

shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

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

Approved April 24, 1911.

No. 74, A.]

[Published April 29, 1911.

CHAPTER 26.

AN ACT to amend section 1561 of the statutes, relating to penalty for drunkenness.

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

SECTION 1. Section 1561 of the statutes is amended to read: Section 1561. Any person found in any public place in such a state of intoxication as to disturb others or unable, by reason of his condition, to care for his own safety or the safety of others, shall, upon conviction thereof, be punished by a fine not exceeding * * * *twenty-five* dollars or by imprisonment in the county jail for not more than * * * *ten* days, or by both such fine and imprisonment; but this section shall not abridge the powers of cities and villages to provide a different mode of punishment for such offenses nor be applicable to any city or village which has, pursuant to its charter, enacted an ordinance for the punishment of such offense.

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

Approved April 28, 1911.

No. 119, A.]

[Published April 29, 1911.

CHAPTER 27.

AN ACT to amend section 1976 and to repeal section 1955x--1 of the statutes, relating to the license of agents of insurance companies.

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

SECTION 1. There is added to section 1976 of the statutes two new subsections to read: 5. *No person shall be required to hold such certificate of authority from more than one company for the purpose of acting as agent and receiving commissions for transacting the kind or kinds of insurance authorized by such certificate for any other company in co-operation with any per-*

son holding such certificate of authority for such other company. This subsection shall not apply to life insurance.

6. *No corporation or stock company shall be licensed as agent of any insurance company for the purpose mentioned in subsection 1.*

SECTION 2. Section 1955x—1 of the statutes is repealed.

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

Approved April 28, 1911.

No. 641, A.]

[Published April 29, 1911.]

CHAPTER 28.

AN ACT to amend section 1797—37m of the statutes, relating to the powers and duties of the railroad commission.

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

SECTION 1. Section 1797—37m of the statutes is amended to read: Section 1797—37m. Within * * * *one year* after the delivery of any shipment of property at destination, any person aggrieved may complain to the commission that the charge exacted for the transportation of such property between points in Wisconsin, or for any service in connection therewith, or that the charge exacted for the storage of such property, or that any car service or demurrage charge exacted, is erroneous, illegal, unusual or exorbitant, and thereupon the commission shall have power to investigate such complaint, and to hear the same, and to decide upon the merits thereof, in the manner provided by section 12, chapter 362, laws of 1905. If upon such hearing the commission shall decide that the rate or charge exacted is erroneous, illegal, unusual or exorbitant, it shall find, what in its judgment, would have been a reasonable rate or charge for the service complained of. If the rate or charge so found shall be less than the charge exacted, the carrier shall have the right to refund to the person paying such charge, the amount so found to be excessive. In case of the refusal of the carrier to make such refund, the party aggrieved thereby may maintain an action in the courts of this state to recover the amount of such excessive charge as found by said commission, and in the trial thereof the findings of the commission shall be prima facie evidence of the truth of the facts found by it, and no carrier shall be permitted to avail itself of the defense in such action that the shipment involved was in fact made on the published tariff rate in force at the time such shipment was made, but no carrier making a refund upon the order of the commission or pursuant