

thence east on the township line between townships thirty-nine and forty to the place of beginning.

SECTION 2. That all acts and transactions had or taken since the enactment of chapter 538 of the laws of 1911 by the town of Hackley, created by chapter 202 of the laws of 1905, or by its officers, or by said town under its new name, town of Phelps, or by the officers of the town of Phelps, are hereby validated and confirmed to the extent and in those respects that such acts and transactions would have been valid if said act of 1911 had not been enacted.

SECTION 3. This act takes effect when passed and published.
Approved April 12, 1913.

No. 441, A.]

[Published April 17, 1913.

CHAPTER 66.

AN ACT to amend section 1797—37m of the statutes, relating to freight charges.

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

SECTION 1. Section 1797—37m of the statutes is amended to read: Section 1797—37m. Within * * * *two years* after the delivery of any shipment of property at destination, any person aggrieved may complain to the commission that the charge exacted for the transportation of such property between points in Wisconsin, or for any service in connection therewith, or that the charge exacted for the storage of such property, or that any car service or demurrage charge exacted, is erroneous, illegal, unusual or exorbitant, and thereupon the commission shall have power to investigate such complaint, and to hear the same, and to decide upon the merits thereof, in the manner provided by section 1797—12 of the statutes. If upon such hearing the commission shall decide that the rate or charge exacted is erroneous, illegal, unusual or exorbitant, it shall find, what in its judgment, would have been a reasonable rate or charge for the service complained of. If the rate or charge so found shall be less than the charge exacted, the carrier shall have the right to refund to the person paying such charge, the amount so found to be excessive. In case of the refusal of the carrier to make such refund, the party aggrieved thereby may maintain an action in the courts of this state to recover the amount of such excessive charge as found by said commission, and in the trial thereof the findings of the commission shall be prima facie evidence of the truth of the facts found by it, and no carrier shall be permitted

to avail itself of the defense in such action that the shipment involved was in fact made on the published tariff rate in force at the time such shipment was made, but no carrier making a refund upon the order of the commission or pursuant to a judgment of court, as herein provided, shall be liable for any penalty or forfeiture, or subject to any prosecution under the laws of this state, on account of making such refund.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1913.

No. 470, A.]

[Published April 17, 1913.

CHAPTER 67.

AN ACT to amend subsection 1 of section 4567h—1 of the statutes, prohibiting the drawing of nets at night.

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

SECTION 1. Subsection 1 of section 4567h—1 of the statutes is amended to read: Section 4567h—1. 1. It shall be unlawful, and it is hereby prohibited for any person to draw or lift nets or seines in the nighttime, being between sunset and sunrise, for the purpose of taking or catching fish in any of the waters of this state, except Lake Superior, Lake Michigan, * * * Green Bay and the Fox river from the dam at De Pere to its mouth at Green Bay.

SECTION 2. This shall take effect and be in force from and after its passage and publication.

Approved April 15, 1913.

No. 511, A.]

[Published April 17, 1913.

CHAPTER 68.

AN ACT to create section 4560a—15 of the statutes, to provide a closed season for the taking of crawfish and providing a penalty.

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: Section 4560a—15. 1. It shall be unlawful to take, catch or kill in any of the waters of this state, with any device or in any manner, or to sell, offer for sale or to ship or transport, any variety of crawfish or crabs between the first day of March and the next succeeding tenth day of June.