

widow of such deceased person, if such relative survive him or her; but if no husband or widow survive the deceased the amount recovered shall be paid over to his or her lineal descendants and to his or her lineal ancestors in default of such descendants, but if no husband, or widow, or lineal descendant, or ancestor survive the deceased, the amount recovered shall be paid over to the brothers and sisters; and in every such action the jury may give such damages, not exceeding \* \* \* *twelve thousand five hundred dollars*, as they may deem fair and just in reference to the pecuniary injury, resulting from such death to the relatives of the deceased specified in this section; and a nonresident alien surviving wife and minor children shall be entitled to the benefits of this section. *If any of the foregoing relatives shall die at any time after such cause of action shall have accrued, the relative or relatives next in order named above shall be entitled to recover for the wrongful death of the deceased*; provided, that if there be no cause of action in favor of the estate of such decedent and the person or persons to whom the whole amount sued for and recovered belongs, as above provided, shall be the husband, widow, or parent or parents, *lineal descendant or ancestors, brothers or sisters* of the deceased, suit may at his or her or their option be brought directly in his or her or their name or names instead of being brought in the name of the personal representative of such deceased person.

*(2) In addition to the benefits provided for in subsection (1), a sum not exceeding twenty-five hundred dollars for loss of society and companionship shall accrue to the parent or parents or husband or wife of the deceased.*

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

Approved June 16, 1931.

No. 269, S.]

[Published June 17, 1931.

### CHAPTER 264.

AN ACT to create sections 130.07 and 130.08 of the statutes, relating to auctions, and providing a penalty.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Two new sections are added to the statutes to read: 130.07 (1) No person, firm or corporation shall sell or dispose of or offer for sale at public auction, between the hours of six o'clock in the evening and eight o'clock the following morning, any gold, silver, plated ware, precious or semiprecious stones, watches, clocks or jewelry of any nature whatsoever.

(2) Sales at public auction, of the jewelry stock of any person, firm or corporation, shall be held on successive days, Sundays and legal holidays excepted, and shall continue not more than thirty days in all within the period of one year.

(3) No person shall act as bidder or what is commonly known as a "capper", "booster" or "shiller", at any such auction or place, or offer or make any false bid, or offer any false bid to buy or pretend to buy any such article sold or offered for sale at any public auction.

(4) Any person violating any provision of this section, for each such violation, such employer, employe or other person, shall forfeit and pay into the state treasury a sum not less than twenty-five dollars nor more than fifty dollars.

130.08 Nothing in this chapter contained, in relation to auction and auctioneers, shall extend to any sale by auction of goods, wares or merchandise under or by virtue of any rule, order or judgment of any court, or of any law respecting the collection of any tax or duty, either of state or the United States, or to any sale by auction of property belonging to this state or United States, or to any sale by any trustee in bankruptcy, or any sale made by any executor, administrator or guardian duly authorized by the court to conduct such sale, personally, or when made by an officer of any court in person, or by an officer of this city, county or state or the United States in person. Provided, however, where an auction sale under the provisions of this section is conducted by virtue of an order or judgment of any state court, such order shall be granted only upon a verified petition setting forth the purpose of such sale. If the proposed sale is for the benefit of creditors the petition shall state the name of the owner of the goods, wares or merchandise, the name of the assignee, the person who is to conduct the auction sale, and shall in addition thereto be accompanied by a detailed inventory of the stock of goods to be sold, the value thereof and a list of the creditors to be benefited thereby. The order of the court shall provide that the sale shall

not continue for more than thirty days and that the goods, wares or merchandise listed in the inventory are not to be in any manner supplemented during the course of such sale. The order of the court may be revoked upon a proper showing that the facts set forth in the petition or inventory are untrue or that any of the provisions of the court's order are being violated.

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

Approved June 16, 1931.

No. 325, S.]

[Published June 17, 1931.

### CHAPTER 265.

AN ACT to amend section 1 of chapter 415 of the laws of 1925, granting to the city of Milwaukee certain submerged lands along and adjacent to the shore of Lake Michigan for public park, boulevard or highway purposes.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Section 1 of chapter 415 of the laws of 1925 is amended to read: (Laws of 1925, Chapter 415) (Section 1) All the right, title and interest of the state of Wisconsin, in and to a certain portion of submerged land \* \* \* *seventeen hundred feet in width lying along and adjacent to the shore of Lake Michigan \* \* \* in Milwaukee county, Wisconsin, and bounded on the north by the north line of Russell avenue in the city of Milwaukee extended easterly, and on the south by the center line of section 14, town 6 north, range 22 east, in said Milwaukee county extended easterly, is hereby granted and ceded to the city of Milwaukee by the state of Wisconsin to be held and used by said city for public park, boulevard or highway purposes, provided, that the city of Milwaukee may grant and cede all of its right, title and interest in and to any portion of said land to the county of Milwaukee for the same purposes.*

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

Approved June 16, 1931.