

until such inability shall cease, or until such vacancy shall be filled. And said county judge when so acting under the request of the municipal judge, or of the circuit judge, shall be designated in such proceeding as "acting municipal judge."

Section 2517n. Whenever such municipal judge shall so act as county judge, and whenever such county judge shall so act as municipal judge, they shall be compensated for such services in like amount and in like manner, as county judges are compensated for holding court in other courts, as provided in section 2447.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 28, 1913.

No. 7, S.]

[Published March 29, 1913.

CHAPTER 39.

AN ACT to repeal section 1494f, subsection 33 of section 170, and section 4605a of the statutes, and to create sections 1494f and 172—73 of the statutes, relating to the inspection of apiaries, and making an appropriation therefor.

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

SECTION 1. Section 1494f, subsection 33 of section 170, and section 4605a of the statutes are repealed.

SECTION 2. There is added to the statutes a new section to read: Section 1494f. 1. The governor shall appoint a state inspector of apiaries, who is hereby empowered to appoint one or more deputies as needed to carry out the inspection work under his direction.

2. Said inspector shall either personally or through his deputy inspect any apiary, with all appliances, structures, and buildings if necessary, which is reported to be infected or which he has reason to believe may be infected with any disease injurious to honey bees in their egg, larval, pupal, or adult stages. If the inspector finds any such disease to exist in any apiary, appliances, structures, or buildings, he shall give to the owner or owners and care-taker or care-takers of such diseased property full instructions for such treatment as in the inspector's judgment seems best.

3. The inspector shall, if it is deemed necessary, make a second examination of all diseased apiaries, property, and premises after ten days, or as soon thereafter as he deems advisable. If in this second examination a diseased condition is found which is in any manner dangerous to the welfare of honey bees in any

of their stages, the inspector shall see that proper treatment is immediately given and the full expense of material for such treatment shall be paid by the owner of the property treated, and the expense of such treatment shall act as a lien on the property until paid. If the inspector finds conditions such that further remedial treatment is inadvisable, he may burn a part or all of such diseased property to prevent further spread of disease, without recompense to the owner, lessee, or agent thereof.

4. If the owner, lessee, agent, or care-taker of an apiary, including appliances, structures, and honey, wherein disease exists, shall knowingly sell, barter, or give away, or move without the consent of the inspector any diseased bees (be they queens or workers), colonies, honey, appliances, or structures, or knowingly expose other bees to the danger of such disease, said owner, lessee, agent, or care-taker shall on conviction be liable to a fine of not less than fifty nor more than one hundred dollars, or not less than one nor more than two months' imprisonment in the county jail.

5. For the enforcement of the provisions of this section the state inspector of apiaries or his deputy shall have access to all apiaries, appliances, structures, and premises where bees or their products are kept, and any person or persons who shall resist, impede, or hinder in any way the inspector in the discharge of his duties under the provisions of this section shall on conviction be liable to a fine of not less than fifty nor more than one hundred dollars, or not less than one nor more than two months' imprisonment in the county jail.

6. After inspecting infected hives or fixtures or handling diseased bees, the inspector or his assistant shall, before leaving the premises or proceeding to any other apiary, thoroughly disinfect any portion of his own person and clothing, and any tools or appliances used by him which have come in contact with infected material, and shall see that any assistant or assistants with him have likewise thoroughly disinfected their person and clothing and all tools and implements used by them.

7. It shall be the duty of any person in the State of Wisconsin engaged in the rearing of queen bees for sale, when honey is used in the making of candy for use in mailing cages, to boil such honey for at least thirty minutes. Any person engaged in the rearing of queen bees shall have his queen rearing apiary or apiaries inspected at least twice during each summer season, and on the discovery of the existence of any disease which is infectious or contagious in its nature and injurious to bees in their egg, larval, pupal, or adult stages, said person shall at once cease to ship queen bees from such diseased apiary until the

inspector of apiaries shall declare the said apiary free from all disease, by the issuance of a certificate of inspection. On the complaint of the inspector of apiaries or any beekeeper in the state that said beekeeper engaged in the rearing of queen bees is violating the provisions of this section, he shall, on conviction, be liable to a fine of not less than one hundred nor more than two hundred dollars.

8. Parties bringing bees or combs or previously used apiary supplies into the state must possess a valid certificate of inspection showing that such property is free from communicable bee diseases. Bees shipped into the state unaccompanied by a certificate as above described are subject to seizure by the state inspector of apiaries, pending inspection; in case disease is found to be present the shipment shall be subject to the provisions of this section.

9. The inspector shall keep an accurate account of moneys received and expended and file a detailed annual report of the work done and of expenditures and collections with the governor.

10. It shall be the duty of each district attorney to whom the state inspector of apiaries or his deputy shall present satisfactory evidence of violation of any provision or provisions of this section to institute and prosecute without delay appropriate proceedings in the proper court for the enforcement of the provisions of said section.

SECTION 3. There is added to the statutes a new section to read: Section 172—73. There is annually appropriated out of any moneys in the state treasury not otherwise appropriated the sum of two thousand dollars for the suppression of bee disease in the state and for carrying out the provisions of section 1494f. The inspector shall receive not to exceed five dollars per diem when actually engaged in the work of inspection, together with the necessary traveling expenses. The salary of all deputies or assistants shall be determined by the state inspector of apiaries.

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

Approved March 28, 1913.