

they occur therein, the words, "or any company now or hereafter existing under the laws of the state of Michigan whose road shall connect with that of the company hereby created, at the state line of said state of Michigan."

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

Approved March 19, 1873.

CHAPTER 285.

[Published March 27, 1873.]

AN ACT to regulate the sale of mineral oils and other substances for illuminating purposes.

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

SECTION 1. That it shall be unlawful for any person or persons to offer for sale, for illuminating purposes, as agent or otherwise, any mineral or petroleum oil, or any oil, fluid, or substance which is a product of petroleum, or into which petroleum or any product of petroleum enters, or is found as a constituent element, until after he or they have tested the same in the manner following, to wit: By taking not less than half a pint of the oil, fluid or substance to be tested, and placing the same in a small vessel in which there is no other substance, of such dimensions that the surface of the oil, fluid or substance shall not exceed four square inches in area, and placing a Fahrenheit's thermometer in said oil, fluid or substance in said vessel, in such a manner that the thermometer will indicate the temperature of the oil, fluid or substance being tested, which shall then be gradually heated at a rate of not less than two degrees per minute, Fahrenheit, to a temperature at which said oil, fluid or substance will emit a gas or vapor that will ignite by bringing the flame of a lighted match, or other burning taper in contact with the surface of the article being tested, with such frequency, and in such a manner as to ascertain the exact temperature by said thermometer at which said fluid, oil or substance will emit a gas or vapor that will ignite; and if it will emit a gas or vapor that will ignite at any temperature below one hundred and ten degrees, Fah-

Unlawful to sell illuminating oils that have not been tested.

Manner of testing oils described.

renheit, then it is hereby declared to be dangerous, and it shall be unlawful to sell or offer the same for sale.

Penalty for selling oils not tested, or offering the same for sale.

SECTION 2. That any person or persons who shall offer for sale, for illuminating purposes, any oil, fluid or substance mentioned in the first section of this act, until after he or they have tested, or caused the same to be tested, as prescribed in this act, or who shall offer for sale for illuminating purposes, any of said articles that will emit gas or vapor that will ignite at any temperature below one hundred and ten degrees, Fahrenheit, under the test prescribed in this act, he or they shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than one hundred dollars, or imprisoned in the jail of the county not exceeding twenty days, or both, at the discretion of the court, and shall pay the costs of prosecution.

Penalty for manufacturers, refiners or wholesale dealers, for selling oils not tested.

SECTION 3. That if any person or persons, manufacturer, refiner or wholesale dealer of any oil, fluid or substance mentioned in the first section of this act, as agent or otherwise, shall sell, for illuminating purposes, any oil, fluid or substance mentioned in said section, that will emit a gas or vapor that will ignite at any temperature below one hundred and ten degrees, Fahrenheit, under the test in this act prescribed, he or they shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one thousand dollars, or imprisonment in the jail of the county not exceeding twenty days, or both, at the discretion of the court trying the case, and shall pay the costs of prosecution.

Penalty for selling in quantities less than one barrel.

SECTION 4. That if any person or persons shall sell for illuminating purposes, and in a quantity less than one barrel at a single sale, any oil, fluid or substance that will emit a gas or vapor that will ignite at any temperature below one hundred and ten degrees, Fahrenheit, under the test prescribed by this act, he or they shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than twenty-five or more than two hundred dollars, or imprisoned in the jail of the county not exceeding ten days, or both, at the discretion of the court, and shall pay the costs of prosecution.

In case of injury to person or property, the seller to be liable for damages.

SECTION 5. That if any person shall sustain any damage to his property, or injury to his person by reason of a violation of any of the provisions of this act by another person, the person guilty of said violation shall be liable to the person injured for all damages sustained thereby, and in case any person violating the provisions of this act shall, by such violation cause the

death of another, he shall be guilty of manslaughter, and on conviction thereof, shall be punished according to the provisions of the section of the criminal statute defining that crime.

SECTION 6. That any and all contracts made in violation of the provisions of this act are hereby declared to be void, and the vendor may return the oil, fluid or substance purchased, at the expense of the vendor, and recover from the vendor all that he had paid therefor, including all charges for transportation and all other damages resulting directly from said sale. Contracts in violation of this act to be void.

SECTION 7. This act shall take effect and be in force from and after the first day of May next.

Approved March 19, 1873.

CHAPTER 286.

[Published March 25, 1873.]

AN ACT to amend the charter of the city of Stevens Point relating to license for selling intoxicating liquors.

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

SECTION 1. Subdivision first of section three of sub-chapter four of chapter two hundred and sixty-seven of the private and local laws of 1858, entitled an act to incorporate the city of Stevens Point, is hereby amended by striking out and repealing all of said subdivision first, after the word, "provided," in the eleventh line, as printed in the laws of 1858, and inserting the following: "That the sum to be paid for any such retail license shall not be less than one hundred nor more than three hundred dollars, and that no license shall be granted for less than one year." Amended—what amount to be paid for licenses.

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

Approved March 19, 1873.