

*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 Section 1955x—1 of the statutes is repealed.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

to a judgment of court, as herein provided, shall be liable for any penalty or forfeiture, or subject to any prosecution under the laws of this state, on account of making such refund.

(Am. 1911, c. 664, s. 3.)

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

Approved April 28, 1911.

No. 801, A.]

[Published April 29, 1911.

## CHAPTER 29.

AN ACT to create section 1809v of the statutes, requiring the use of high candle-power headlights upon locomotives.

*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 1809v. 1. It shall be the duty of every corporation operating any steam railroad of more than fifty miles of track within this state, to equip on or before July 1, 1912, every locomotive, power vehicle, power car, and other equipment used as the equivalent of or in place of locomotives, except such as are used exclusively for switching service or in railroad yards and not elsewhere, with a headlight of sufficient candle-power, measured with a reflector, to throw a light in clear weather that will enable the operator of the same to plainly discern an object the size of a man, at a distance of not less than eight hundred feet, and thereafter to maintain and use such headlights upon every such locomotive, vehicle car or other equipment, when the same is operated at nighttime.

2. Any corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars for each offense, and in addition shall be liable for all damages resulting in whole or in part, directly or indirectly, from such violation.

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

Approved April 28, 1911.