

No. 717, A.]

[Published June 29, 1933.]

CHAPTER 318.

AN ACT to create section 231.33 of the statutes, relating to the appointment of special trustees.

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: 231.33 SPECIAL TRUSTEES; APPOINTMENT. When there shall be delay in appointing a trustee or issuing letters of trust, occasioned by any contest concerning such appointment or by the death, removal or resignation of any trustee, or from any other cause, or when it shall appear to the court to be necessary, the county court may appoint a special trustee to act until the matter causing the delay shall be disposed of or the necessity therefor cease to exist. No appeal shall be allowed from the appointment of such special trustee, and such appointment may be made without notice. Such special trustee may be removed whenever the court may so order. Every such special trustee, before entering upon the duties of his trust, shall give a bond to the judge of the county court in such sum and with such sureties as the court may designate and approve.

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

Approved June 26, 1933.

No. 738, A.]

[Published June 29, 1933.]

CHAPTER 319.

AN ACT to repeal and recreate section 352.06 and to amend paragraph (c) of subsection (9) of section 352.03 of the statutes, relating to the manufacture and sale of cheese containing more than the permitted amount of moisture and providing a penalty.

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

SECTION 1. Section 352.06 of the statutes is repealed.

SECTION 2. A new section is added to the statutes to be numbered and to read: 352.06 EXCESS MOISTURE CHEESE. No firm or corporation shall, by themselves, their servant or agent, and no person shall, by himself, his servant or agent, or as the servant or agent of another person, or as the servant or agent of any firm or

corporation, manufacture for sale or exchange, sell, exchange, offer for sale or exchange, or have in possession with intent to sell or exchange any cheese or process cheese which contains more than the permitted amount of moisture as provided in subsection (9) of section 352.03, except that cheese manufactured by the process known as American, Cheddar, Granular, Colby or Washed Curd may contain more than the permitted amount of moisture fixed by subsection (9) of section 352.03; provided, each cheese if offered for sale or sold shall be plainly and conspicuously marked or branded in one or more places according to size by using for identification the proper moisture content label as listed below in type and numerals at least 3/8" high:

Moisture 40 to 42%

" 42 to 44%

" 44 to 46%

" Over 46%

Such cheese shall not bear the grade marks fixed by the department of agriculture and markets for cheese as described in paragraph (c) of subsection (9) of section 352.03. Any firm or corporation who shall by themselves, their servant or agent, and any person who shall by himself, his servant or agent, or as the servant or agent of another person, or as the servant or agent of any firm or corporation, remove, or in any way divert any milk fat from milk to be made into cheese by the process known as American, Cheddar, Granular, Colby or Washed Curd cheese, or cheese known as Brick cheese, or cheese known as Muenster cheese, or cheese known as Limburger cheese, or who shall mix with or add to such milk any milk from which all or part of the milk fat originally contained therein has been removed, or who shall otherwise violate the provisions of this section, shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than thirty days nor more than four months.

SECTION 2. Paragraph (c) of subsection (9) of section 352.03 of the statutes (amended by Chapter 82, laws of 1933) is amended to read: (352.03) (9) (c) Cheese known as American or Cheddar cheese is made by the *American, Cheddar, Granular, Colby, or Washed Curd process* from whole milk and contains, in the water-free substance, not less than fifty per cent of milk fat, and contains not more than thirty-nine per cent of moisture, with an allowance or tolerance of not to exceed one per cent in excess, so that

in no case shall the moisture content of said cheese exceed forty per cent.

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

Approved June 26, 1933.

No. 771, A.]

[Published June 29, 1933.

CHAPTER 320.

AN ACT to amend subsection (1) of section 246.09 of the statutes, relating to insurance.

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

SECTION 1. Subsection (1) of section 246.09 of the statutes is amended to read: (246.09) (1) Any married woman may, in her own name or in the name of a third person as her trustee, with his assent, cause to be insured for her sole use the life of her husband, son or other person for any definite period or for the natural life of such person; and any person, whether her husband or not effecting any insurance on his own life or on the life of another may cause the same to be made payable or assign the policy to a married woman or to any person in trust for her or her benefit; and every such policy, when expressed to be for the benefit of or assigned or made payable to any married woman or any such trustee, shall be the sole and separate property of such married woman and shall inure to her separate use and benefit and that of her children, and in case of her surviving the period or term of such policy the amount of the insurance and all proceeds and avails therefrom shall be payable to her or her trustee for her own use and benefit, free from the control, disposition or claims of her husband and of the person effecting or assigning such insurance and from the claims of their respective representatives and creditors *and from the claims of her creditors*, whether or not the right to change the beneficiary was reserved or permitted by the terms of the policy. *The amount of such insurance, proceeds and avails free from the control, disposition or claims of her creditors shall be limited to five thousand dollars.*

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

Approved June 26, 1933.