section 38, of chapter 165, of the Revised Statutes, entitled "Of offences against property."

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

Receipts, &c., not to be issued till property actually received.

SECTION 1. No warehouseman, wharfinger, master of vessel or boat, or any other person, shall issue any receipt, bill of lading, or other voucher, for any goods, wares, merchandize, timber, lumber, grain, flour, or other produce or commodity, to any person or persons purporting to be the owner or owners thereof, unless such goods, wares, merchandize, lumber, timber, grain, flour, or other property or commodity, shall have been actually received in store, on board vessel, boat, or car, or on the premises, as aforesaid, and under his control, at the time of issuing such receipt.

Receipts, &c., not to be issued as security for money loaned or other indebtedness, unless property actually in custody.

SEC. 2. No warehouseman, wharfinger, master of vessel or boat, or officer or agent of any railroad company, express company, or transportation company, or other person, shall issue any receipt, bill of lading or other voucher, upon any goods, wares, merchandize, lumber, timber, grain, flour, or other produce or commodity, to any person or persons, as security for any money loaned, or other indebtedness, unless such goods, wares, merchandize, lumber, timber, grain, flour, or other produce or commodity, shall be, at the time of issuing such receipt or bill of lading, in the custody of such warehouseman, wharfinger, master, officer, or agent of any railroad, express or transportation company, or other person, and shall be in store, on vessel, boat, or upon the premises, and under his control, at the time of issuing such receipt, bill of lading, or other voucher, as aforesaid.

Duplicates, receipts, &c., not to be issued except as stated

SEC. 3. No warehouseman, wharfinger, master of vessel, or boat, or officer or agent of any railroad, express or transportation company, or other person, shall issue any second or duplicate receipt or bill of lading for any goods, wares, merchandize, lumber, timber, grain, flour, or other produce or commodity, while any former receipt or bill of lading for any such goods, wares, merchandize, lumber, timber, grain, flour, or other produce or commodity, as aforesaid, or any part thereof, shall be out-

standing and uncanceled, without writing across the face of the same "duplicate."

SEC. 4. No warehouseman, wharfinger, master of vessel or boat, or officer or agent of any such company, or other person, shall sell, or encumber, ship, transfer, or in any manner remove, beyond his immediate control, any goods, wares, merchandize, lumber, timber, grain, flour, or other produce or commodity, for which a receipt or bill of lading shall have been given, by him, as aforesaid, whether received for storing, shipping, or grinding, manufacturing, or other purposes, contrary to the conditions of such receipt or bill of lading, without the written assent of the person or persons holding such receipt or bill of lading endorsed thereon.

Goods not to be removed or encumbered without consent of person holding receipts, &c.

SEC. 5. No master, owner, or agent of any vessel or boat of any description, or officer or agent of any railroad, express or transportation company, or other person, shall sign or give any bill of lading, receipt, or other voucher or document, for any merchandize or property, by which it shall appear that such merchandize or property has been shipped on board any vessel, boat, or railroad car, unless the same shall have been actually shipped and put on board, and shall be at the time actually on board or delivered to such vessel, boat, or car, to be carried and conveyed, as expressed in such bill of lading, receipt, or other voucher or document.

No shipper to give receipt or bill of lading till goods have been actually shipped.

SEC. 6. Warehouse receipts, bills, of lading, or railroad receipts, given for any goods, wares, merchandize, lumber, timber, grain, flour, or other produce or commodity, stored, shipped or deposited with any warehouseman, wharfinger, vessel, boat, or railroad company, or other person, may be transferred, by endorsement thereof, and any person to whom the same may be so transferred, shall be deemed and taken to be the owner of the goods, wares, and merchandize therein specified, so far as to give validity to any pledge, lien, or transfer made, or created by such person or persons; but no such property shall be delivered, except on surrender and cancellation of said original receipt or bill of lading, or the endorsement of such delivery thereon in case of partial delivery. All warehouse receipts, bills of lading, or railroad receipts, however, which shall have the words "not negotiable," plainly written or stamped on the face thereof, shall be exempt from the provisions of this act.

Receipts, &c., to be transferred by endorsement.

Exceptions.

SEC. 7. Any warehouseman, wharfinger, master of vessel or boat, or agent or officer of any railroad, express,

Penalties.

Persons
agrieved may
maintain ac-
tion.

or transportation company, or other person, who shall wilfully violate any of the foregoing provisions of this act, shall, upon conviction thereof, be fined in any sum not exceeding one thousand dollars, or be imprisoned in the State Prison of this State, for a term not exceeding three years, or both, in the discretion of the court. And every person aggrieved by the violation of any of the provisions of this act, may have and maintain an action against the person or persons violating any of the foregoing provisions of this "Act," to recover all damages which he may have sustained by reason of any such violation, as aforesaid, before any court of competent jurisdiction, whether such person shall have been convicted of any such violation of the provisions of this act or not.

Not to apply
to property re-
moved by law.

SEC. 8. So much of the preceeding [preceding] fourth and sixth sections, as forbid the delivery of property, except on surrender and cancelation of the original receipt, or the endorsement of such delivery thereon, in case of partial delivery, shall not apply to property replevied or removed by operation of law.

Force and ef-
fect.

SEC. 9. This law shall take effect and be in force from and after its passage and publication; and section 36, of chapter 165, of the Revised Statutes, "Of offences against property," is hereby repealed.

Approved April 2, 1860.

CHAPTER 341.

[Published April 28, 1860.]

AN ACT to extend the time of payment of principal upon School and University Land certificates.

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

Time extend-
ed ten years.

SECTION 1. The day of payment of all unpaid principal of the purchase money of any school or university lands, sold by the State prior to the first day of January, A. D. 1853, is hereby extended ten years, from the time when said principal would become due, by the terms of the certificates issued upon such sales, were not this act passed; and all such certificates of sale are hereby continued in full force and effect, for such period of time,