

death shall not bar a recovery. *The burden of proof that the person so injured or killed was guilty of more than slight want of ordinary care contributing to the injury or death shall be upon the railroad company or corporation operating such railroad.*

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

Approved June 9, 1909.

No. 420, A.]

[Published June 11, 1909.]

CHAPTER 333.

AN ACT to create section 4947a of the statutes, relating to labor at county jails in counties of less than one hundred thousand population.

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 4947a. 1. At all county jails in counties having a population of less than one hundred thousand there may be provided in a convenient place near the county jail a quantity of stone and rock. Appropriate implements for the breaking of such stone and rock into suitable material for road making purposes may also be provided. Such stone and rock may be provided for by the county board at its first meeting after the passage of this act.

2. All persons convicted in any court and sentenced and committed to imprisonment in the county jail where such stone and rock are provided shall be employed in breaking stones and rock for the building and repair of public highways for a period of not more than eight hours each day, Sundays and all legal holidays excepted.

3. Provided, however, such labor shall not be required of female prisoners, nor of any male prisoner who has been declared by the county physician as being physically unable to perform such labor.

4. The county boards of supervisors may hereafter prescribe all necessary rules and regulations for the maintenance of stone, rock and implements at county jails, and may also prescribe all necessary rules and regulations for the carrying on of the labor herein provided for.

5. All receipts and expenditures under the provisions of this act shall be supervised and controlled by the county board and its committees duly appointed and authorized.

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

Approved June 9, 1909.

No. 526, A.]

[Published June 11, 1909.

CHAPTER 334.

AN ACT to create section 4601h of the statutes, relating to the sanitary production and distribution of food, defining the duties of the dairy and food commissioner in relation thereto and providing a penalty.

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 4601h. 1. It shall be unlawful to manufacture or prepare for sale food as defined in section 4600 of the statutes, unless in the process of its manufacture for sale or its preparation for sale it is securely protected from filth, flies, dust or other contamination, or other unclean, unhealthful or unsanitary conditions. It shall be unlawful to store or offer or expose for sale or sell food as defined in section 4600 of the statutes, unless it is securely protected from filth, flies, dust or other contamination, or other unclean, unhealthful or unsanitary conditions.

2. The dairy and food commissioner is hereby authorized and empowered, by himself, or by his assistants, chemists, inspectors or agents, to enforce the provisions of this act, and for this purpose, he or any of his assistants, chemists, inspectors or agents shall have power to enter and inspect every building, room, basement or cellar, which may be occupied or used for the manufacture or preparation for sale, storage, exposing or offering for sale or selling food as herein defined; and the dairy and food commissioner and his assistants, chemists, inspectors and agents shall have all the power conferred by the statutes upon him or them or any of them for the enforcement of the dairy and food and drug laws of this state in so far as the same may be applicable in the enforcement of the provisions of this act.

3. The district attorney of the county in which a violation of any such law has occurred shall, when called upon by the dairy and food commissioner or any of his assistants, chemists, inspectors or agents to do so, give all the aid he can to secure the execution of the law and shall prosecute cases arising under the provisions of this chapter. All fines collected in prosecutions begun or caused to be begun by the dairy and food commis-