

contains any assertion, representation or statement of fact which is untrue, deceptive or misleading.

(2) It shall be deemed deceptive advertising, within the meaning of this section, for any person, firm or corporation, engaged in the business of buying or selling new or secondhand furs, wearing apparel, jewelry, furniture, pianos, phonographs, or other musical instruments, motor vehicles, stocks, or generally any form of property, real, personal or mixed, or in the business of furnishing any kind of service or investment, to advertise such articles, property or service for sale *or purchase*, in any manner indicating that the sale *or purchase* is being made by a private party or householder not engaged in such business. And every such firm, corporation or association, engaged in any such business, in advertising goods, property or service for sale *or purchase*, shall affirmatively and unmistakably indicate and state that the seller *or purchaser* is a business concern and not a private party.

(5) The state department of agriculture shall enforce the provisions of this section. *Actions to enjoin violation of this section or any regulations thereunder may be commenced and prosecuted by the department in the name of the state in any court having equity jurisdiction. This remedy is not exclusive.*

Approved July 6, 1945.

No. 246, S.]

[Published July 9, 1945.]

CHAPTER 400.

AN ACT to amend 46.10 (7) of the statutes, relating to the recovery for maintenance of inmates in public institutions.

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

SECTION 1. 46.10 (7) of the statutes is amended to read:

46.10 (7) The actual capita cost, as defined by rule of the state department of public welfare, of maintenance furnished an inmate of any state institution, or any county institution in which the state is chargeable with all or a part of the inmate's maintenance, except as to tuberculosis patients provided for in chapter 50 and section 58.06 (2), may be recovered by the state department of public welfare, or in counties having a population of 500,000 or more by the county, from such person, or from his

estate, or may be recovered from the husband or wife of such person and in the case of minor children from the father or mother or their estates. The sworn statement of the collection and deportation counsel of the state department of public welfare, or the superintendent of such institution, for the purpose of showing the names, time in the institution, and the actual per capita cost of maintenance furnished, shall be prima facie evidence of such facts. The state department of public welfare shall make adjustment with the several counties, for their proper share of all moneys recovered, in the settlement with the counties provided in subsections (2) and (3). The legislature intends, and so intended at the time this subsection was enacted by chapter 336, laws of 1935, to impose, exclusively by this subsection and no other, a liability for care in those institutions to which this subsection has application, upon the person receiving such care, upon his estate, and upon the relatives named herein and upon their estates. The words "may be recovered" appearing in this subsection are and were intended to impose this liability. *All such per capita costs which remain unpaid shall constitute a charge against his estate, including his homestead, except that when it shall be shown that a husband, wife, widow or minors may be lawfully dependent upon such property for their support, the court shall give due regard to this fact and release all or such part of the estate from said charge as may be necessary to provide for such dependents.*

Approved July 6, 1945.

No. 255, S.]

[Published July 9, 1945.]

CHAPTER 401.

AN ACT to revise section 169.01 of the statutes, relating to the state athletic commission.

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

169.01 (14) of the statutes is repealed; and 169.01 (1) to (20), except (14), are renumbered 169.01 to 169.13 and 169.15 to 169.22 and amended to read:

169.01 COMMISSIONERS, APPOINTMENT, TERMS, QUORUM. * * * The "State Athletic Commission of Wisconsin" is hereby created. * * * The commission shall