

terms of the then existing laws providing for construction or reconstruction of the kind contemplated.

7. There shall be included in the annual report of the county highway commissioner a report of all funds available for work under this section and of the expenditure thereof and of the amount and kind of construction performed and its unit cost.

8. Any town which did, before the passage and publication of this act, vote a tax for the improvement of a portion of the system of prospective state highways, may submit its petition to the county board at the November, 1919, session, and the petition shall, up to the limits specified in this section as to taxes and single improvements, have the same force and effect as if the town electors had voted a tax after the passage and publication of this act.

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

Approved July 24, 1919.

No. 638, A.]

[Published July 28, 1919.

## CHAPTER 651.

AN ACT to create section 1410b—5 and subsection (8) of section 20.59 of the statutes, relating to the licensing of condensaries and canning factories, and making an appropriation.

*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 and a new subsection is added to section 20.59 to read: Section 1410b—5. 1. On and after April 1, 1920, no person, firm or corporation shall operate a condensary or canning factory in this state, without first obtaining a license therefor from the dairy and food commissioner, as hereinafter provided. Such licenses shall be granted under such reasonable rules and regulations as the dairy and food commissioner may, from time to time, prescribe. Upon filing application for a license to operate a condensary or canning factory, the dairy and food commissioner shall issue a permit to such applicant to operate the same. Such permit shall have the full force and effect of a license to operate such condensary or factory, only until a license shall have been issued to the applicant, or until such applicant shall have been notified of the denial of such application.

2. As soon as convenient after the filing of such application, the dairy and food commissioner shall cause an investigation to

be made of the conditions of such condensary or canning factory, for the purpose of determining whether or not a license should be granted under the rules and regulations prescribed by him.

3. Each application for such license shall be made upon an application blank furnished by the dairy and food commissioner, upon request, and shall give such information as the dairy and food commissioner may reasonably require; and the dairy and food commissioner shall furnish to each applicant a copy of the rules and regulations incident to securing a license.

4. Each application shall be accompanied by a fee of twenty-five dollars, payable to the dairy and food commissioner, and no license shall be issued until such fee is paid. In case license is refused, the fee accompanying the application shall be returned by the dairy and food commissioner to the applicant, with the notification of refusal.

5. Licenses to operate a condensary or canning factory shall expire on the thirty-first day of March next following the date of issue, but may be renewed, without inspection, on or before the first day of April of each year, upon the application of the licensee, and upon the payment of twenty-five dollars to the dairy and food commissioner.

6. Licenses to operate a condensary or canning factory shall be deemed void, and shall be surrendered to the dairy and food commissioner, when the person, firm or corporation to whom they were granted discontinues the use of the building for which such license was granted, for a condensary or canning factory; or when another person, firm or corporation operates such condensary or factory.

7. The dairy and food commissioner is authorized, after reasonable notice, to revoke any license, when the licensee fails to comply with any of the provisions of this section, or with any rule or regulation promulgated and issued by the dairy and food commissioner relating to the operation of a condensary or canning factory; and he shall restore to full force and effect any license, when the licensee fully complies with all of the provisions of this section, and with the said rules and regulations.

8. Any person violating any of the provisions of this section, or any rule or regulation promulgated by the dairy and food commissioner under the authority of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, or by imprisonment in the county jail not less than ten days, nor more than thirty days, and the license issued to such person shall be revoked.

9. The owner or operator of any condensary or canning factory being dissatisfied with any order of the dairy and food commissioner to close up the condensary or canning factory owned or operated by him may commence an action in the circuit court for the county in which such condensary or factory is located against the commissioner as defendant to vacate and set aside any such order on the ground that the order is unlawful, or that any such order is unreasonable, in the same manner as is provided in subsection 8 of section 1410b—2 and the provisions of said subsection shall apply to and govern all actions commenced under the provisions of this subsection.

(20.59) (8) All license fees collected by the dairy and food commissioner under the provisions of section 1410b—5 of the statutes, shall be paid, within one week after the granting of such license, into the general fund, and are appropriated therefrom for the use of the dairy and food commissioner, to carry into effect the provisions of section 1410b—5.

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

Approved July 25, 1919.

No. 685, A.]

[Published July 28, 1919.

## CHAPTER 652.

AN ACT to create section 4202t of the statutes, relating to policies of life insurance.

*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 4202t. If the age of the insured has been misstated in an application for a policy of life insurance, and the error shall not have been adjusted during the lifetime of the insured, the amount payable under the policy shall be such as the premium paid would have purchased at the correct age, except that if the correct age of the insured at the time the insurance was applied for shall have been beyond the maximum age limit designated by the insurer, the insurer may, at his option, admit a minimum liability equal to the amount of premiums collected under the policy. The provisions of this section shall apply to fraternal or mutual benefit societies.

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

Approved July 25, 1919.