

less than one dollar nor more than one thousand dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months.

SECTION 6. This act shall take effect upon passage and publication.

Approved August 20, 1915.

No. 803, A.]

[Published August 25, 1915.]

CHAPTER 597.

AN ACT to create sections 1410b—1, 1410b—2, 1410b—3 and subsection 3 of section 172—30 of the statutes, relating to the licensing of butter or cheese makers and of persons operating butter or cheese factories, providing a penalty and making an appropriation.

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

SECTION 1. There are added to the statutes three new sections to read: Section 1410b—1. 1. For the purposes of this section the terms "butter maker" and "cheese maker" shall respectively mean and include a person employed or who may be employed in any butter or cheese factory who has charge of and supervision over the actual process of manufacturing butter or cheese, and shall not include a person employed in a butter or cheese factory for the purpose of aiding or assisting in the manufacture of such product. This act shall not affect a person making up a product produced on his own farm.

2. On and after the first day of January 1916, no person shall engage in the manufacture of butter or cheese as a butter maker or cheese maker unless he shall have first secured a license from the dairy and food commissioner. Such license for butter or cheese makers shall be issued by the dairy and food commissioner under such rules and regulations as he shall prescribe relating to the qualifications of applicants for securing licenses. Such qualifications shall include among other things: Previous record in operating and keeping in sanitary condition the butter or cheese factory in which he has been employed.

3. Application for a butter maker's or cheese maker's license shall be made upon an application blank furnished by the dairy and food commissioner. Upon receipt of any such application the dairy and food commissioner shall issue a permit to such applicant to carry on the work of a butter maker or cheese maker. Such permit shall have the full force and effect of a license to carry on the work of a butter maker or cheese maker

only until a license shall have been issued to the applicant or until such applicant shall have been notified of the denial of such application. At the time such permit is issued, the dairy and food commissioner shall also furnish to the applicant the rules and regulations incident to securing a license and also suggestions relating to the proper method of operating butter or cheese factories.

4. Each application for such license shall be accompanied by a fee of one dollar payable to the dairy and food commissioner, and no license shall be issued until such fee is paid the dairy and food commissioner. In case license is refused, the fee accompanying the application shall be returned by the dairy and food commissioner to the applicant with notification of refusal.

5. Each butter maker's or cheese maker's license shall be subject to revocation by the dairy and food commissioner upon reasonable written notice that the licensee has violated any of the rules and regulations prescribed by the commissioner, or has violated any of the laws of the state relating to milk or cream, or milk or cream products.

6. Each butter maker's or cheese maker's license shall expire on the first day of January next succeeding the date of its issue.

Section 1410b—2. 1. On and after January 1, 1916, no person, firm or corporation shall operate a butter factory or cheese factory in this state unless a license shall have first been granted by the dairy and food commissioner to such person, firm or corporation to operate such butter factory or cheese factory at the place designated in such license. Such license shall be granted under such reasonable rules and regulations as the dairy and food commissioner may from time to time prescribe. Upon filing an application for a license to operate a butter factory or cheese factory, the dairy and food commissioner shall issue a permit to such applicant to operate such factory. Such permit shall have the full force and effect of a license to operate such factory only until a license shall have been issued to the applicant or until such applicant shall have been notified of the denial of such application.

2. As soon as convenient after the filing of such application, the dairy and food commissioner shall cause an investigation to be made of the conditions of such butter factory or cheese factory for the purposes of determining whether or not a license is to be granted under the rules and regulations prescribed by him.

3. Each application for such license shall be made upon an application blank furnished by the dairy and food commissioner

upon request and shall state the applicant's name and address and the exact location of the factory for which such license is requested and such other information as the dairy and food commissioner may reasonably require and the dairy and food commissioner shall furnish to the applicant the rules and regulations incident to securing a license.

4. Each application shall be accompanied by a fee of two dollars payable to the dairy and food commissioner, and no license shall be issued until such fee is paid to the dairy and food commissioner. In case license is refused, the fee accompanying the application shall be returned by the dairy and food commissioner to the applicant with notification of refusal.

5. Licenses to operate a butter factory or cheese factory shall expire on the first day of January next following the date of issue but may be renewed without inspection on or before the first day of January of each year upon the application of the licensee and upon the payment of two dollars to the dairy and food commissioner.

6. No permit, license, or renewal shall be transferable.

7. The dairy and food commissioner is authorized, after reasonable notice, to close up any butter or cheese factory which is being operated or conducted without a permit, license or renewal and to suspend or revoke any license if the licensee fails to comply with any of the provisions of this section or with any rule or regulation under which the license is granted, and he shall restore to full force and effect any license when the licensee fully complies with all of the provisions of this section and the said rules and regulations.

8. The owner or operator of any butter or cheese factory being dissatisfied with any order of the dairy and food commissioner to close up the factory owned or operated by him may commence an action in the circuit court for the county in which such factory is located against the commissioner as defendant to vacate and set aside any such order on the ground that the order is unlawful, or that any such order is unreasonable, in which action the complaint shall be served with the summons. The answer of the commissioner to the complaint shall be served and filed within ten days after service of the complaint, whereupon said action shall be at issue and stand ready for trial upon ten days' notice to either party. All such actions shall have precedence over any civil cause of a different nature pending in such court, and the circuit court shall always be deemed open for the trial thereof, and the same shall be tried and determined as other civil actions. No injunction shall issue suspending or staying any order of the dairy and food commis-

sioner, except upon application to the circuit court or the presiding judge thereof, notice to the dairy and food commissioner and hearing.

Section 1410b—3. Any person violating any of the provisions of sections 1410b—1 or 1410b—2 or any of the rules or regulations prescribed by the dairy and food commissioner under authority of said sections shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment in the county jail not less than ten days nor more than thirty days, and the license issued to such person shall be revoked.

SECTION 2. There is added to section 172—30 of the statutes a new subsection to read: (Section 172—30) 3. All license fees collected by the dairy and food commissioner under the provisions of sections 1410b—1 and 1410b—2 of the statutes shall be paid within one week of the granting of the licenses therefor into the general fund of the state treasury. All moneys so deposited are appropriated for the use of the dairy and food commissioner to carry into effect the provisions of sections 1410b—1 and 1410b—2.

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

Approved August 20, 1915.

No. 833, A.]

[Published August 25, 1915.

CHAPTER 598.

AN ACT to repeal subsections 23, 24, 35 and 42 of section 170, section 172—21 as enacted by section 5, chapter 760, laws of 1913, subsections 1, 2, and 3 of section 172—22, sections 172—25, 172—40, 1072—1, 1092m, 1494t—3, 1494—41 and subsection 3 of section 1494—43; sections 1494—43a, 1494—62, 1494—131 to 1494—134, inclusive, and subsection 3 of section 1498—25 of the statutes; and to amend the first paragraph of section 1497a and section 1498a, of the statutes, relating to the state board of forestry, the state fish and game warden, the state conservation commission, the commissioners of fisheries and the state park board, the state forester, the assistant state forester, the state fire warden, the assistant state fire warden, the state trespass agent and the assistant state trespass agent.

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

SECTION 1. Subsections 23, 24, 35 and 42 of section 170, section 172—21 as enacted by section 5, chapter 760, laws of