

officer from any place required to be inspected under the provisions of sections 1728a to 1728e, inclusive, of the statutes, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than one hundred dollars for each offense, or imprisoned in the county jail not longer than thirty days. Every day during which such violation continues shall constitute a separate and distinct offense.

(b) The penalties specified in paragraph (a) of this section may be recovered by the state against any employer in an action for debt brought before any court of competent jurisdiction.

(c) Any parent or guardian who suffers or permits a child to be employed or to work in violation of any of the provisions of sections 1728a to 1728e, inclusive, of the statutes, or of any order of the industrial commission issued under the provisions of said sections, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five nor more than twenty-five dollars for each offense, or imprisoned in the county jail not longer than thirty days.

2. Whenever in any proceeding in any court under any of the provisions of sections 1728a to 1728e, inclusive, of the statutes, or of any order of the industrial commission issued under the provisions of said sections, there is any doubt as to the age of the child, a verified baptismal certificate or duly attested birth certificate shall be produced and filed with the court. In case such certificate cannot be secured, upon proof of such fact the record of age stated in the first school enrollment of such child shall be admissible as evidence thereof.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 27, 1921.

No. 514, A.]

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CHAPTER 435.

AN ACT to create section 959—35j of the statutes, empowering all cities of the first class, however incorporated, to pave or repave the street railway zone upon public highways and to charge and to collect the cost thereof from the corporation operating a street railway over said highway when said corporation shall elect not to do said work itself.

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

SECTION 1. A new section is added to the statutes to read: Section 959—35j. 1. Whenever in any city of the first class, however incorporated, any street railway corporation operating a street railway over the public highways of said city, is required by existing law to pave or repave the track zone, or any part thereof, which is the roadway between the rails and for one foot on the outside of each rail as laid and the space between the two inside rails where double tracks are laid, with the same material as said city shall have last used to pave or repave said highway outside of said track zone, or any other material, and said street railway corporation has failed to pave or repave said track zone, or any part thereof, as required by existing law, the common council of said city is empowered to pass a resolution authorizing the paving or repaving of any such track zone, or any part thereof, on any public highway of said city, with the material which said street railway corporation is required by existing law to use. Thereupon the commissioner of public works or other official, board or body having charge of street improvement in such city shall give notice in writing, specifying the material to be used and the kind of pavement to be laid in said track zone, or any part thereof, to said street railway corporation directing it to pave or repave said track zone, or any part thereof, with the material and kind of pavement stated in said notice, which shall be the material and the kind of pavement which said street railway corporation is required to use by existing law. The provisions of this section respecting repairing of track zones shall be applicable when and in the event the remaining portion of such street adjoining such track zone is repaved by said city. If said street railway corporation shall elect to construct said street improvement itself, it shall, within thirty days after service of notice upon it, serve a notice in writing upon the city clerk of said city, of its intention to do so, and shall begin the construction of said street improvement within sixty days from the service of said notice upon it, and complete the said street improvement within a reasonable time. Provided that no work shall be required to be done between the fifteenth day of November and the fifteenth day of April following.

2. If said street railway corporation shall fail to serve said notice of election as aforesaid, or to begin said street improvement within said sixty days, then the commissioner of public works or other official, board or body having charge of street im-

provement in said city, shall proceed to let a contract for said work in the manner now provided by law for letting contracts for street paving in said city, after having placed on file an estimate of cost of said work in his or its office, except that no assessments of benefits and damages shall be made for said street improvement and that none of the cost of said street improvement within said track zone shall be assessed to the property abutting on said highway, but the cost thereof, when completed, shall be a debt due from said street railway corporation to said city, which shall be paid in six equal annual instalments on the first day of January of each year following the completion of said street improvement, except as herein otherwise provided. The first installment of said cost, if paid on the aforesaid date, shall not bear interest, but each deferred installment shall bear interest at the rate of six per cent per annum from said first day of January until paid. Said street railway corporation may, however, pay all of said installments, with any interest that may be due at one time.

3. After the completion of said street improvement by said city as aforesaid, the commissioner of public works or other official, board or body having charge of said street improvement in said city, shall serve a statement on said street railway corporation of the cost of said street improvement, showing therein the amount of each installment and interest thereon and the date for payment thereof. Thereafter if any of said installments with interest is not paid when due as aforesaid, the city attorney of said city shall begin suit for the city to collect the amount due and unpaid.

4. The contractor making said street improvement for said city shall be paid as provided in section 959—35c of the statutes.

5. Said city is authorized to finance said street improvement in the manner provided in section 959—35d of the statutes for the financing of the assessable portion of the cost of the improvements therein mentioned.

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

Approved June 27, 1921.