

No. 12, A.]

[Published March 2, 1918.]

## CHAPTER 11

AN ACT to compensate the officiating chaplains of the senate and assembly for the special session of the legislature of 1918, and making an appropriation.

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

SECTION 1. There is hereby appropriated to the officiating chaplains of the special session of the legislature of 1918, the sum of three dollars for each day of such service, to be paid upon the certificates of the chief clerk of the senate and assembly, respectively, showing the amounts to which each such chaplain is entitled.

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

Approved March 1, 1918.

No. 1, S.]

[Published March 8, 1918.]

## CHAPTER 12

AN ACT to amend sections 1728s, 1728t, 1728v, 1728w, 1728y, 1728z and 1728za, and to create sections 1728ya, 1728zb, 1728zc, 1728zd and 1728ze of the statutes, relating to street trades.

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

SECTION 1. Sections 1728s, 1728t, 1728v, 1728w, 1728y, 1728z and 1728za of the statutes are amended to read: Section 1728s. No boy under \* \* \* *seventeen* years of age shall, in any city of the first class, distribute, sell, or expose or offer for sale any newspapers, magazines or periodicals in any street or public place or work as a bootblack, or in any other street or public trade, or sell or offer for sale or distribute any handbills or other articles, unless he complies with all the legal requirements concerning school attendance, and unless a permit and badge, as hereinafter provided, shall have been issued to him by the board of education *where he resides*. No such permit and badge shall be issued until the officer issuing the same shall have received an application in writing therefor, signed by the parent or guardian or other person having the custody of the child, desiring such permit and badge, and until such officer shall have received, examined and placed on file the written statement of the principal or chief executive officer of the public, private or parochial school, which the said child is attending, stating that such child

is an attendant at such school with the grade such child shall have attained, and provided that no such permit and badge shall be issued, unless such officer issuing it is satisfied that such child is mentally and physically able to do such work besides his regular school work as required by law.

Section 1728t. Before any such permit is issued, the board of education shall demand and be furnished with proof of such child's age by the production of a verified baptismal certificate or a duly attested birth certificate, or, in case such certificate cannot be secured, by the record of age stated in the first school enrollment of such child. Whenever it appears that a permit was obtained by wrong or false statements as to any child's age, the officer who granted such permit shall forthwith revoke the same. After having received, examined and placed on file such papers, the officer shall issue to the child a permit and badge. The principal or chief executive officer of schools, in which children under \* \* \* *seventeen* years of age are pupils, shall keep a complete list of all children in their school to whom a permit and badge has been issued, as provided in sections 1728p to 1728za, inclusive.

Section 1728v. The badge provided for herein shall be such as the board of education shall designate and shall be worn conspicuously in sight at all times in such position as may be designated by the said board of education by such child while so working. No child to whom such permit and badge or identification card are issued shall transfer the same to any other person. No badge shall be issued except on deposit of a fee of twenty-five cents. Such fee shall be refunded upon return of the badge, *within one year from the expiration of the permit. All fees remaining after the expiration of such year are hereby appropriated to the board of education with whom they have been deposited to apply upon any expenditures incurred in the administration of sections 1728p to 1728za.*

Section 1728w. No boy under \* \* \* *seventeen* years of age shall, in any city of the first class, sell, expose or offer for sale any newspapers, magazines or periodicals after the hour of seven-thirty o'clock in the evening or before five o'clock in the morning; and no child under \* \* \* *seventeen* years of age shall distribute, sell, expose or offer for sale any newspapers, magazines or periodicals or shall work as a bootblack or in any street or public trades or distribute handbills or shall be employed or permitted to work in the distribution or sale or exposing or offering for sale of any newspapers, magazines or periodicals or as a bootblack or in other street or public trades

or in the distribution of handbills during the hours when the public schools of the city where such child shall reside are in session. Provided, that any boy between the ages of fourteen and \* \* \* *seventeen* years, who is complying and shall continue to comply with all the legal requirements concerning school attendance, and who is mentally and physically able to do such delivery besides his regular school work, shall be authorized to deliver newspapers between the hours of four and six in the morning.

Section 1728y. The permit of any child, who in any city of the first class distributes, sells or offers for sale any newspapers, magazines or periodicals in any street or public place, or works as a bootblack, or in any other street trade, or sells or offers for sale or distributes any handbills or other articles in violation of the provisions of sections 1728p to 1728za, inclusive, or who becomes delinquent or fails to comply with all the legal requirements concerning school attendance, shall forthwith be revoked for a period of six months, and his badge taken from said child. The refusal of any child to surrender such permit, and the distribution, sale or offering for sale of newspapers, magazines or periodicals or any goods or merchandise, or the working by such child as a bootblack, or in any other street or public trade, or in distributing handbills or other articles, after notice, by any officer authorized to grant permits under this law of the revocation of such permit and a demand for the return of the badge, shall be deemed a violation of sections 1728p to 1728za, inclusive. The permit of said child may also be revoked by the officer who issued such permit, and the badge taken from such child, upon the complaint of any police officer or other attendance officer or probation officer of a juvenile court, and such child shall surrender his permit and badge upon the demand of any police officer, truancy or other attendance officer or probation officer of a juvenile court or other officer charged with the duty of enforcing sections 1728p to 1728za, inclusive. In case of a second violation of sections 1728p to 1728za, inclusive, by any child, he shall be brought before the juvenile court, if there shall be any juvenile court in the city where such child resides, or, if not, before any court or magistrate having jurisdiction of offenses committed by minors and be dealt with according to law. *The permit of a minor who changes his residence subsequent to its issuance may be revoked in like manner by the officers of the permit district to which he removes.*

Section 1728z. Any parent or other person who employs a minor under the age of \* \* \* *seventeen* years in peddling without a license, or who, having the care or custody of such minor, suffers or permits the child to engage in such employment, or to violate sections 1728p to 1728za, inclusive, shall be punished by a fine not to exceed fifty dollars nor less than ten dollars, or by commitment to the county jail for not more than thirty days or less than ten days.

