

of this act, including the purchase of land, improvement thereof and the payment of the expenses of the commission, there is appropriated out of any money in the treasury not otherwise appropriated the sum of two hundred fifty dollars or so much thereof as may be necessary.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved May 26, 1913.

No. 721, A.]

[Published May 28, 1913.

### CHAPTER 310.

AN ACT to create section 1636—57m of the statutes, to authorize cities and villages to license persons operating automobiles used for hire.

*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 1636—57m. 1. The common council of any city and the village board of any village in this state, however incorporated, are authorized to regulate and license chauffeurs and drivers of automobiles or other similar motor vehicles used for hire, and to require that no unlicensed person shall operate or drive an automobile, or other similar motor vehicle, for hire upon the streets or public places of such city or village, and to revoke such license when in its judgment the public safety requires such revocation. Any person residing in any city or village in this state shall not be required to procure a license in any other city or village until he shall remain in such other city or village continuously for at least five days.

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

Approved May 26, 1913.

No. 758, A.]

[Published May 28, 1913.

### CHAPTER 311.

AN ACT to amend section 4601aa of the statutes, relating to the branding of foods.

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

SECTION 1. Section 4601aa of the statutes is amended to read: Section 4601aa. Any person \* \* \* *who* by himself, \* \* \* *or by his* servant or agent, or as the \* \* \* servant or agent

of \* \* \* *another*, \* \* \* shall manufacture or solicit or take orders for delivery, or sell, exchange, deliver or have in possession with the intent to sell, exchange or expose, or offer for sale or exchange any article of food within the meaning of section 4600 of the statutes which is misbranded within the meaning of this section shall be 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 sixty days.

The term "misbranded," as used herein, shall apply:

(1) To articles of food, or articles which enter into the composition of food, which, or the package or label of which shall bear any statement, design or device regarding such article or the ingredients or substances contained therein which shall be false or misleading in any particular;

(2) To articles of food in package form which do not bear plainly and conspicuously marked on the outside thereof the name and address of the manufacturer, packer or dealer;

(3) \* \* \* To articles of food in package form \* \* \* if the actual quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count; reasonable variations, however, shall be permitted from the stated weight, measure or numerical count, and the dairy and food commissioner shall establish tolerances for the same by rules and regulations; and

(4) To \* \* \* articles of food \* \* \* in package form if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package.

The term "label," as used in this section and in section 4601, or in any other section of \* \* \* the statutes, relating to the adulteration or misbranding of food, unless otherwise specifically described and provided therein, shall apply to any printed, pictorial, or other matter upon or attached to any package of a food product or any container thereof.

The term "package" as applied to articles of food shall mean a closed receptacle of any kind in which an article of food is kept in stock and which with its contents is sold to the public.

\* \* \* The dairy and food commissioner \* \* \* , by himself, or by his assistants, chemists, inspectors and agents, is hereby authorized to \* \* \* enforce the provisions of this section \* \* \* and for this purpose all the powers conferred upon the said commissioner \* \* \* , his assistants, chemists, inspectors and agents, by sections 1410a, 1410b, 1410d, or by any

other provision of \* \* \* the statutes are hereby conferred upon said dairy and food commissioner, his assistants, chemists, inspectors and agents, so far as the same may be applicable.

*The provisions of subdivisions (3) and (4) of this section shall not apply to foods in package form when dispensed for consumption on the premises, or when the numerical count of the enclosed units is less than six, or when the net weight of the contents of the package is less than three ounces avoirdupois; or in case of liquids when the contents of the package are less than one fluid ounce; or to fruits and vegetables when such fruits and vegetables are sold by the standard barrel, standard crate, standard box or basket or other standard receptacle as provided in section 1668 of the statutes.*

SECTION 2. This act shall take effect and be in force from and after the third day of September, 1914.

Approved May 26, 1913.

No. 785, A.]

[Published May 28, 1913.

## CHAPTER 312.

AN ACT to amend sections 925q—160 and 925q—161 and to repeal section 925q—162 and to create section 925q—162 of the statutes, relating to the preparation and adoption of financial budgets in cities of the first class.

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

SECTION 1. Sections 925q—160 and 925q—161 of the statutes are amended to read: Section 925q—160. In cities of the first class, whether operating under a general or special charter, it shall be the duty of the head of the several departments of the city government, and the several boards or bodies, by whatever name known, on or before the first day of \* \* \* *October*, in each year, to make and file with the comptroller a report and estimate, in writing, and in detail, of all the needs of their several departments, for the ensuing fiscal year. This report shall include the necessary expenditures to be made of every kind and nature and the reasons therefor shall be stated. The common council may, by appropriate legislation, impose further duties and require further detailed reports of its several officers, to carry out more fully the objects and purposes of this provision.

Section 925q—161. In all such cities of the first class there shall be a board of estimate, which shall consist of the mayor, president of the common council, comptroller, city attorney, \* \* \* *commissioner* of public works, and city treasurer and