

consideration of naming by the veteran of such person or any other person as beneficiary.

(2) The refusal or wilful neglect of any person or corporation to return to and deliver upon demand by a veteran owning any adjusted compensation certificate, adjusted service credit, adjusted service pay, or the proceeds thereof, in his care, custody or control as above mentioned in the preceding section upon demand by the proper person entitled to receive the same or its proceeds shall be in such case prima facie evidence of the unlawful withholding of said adjusted compensation certificate.

(3) It shall be unlawful for any person to receive or accept as a security or to withhold from a veteran or honorably discharged soldier, sailor or marine any discharge paper, citation, warrant, medal, badge or evidence upon which such veteran is entitled to certain rights, as a veteran under the laws of the United States or of this state, and any transfer of the same during the life of the veteran upon a consideration or otherwise shall be null and void, and the refusal or wilful neglect of any person to return or deliver upon demand, any such discharge, citation, warrant, medal, badge or evidence aforesaid shall be deemed a misdemeanor.

(4) Any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail not more than six months, or by both such fine and imprisonment.

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

Approved May 6, 1931.

No. 38, S.]

[Published May 8, 1931.

## CHAPTER 96.

AN ACT to create subsection (17) of section 20.60 and section 98.39 of the statutes, relating to oleomargarine, imposing a penalty, and making an appropriation.

*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) (17) An-

nually, beginning July 1, 1931, ten thousand dollars for the enforcement of section 98.39 and sections 352.36 to 352.41.

98.39 (1) No person shall by himself, or by his servant or agent, manufacture, sell, exchange, offer or expose for sale, have in possession with intent to sell, or serve to guests or patrons for compensation in a hotel, restaurant or boarding house, any oleomargarine, butterine, or similar substance, without first securing a license from the department of agriculture and markets.

(2) Application for such license shall be made in such form as may be prescribed by the department of agriculture and markets. Such application shall contain an accurate description of the place where the proposed business is intended to be carried on, the name and style under which it is proposed to conduct the said business, and such other information as the department of agriculture and markets may require. If from such application the department of agriculture and markets is satisfied that the name and style of the business is not calculated to deceive or mislead the public, and upon payment of the fee specified in subsection (3), the department of agriculture and markets shall issue to the applicant an annual license authorizing him to manufacture, sell, or serve, as the case may be, oleomargarine, butterine, and similar substances. A separate license shall be required for each separate place of business.

(3) The fee for an annual license issued pursuant to this section shall be as follows:

(a) To a manufacturer, one thousand dollars;

(am) To a wholesale dealer, five hundred dollars;

(b) To a retail dealer, one hundred dollars, if his total sales are less than five hundred pounds in any quarter year; two hundred fifty dollars if his total sales are five hundred pounds but less than twelve hundred fifty pounds in any quarter year; and four hundred dollars if his total sales are twelve hundred fifty pounds or more in any quarter year. If any licensed dealer shall sell a larger number of pounds in any quarter year than he is authorized to sell under his license, he shall, within ten days, after the close of such quarter year, procure a new license, which shall be issued to him upon payment of the difference in fee;

(c) To a proprietor of a hotel or restaurant, one hundred dollars;

(d) To a proprietor of a boarding house, fifty dollars.

(4) All licenses issued under this section shall expire on the thirty-first day of December of each year, but licenses may be granted to commence on the first day of each quarter year for the remainder of the year, upon payment of a proportionate part of the annual license fee. Such licenses shall be transferable upon application in writing to the department of agriculture and markets.

(5) A license issued under this section shall not authorize the manufacture, sale, offering or exposing for sale, having in possession with intent to sell, or serving to guests or patrons for compensation, any oleomargarine, butterine or similar substance at any other place than that designated in the application and license.

(6) Every licensee shall display his license in a conspicuous place on the walls of each room in which oleomargarine, butterine, or other substance is manufactured, sold, exposed for sale, or served to guests or patrons. All such products sold or offered or exposed for sale shall be labeled as provided for in section 352.37.

(7) Every licensed manufacturer, and every licensed wholesale dealer in oleomargarine, butterine, or other similar product shall keep a record of every sale and shipment of such products giving the date of sale and of shipment, the quantity, the person to whom sold and shipped, the place to which shipped, and the name of the transportation company by which shipped. Every licensed retail dealer shall keep a record stating the date of the receipt of all purchases of oleomargarine, butterine, or other similar substance, made by such dealer, where, when and from whom purchased, and the quantity thereof, and shall also keep an accurate record of his sales of such imitation dairy products, on forms to be furnished by the department of agriculture and markets. Every licensed wholesale dealer and licensed retail dealer shall make a report to the department of agriculture and markets, within ten days after the close of each quarter year, setting forth the total number of pounds of oleomargarine, butterine, or similar substance sold by such dealer during such quarter year. Failure of a licensee to make such reports shall be cause for a revocation of his license.

(8) Every licensed hotel, restaurant or boarding house shall keep a record of all purchases of oleomargarine, butterine, or similar substance, and shall make a report to the department of

agriculture and markets within ten days after the close of each quarter year setting forth the number of pounds of oleomargarine, butterine, or similar substance purchased during such quarter and used in cooking or serving meals to guests or patrons.

(9) Any commissioner or duly authorized employe of the department of agriculture and markets may at all reasonable times inspect the premises of any licensee under this section and examine the records of such licensee.

(10) Conviction of any licensee for any violation of this section or of any provision of sections 352.36 to 352.41 shall operate automatically as a revocation of his license issued under this section, and no new license shall be issued to such person for one year thereafter.

(11) Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment; and upon conviction of any subsequent offense, shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars or by imprisonment in the county jail for not less than six months nor more than one year.

(12) As used in this section:

(a) "Wholesale dealer" includes all persons, firms and corporations who sell to dealers, and all persons, firms and corporations who customarily make sales in quantities of ten pounds or more to a single customer.

(b) "Retail dealer" includes all persons, firms and corporations who customarily sell in quantities of less than ten pounds to a single customer.

SECTION 2. If any provision of this act is held unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the validity of all other provisions of this act and the applicability thereof to other persons or circumstances shall not be affected thereby.

SECTION 3. This act shall take effect one hundred twenty days after passage and publication.

Approved May 7, 1931.