Section 1728za. No badge shall be issued for a boy selling papers between the ages of twelve and \* \* \* *seventeen* years \* \* \* except upon certificate of the principal of either public, parochial or other private school attended by said boy, stating and setting forth that said boy is a regular attendant upon said school. *In any city or other permit district in which compulsory school attendance ends at the age of sixteen years, the educational requirements contained in sections 1728p to 1728za, inclusive, shall not apply to children over sixteen years of age.* No boy under the age of \* \* \* *seventeen* years shall be permitted by any newspaper publisher or printer or persons having for sale newspapers or periodicals of any character, to loiter or remain around any salesroom, assembly room, circulation room or office for the sale of newspapers, between the hours of nine in the forenoon and three in the afternoon, on days when school is in session. Any newspaper publisher, printer, circulation agent or seller of newspapers shall upon conviction for permitting newsboys to loiter or hang around any assembly room, circulation room, salesroom or office where papers are distributed or sold, shall be punished by a fine not to exceed one hundred dollars nor less than twenty-five dollars, or by commitment to the county jail for not more than sixty days or less than ten days.

SECTION 2. Five new sections are added to the statutes to read: Section 1728ya. The employment of any minor of the age of twelve years or more, pursuant to the provisions of sections 1728p to 1728za, inclusive, in a "street trade", shall have the same warrant as if his employment was under the permit provided by section 1728a, and such permit shall, within the trade for which it was issued, afford like protection to an employer as would a permit issued pursuant to section 1728a. The permit shall authorize such minor to engage in the specified trade anywhere within the state.

Section 1728zb. Except as to cities of the first class the industrial commission is charged with general supervision of minors engaged in a "street trade," as the term is defined in

section 1728p to the end that such minors be not required, suffered or permitted to work at or engage in a street trade under conditions or during hours which are dangerous or prejudicial to their life, health, safety or welfare. For such purpose it is made the duty of the industrial commission, and it shall have power, jurisdiction and authority to investigate, ascertain, determine and classify street trades and to issue general or special orders prohibiting the employment or engagement of minors in a street trade dangerous or prejudicial to the life, health, safety or welfare of such minor, and, by like orders, to fix the terms and conditions of permits to such minors and provide for their issuance by the board of education or school board of the city, village or town in which such minor resides, for the revocation of permits, and for such other regulations as may be reasonably necessary to carry out the purpose and intent hereof, provided, however, that no boy under the age of twelve years and no girl under the age of eighteen years shall at any time be permitted to engage in a street trade.

Section 1728ze. Such investigations, classifications and orders shall have the same force and effect as orders issued pursuant to sections 2394—41 to 2394—70, inclusive, and any action, proceeding or suit to set aside, vacate or amend any such order of the commission, or to enjoin the enforcement thereof, shall be made pursuant to the proceeding authorized in sections 2394—41 to 2394—70, inclusive.

Section 1728zd. Until such time as the industrial commission shall investigate, ascertain, determine and classify street trades for districts other than cities of the first class, as provided in section 1728zb, and by order designate those trades, and the conditions and hours therein, at which a minor shall not be permitted to engage, any engagement or employment of a minor in a street trade in any such district contrary to the limitations provided in sections 1728p to 1728za, inclusive, shall be deemed prejudicial to the life, health, safety and welfare of such minor. Except as the industrial commission may provide ways and means in conflict with the administrative procedure provided in sections 1728p to 1728za, inclusive, the provisions of said sections shall be effective, insofar as applicable, in all other cities and in the villages and towns of the state.

Section 1728ze. In the discharge of any duty put upon boards of education or school boards pursuant to the provisions of sections 1728zb to 1728zd, inclusive, they are authorized to make use of any funds appropriated to their use for general school purposes.

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

Approved March 5, 1918.

No. 6. S.]

[Published March 8, 1918.

## CHAPTER 13

AN ACT to prohibit interference with, or discouragement of the enlistment in the military or naval forces of the United States, or of the state of Wisconsin, and to prohibit teaching or advocating that citizens of this state should not aid or assist the United States in prosecuting or carrying on war with the public enemies of the United States, and providing a penalty for the violation thereof.

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

SECTION 1. No person shall print, publish, edit, issue, or knowingly circulate, sell, distribute or publicly display any book, paper, document, or written or printed matter in any form, which advocates, or attempts to advocate, or advises or teaches that citizens of this state of military age should not enlist in the military or naval forces of the United States or of this state.

SECTION 2. No person shall in any public place, or at any meeting where more than five persons are assembled, advocate, teach or advise that citizens of this state should not enlist in the military or naval forces of the United States or of this state.

SECTION 3. No person shall advocate, teach or advise, that citizens of this state should not aid or assist the United States in prosecuting or carrying on war with the public enemies of the United States.

SECTION 4. A citizen of this state for the purpose of this act is hereby defined to be any person within the confines of this state.

SECTION 5. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than three months nor more than one year, or by both such fine and imprisonment, in the discretion of the court.

SECTION 6. This act shall take effect upon passage and publication, but shall be in effect only during the period of the present war.

Approved March 6, 1918.