

him in good faith up to the time he has been notified by such city to discontinue said work; provided, that in case of any conflict in regard to the amount to be recovered, the common council shall be the sole judge of the amount to be paid.

(See c. 727.)

SECTION 959—35y. Whenever a suit shall be commenced against any city for the purpose of restraining such city from making payment for work or labor performed, or for material furnished to such city, the court shall require the person commencing such suit to give a bond with two sureties to be approved by the court conditioned for the payment to the person claiming such payment of all damages sustained by reason of the delay in recovering such payment including all expenses and disbursements incurred in defending such suit and interest on the amount of money due such person from such city, in case the final determination of the court shall be in favor of the person demanding such money. The amount of such bond shall be fixed by the court and shall be sufficient to cover all probable damages that may accrue under the provisions of this section.

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

Approved June 14, 1913.

No. 468, S.]

[Published June 17, 1913.

CHAPTER 483.

AN ACT to amend sections 1728s, 1728t, 1728u, 1728v, 1728w, 1728x, and 1728z of the statutes, relating to street trades.

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

SECTION 1. Sections 1728s, 1728t, 1728u, 1728v, 1728w, 1728x, and 1728z are amended to read: Section 1728s. No boy under sixteen years of age shall, in any city of the first class, distribute, sell, or expose or offer for sale any newspapers, magazines or periodicals in any street or public place or work as a bootblack, or in any other street or public trade, or sell or offer for sale or distribute any hand bills or other articles, unless he complies with all the legal requirements concerning school attendance, and unless a permit and badge, as hereinafter provided, shall have been issued to him by the * * * *board of education*. No such permit and badge shall be issued until the officer issuing the same shall have received an application in writing therefor, signed by the parent or guardian or other person having the custody of the child, desiring such permit and badge, and until such officer shall have received, examined and

placed on file the written statement of the principal or chief executive officer of the public, private or parochial school, which the said child is attending, stating that such child is an attendant at such school with the grade such child shall have attained, and provided that no such permit and badge shall be issued, unless such officer issuing it is satisfied that such child is mentally and physically able to do such work besides his regular school work as required by law.

Section 1728t. Before any such permit is issued, the * * * *board of education* shall demand and be furnished with proof of such child's age by the production of a verified baptismal certificate or a duly attested birth certificate, or, in case such certificate cannot be secured, by the record of age stated in the first school enrolment of such child. Whenever it appears that a permit was obtained by wrong or false statements as to any child's age, the officer who granted such permit shall forthwith revoke the same. After having received, examined and placed on file such papers, the officer shall issue to the child a permit and badge. The principal or chief executive officer of schools, in which children under * * * *sixteen* years of age are pupils, shall keep a complete list of all children in their school to whom a permit and badge has been issued, as provided in sections 1728p to 1728za, inclusive.

Section 1728u. Such permit shall state the place and date of birth of the child, the name and address of its parents, guardian, custodian or next friend, as the case may be, and describe the color of hair and eyes, the height and weight and any distinguishing facial marks of such child, and shall further state that the papers required by the preceding section have been duly examined and filed; and that the child named in such permit has appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding to the number of the permit, and the name of the child. Every such permit * * * shall be signed in the presence of the officer issuing the same by the child in whose name it is issued. Provided, that in case of carrier boys working on salary for newspaper publishers delivering papers, a card of identification shall be issued to such carriers by the * * * *board of education* which they shall carry on their person, and exhibit to any officer authorized under sections 1728p to 1728za, inclusive, who may accost them for a disclosure of their right to serve as such carriers; and *provided further, that in case of the illness or absence of any boy who shall belong to the regular delivery or distributing force of any newspaper at the time when such delivery or distribution of newspapers is*

to be made, if there shall be no other boy who has a permit and badge, as provided herein, ready to make the delivery and distribution, such delivery and distribution may be made for a period which shall not exceed seven days, by any other boy over the age of twelve years, who shall have complied with all the other requirements of sections 1728p to 1728za, inclusive, except the requirement of a permit and badge; in such cases, a written certificate, stating the facts, on blank form furnished by the board of education, signed by the circulation or business manager of such newspaper or its authorized representative shall be issued to such boy for a period not to exceed seven days. Copies of all such certificates shall be furnished the board of education within twenty-four hours after issue.

Section 1728v. The badge provided for herein shall be such as the * * * board of education shall designate and shall be worn conspicuously in sight at all times in such position as may be designated by the said * * * board of education by such child while so working. No child to whom such permit and badge or identification card are issued shall transfer the same to any other person. *No badge shall be issued except on deposit of a fee of twenty-five cents. Such fee shall be refunded upon return of the badge.*

Section 1728w. No boy under * * * sixteen years of age shall, in any city of the first class, sell, expose or offer for sale any newspapers, magazines or periodicals after the hour of * * * seven-thirty o'clock in the evening * * * or before five o'clock in the morning; and no child under sixteen years of age shall distribute, sell, expose or offer for sale any newspapers, magazines or periodicals or shall work as a bootblack or in any street or public trades or distribute hand bills or shall be employed or permitted to work in the distribution or sale or exposing or offering for sale of any newspapers, magazines or periodicals or as a bootblack or in other street or public trades or in the distribution of hand bills during the hours when the public schools of the city where such child shall reside are in session. Provided, that any boy between the ages of fourteen and sixteen years, who is complying and shall continue to comply with all the legal requirements concerning school attendance, and who is mentally and physically able to do such delivery besides his regular school work, shall be authorized to deliver newspapers between the hours of four and six in the morning.

Section 1728x. The * * * board of education or any person acting under its direction shall enforce the provisions of sections 1728p to 1728za, inclusive, and * * * said board is hereby vested with all powers requisite therefor. *The said*

board is hereby authorized to use any funds provided for by section 435e of the statutes in the administration of this act.

Section 1728z. Any parent or other person who employs a minor under the age of sixteen years in peddling without a license, or who, having the care or custody of such minor, suffers or permits the child to engage in such employment, or to violate sections 1728p to 1728za, inclusive, shall be punished by a fine not to exceed * * * *fifty* dollars nor less than * * * *ten* dollars, or by commitment to the county jail for not more than * * * *thirty* days or less than ten days.

SECTION 2. This act shall take effect and be in force from and after July 1, 1913.

Approved June 14, 1913.

No. 471, S.]

[Published June 17, 1913.

CHAPTER 484.

AN ACT to amend section 2439 of the statutes, relating to transcripts of proceedings in criminal actions.

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

SECTION 1. Section 2439 of the statutes is amended to read: Section 2439. Every reporter shall, upon the request of a party to any action, transcribe in longhand the evidence or any other proceedings taken by him in such action or any part thereof so requested, duly certified by him to be correct transcript thereof, for which he shall be entitled to receive from the party requesting the same five cents per folio when written out in full. In the trial of any criminal action or proceedings the court may, in its discretion, *and, in case of commitment to any state penal or reformatory institution, or to a house of correction in counties having and maintaining same, shall* order such transcript of the evidence and proceedings * * * to be made and certified by the reporter and filed with the clerk of the court, *and a certified duplicate of such transcript to be filed with the warden or superintendent of the institution to which the person may be sentenced,* and the cost thereof, not exceeding five cents per folio for the original transcript and two and one-half cents per folio for the duplicate, shall be certified and paid by the county treasurer upon the certificate of the clerk of the court. *In case of application for a pardon or commutation of sentence said duplicate transcript shall accompany the application as the minutes of testimony provided for in section 4858 of the statutes.* In all actions in which any circuit court shall order a compulsory reference the court may direct the reporter thereof to attend the