

No. 321, A.]

[Published June 21, 1907.

CHAPTER 266.

AN ACT to create section 1636p of the statutes, relating to the health and comfort of occupants of sleeping car berths.

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:

* * * * *

Approved June 19, 1907.

(In effect July 1, 1907.)

No. 261, A.]

[Published June 21, 1907.

CHAPTER 267.

AN ACT to amend section 4041a, of the statutes, as created by chapter 397, laws of 1901, providing for compensation for guardian ad litem.

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

SECTION 1. Section 4041a, of the statutes, as created by chapter 397, laws of 1901, is amended to read:

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Approved June 19, 1907.

(In effect July 1, 1907.)

arranged that under each of them the air shall circulate freely, and direct light from windows shall reach each bed unobstructed.

(Ch. 269, 1907.)

Conflicting laws repealed; construction of this act. SECTION 1636—174. All statutes of the state and ordinances of cities so far as inconsistent with the provisions of this act are hereby repealed, provided that nothing in this act contained shall be construed as repealing or abrogating any present law or ordinance in any city further restricting or prohibiting the use or occupation of cellars or basements, or increasing the amount of light or the amount of air space to each individual occupying a room, or as prohibiting any future ordinance in respect to such further restriction or requirement.

(Ch. 269, 1907.)

Factory inspectors and health boards to enforce. SECTION 1636—175. In addition to the officers now charged by law with the enforcement of the statutes it shall be the duty of the state factory inspector or any assistant factory inspector and the department of health and the department of building inspection in cities to enforce the provisions of this act and such officers are hereby clothed with full power and authority for such purpose.

(Ch. 269, 1907.)

Penalties. SECTION 1636—176. Every person who shall violate or assist in violating or who shall fail to comply with any of the provisions of this act or who shall resist the enforcement of any provision of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00) or by imprisonment in the county jail not less than fifteen (15) days nor more than sixty (60) days or by both such fine and imprisonment in the discretion of the court, and for each and every day after the first that such violation shall continue such person shall be subject to a fine of ten dollars (\$10.00) in the discretion of the court in addition to that hereinbefore provided.

(Ch. 269, 1907.)

Sleeping cars: upper berth, passenger's control over; penalty. SECTION 1636p. 1. Whenever a person pays for the

use of a double lower berth in a sleeping car, he shall have the right to direct whether the upper berth shall be open or closed, unless the upper berth is actually occupied by some other person; and the proprietor of the car and the person in charge of it shall comply with such direction.

2. Any person or corporation violating the provisions of this act shall be punished by imprisonment in the county jail not more than six months, or by a fine not exceeding one hundred dollars.

(Ch. 266, 1907.)

Usury agents; chattels and wages assignments; evidence. SECTION 1691. Every person who, for any such loan or forbearance shall have paid or delivered any greater sum or value than is above allowed to be received, may, by himself or his personal representative, recover in an action against the person who shall have taken or received the same, or his personal representatives, treble the amount of the money so paid or value delivered above the rate aforesaid if such action shall be brought within one year after such payment or delivery.

And any person who, *as principal or as agent for another*, shall ask, demand, receive, take, accept or charge more than ten per centum per annum upon the sum of money actually loaned for the forbearance, use or loan thereof, * * * shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars, or by imprisonment not more than six months, or by both such fine and imprisonment.

And when the repayment of the money loaned shall be secured, or purport to be secured, or claimed by the payee of said loan to be secured, by chattel mortgage, bill of sale, pledge, receipt or other evidence of debt upon chattel goods or property, or by assignment of wages, or by power of attorney to execute any such instrument on behalf of the borrower, whether any such instrument or the power given to execute the same, shall be valid or not, or whether any such instrument or power shall be fully executed or executed partly in blank, any person who, as principal or as agent for another, shall ask, demand, receive, take, accept or charge, in addition to the interest aforesaid, more than an amount equal to fourteen per centum per annum of the original sum actually loaned for the time of such loan, disregarding part payments and the dates thereof, but not to be computed for a period exceeding one year in any event, in full for