

plication, for every such violation, failure, or refusal, such railroad shall forfeit and pay into the state treasury a sum of not less than fifty dollars, or more than five hundred dollars for each offense. In construing and enforcing the provisions of this section, the act, omission or failure of any officer, agent or other person acting for or employed by any railroad, acting within the scope of his employment, shall in every case be deemed to be the act, omission or failure of such railroad.

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

Approved April 12, 1913.

No. 17, S.]

[Published April 14, 1913.

### CHAPTER 64.

AN ACT to amend section 1564 of the statutes, relating to the sale of intoxicating liquors, and providing a penalty therefor.

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

SECTION 1. Section 1564 of the statutes is amended to read: Section 1564. If any tavern keeper or other person shall sell, give away or barter any intoxicating liquors on the first day of the week, commonly called Sunday, or on the day of the annual town meeting or the biennial fall election, *special election, or primary election*, such tavern keeper or other person so offending shall be punished by a fine of not less than five nor more than twenty-five dollars or by imprisonment in the county jail not to exceed thirty days, or by both such fine and imprisonment.

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

Approved April 12, 1913.

No. 174, S.]

[Published April 14, 1913.

### CHAPTER 65.

AN ACT to amend subsections 21 and 62 of section 5 of the statutes, relating to the boundaries of Forest County and Vilas County.

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

SECTION 1. Subsections 21 and 62 of section 5 of the statutes are amended to read: (Section 5) 21. FOREST. Commencing at the southwest corner of township thirty-four north, of range thirteen east of the fourth principal meridian; running

thence north on the range line between ranges twelve and thirteen to the township line between townships thirty-four and thirty-five north; thence west on said township line to the range line between ranges eleven and twelve east; thence north on said range line to the fourth correction line; thence \* \* \* east on said correction line to the range line between ranges \* \* \* twelve and \* \* \* thirteen; thence north on the range line between ranges \* \* \* twelve and \* \* \* thirteen to the boundary line between the states of Michigan and Wisconsin; thence southeasterly on said boundary line to the range line between ranges fourteen and fifteen east; thence south on said range line to the fourth correction line; thence east on said correction line to the northeast corner of township forty, of range fourteen east; thence south on the range line between ranges fourteen and fifteen to the southeast corner of township thirty-eight, of range fourteen east; thence east on the township line to the range line between ranges sixteen and seventeen east; thence south on the range line to the township line between townships thirty-three and thirty-four; thence west on the township line to the place of beginning.

(Section 5) 62. VILAS. Commencing at the southeast corner of township forty north, of range eleven east of the meridian aforesaid; thence north on the township line to the fourth correction line; thence \* \* \* east on the fourth correction line to the range line between ranges \* \* \* twelve and \* \* \* thirteen east; thence north on the range line between ranges \* \* \* twelve and \* \* \* thirteen east to the state boundary; thence northwesterly on the state boundary to the northwest corner of township forty-four, of range five east; thence south on the range line to the southwest corner of township forty-one north, of range five east; thence west on the township line between towns forty and forty-one to the northwest corner of town forty north, of range four east; thence south on the range line to the southwest corner of township forty north, range four east; thence east on the township line between townships thirty-nine and forty to the northwest corner of township thirty-nine north, of range ten east; thence south on the range line between ranges nine and ten east to the southwest corner of section eighteen, in township thirty-nine north, of range ten east; thence east on the south lines of sections eighteen, seventeen, sixteen, fifteen, fourteen and thirteen to the southeast corner of section thirteen, in the same town and range; thence north on the range line between ranges ten and eleven east to the northeast corner of township thirty-nine north, of range ten east;

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