

SECTION 1. Paragraph (c) of subsection (4) of section 30.01 of the statutes is amended to read: (30.01) (4) (c) The boundaries of lands adjoining waters and the rights of the state and of individuals in respect to all such lands and waters shall be determined in conformity to the common law so far as applicable. *Provided, however, where a lake or stream is erroneously meandered, it shall be conclusively presumed that the owner of title to lands adjoining the meandered lake or stream as shown on the original United States survey, owns to the actual shore line, unless it be first established in a suit in equity brought by the original grantor for that purpose that such original grantor was in fact defrauded by such survey; and if the proper claims of adjacent owners of riparian lots to lands between meander and actual shore lines conflict, then each shall have his proportion of such shore lands.*

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

Approved May 28, 1931.

No. 196, A.]

[Published June 1, 1931.]

CHAPTER 155.

AN ACT to create subsection (18) of section 20.60 and section 99.33 of the statutes, relating to the regulation of handling, loading and shipping of fresh fruit and vegetables, and providing a penalty.

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

SECTION 1. A new subsection is added to section 20.60 and a new section is added to the statutes to read: (20.60) (18) All moneys collected under section 99.33 shall be paid within one week of receipt thereof into the general fund of the state treasury and are appropriated therefrom for the execution of said section 99.33.

99.33 (1) It shall be unlawful for any person, firm, association, organization, trucker buying for resale, or corporation, or agent, representative or assistant of any person, firm, association, organization or corporation, to pack for resale, expose for resale, or sell, transport, deliver or consign or have in possession for resale, transport, delivery or consignment, or have in possession for

resale, transport, delivery or consignment for interstate commerce, fresh fruits and fresh vegetables prepared for market in other than retail quantities without first securing from the department of agriculture and markets, by making application therefor upon a blank to be furnished by said department and accompanied by a fee of one dollar, except truckers who shall pay one dollar, a license to grade and load fruits and vegetables, which license shall be renewed annually. The department of agriculture and markets may suspend any such license temporarily for failure to comply with the provisions of this section or any rules or regulations made by the department of agriculture and markets, and shall have the power to permanently revoke such license for cause. Before any such suspension or revocation of a license is made the department of agriculture and markets shall give written notice to the licensee that it contemplates the suspension or revocation of same and give its reasons therefor. Such notice shall appoint a time for hearing before the department of agriculture and markets and may be sent by registered mail to the licensee. The hearing shall be held in the office of the department of agriculture and markets in the city of Madison. On the day of hearing the licensee may present such evidence as he may desire and after hearing the evidence the department of agriculture and markets shall decide the matter in such manner as to it appears just and right. The act of such department in refusing to grant a license or in suspending or revoking a license granted under this subsection shall be subject to review by a writ of certiorari issuing from a court of competent jurisdiction.

(2) Any person who shall violate any of the provisions of this subsection 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 for not more than thirty days, or by both such fine and imprisonment in the discretion of the court.

(3) The department of agriculture and markets is charged with the enforcement of this section and is authorized and empowered to make such rules and regulations as may be found necessary to properly enforce the same.

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

Approved May 28, 1931.