to defraud, regardless of who the intended victim may be. It is not a defense that the person whose name was forged owed the defendant money nor that the defendant believed the offense would be ratified by that person. State v. Christopherson, 36 W (2d) 574, 153 NW (2d) 631.

In a prosecution charging defendant with forgery because he aided and abetted the commission of the act, ample proof supported his conviction of the substantive crime. Krueger v. State, 39 W (2d) 729, 159 NW (2d) 597.

Forgery may be accomplished by fraudulent application of a false signature to a true instrument or a real signature to a false statement and the essence of the offense is intent to injure or defraud. The president of a corporation, to which a bank lent money on security of duplicate invoices, was guilty of forgery under 343.56 by signing an assignment of invoices where no goods had been delivered under them. Security National Bank of Durand v. Fidelity & Cas. Co. of New York, 246 F (2d) 581.

Signing by a wife of a husband's signature to a nomination paper without authority is forgery unless done in the bona fide belief that the wife had authority to sign for him. 37 Atty. Gen. 431.

943.39 History: 1955 c. 696; Stats. 1955 s. 943.39; 1969 c. 324.

Ample credible evidence supported a verdict of guilty under 943.39 (2), Stats. 1965; the evidence established that defendant, an officer of two corporations, signed and swore to financial statements on their behalf, and filed them with the department of agriculture (as required by 100.06 (1)) to induce the department to issue renewal milk plant licenses, that he intended to defraud the department, and that accounts receivable and inventories which he had theretofore prepared and priced were grossly overstated in the financial statement filed with the applications. State v. Laabs, 40 W (2d) 162, 161 NW (2d) 249.

943.395 History: 1969 c. 324; Stats. 1969 s. 943.395.

943.40 History: 1955 c. 696; Stats. 1955 s. 943.40.

943.41 History: 1963 c. 67; Stats. 1963 s. 943.41; 1967 c. 155.

943.45 History: 1961 c. 248; Stats. 1961 s. 943.45; 1963 c. 489.

943.50 History: 1969 c. 254; Stats. 1969 s. 943.50.

CHAPTER 944.

Crimes Against Sexual Morality.

944.01 History: 1955 c. 696; Stats. 1955 s. 944.01.

It must be alleged that the act was committed by force and against the will of the female. State v. Erickson, 45 W 86.

Final consent after resistance is fatal. Voluntary submission while the power to resist lasts, no matter how reluctant, removes an essential element of the crime. Connors v. State, 47 W 523, 2 NW 1143.

It is never proper or safe to instruct the jury that rape may be committed with woman's consent, however obtained. Whittaker v. State, 50 W 518, 7 NW 431.

Because the proof necessary to establish the crime of rape establishes every element of the offense necessary to constitute an assault to commit rape, a conviction for the latter crime may be sustained under an information charging the former. State v. Mueller, 85 W 203, 55 NW 165.

Mere verbal objections by the female over the age of consent, unaccompanied by any outcry or actual resistance, are not enough to make the acts of the accused the crime of rape or an attempt to commit rape. O'Boyle v. State, 100 W 296, 75 NW 989.

To establish the crime of rape the utmost resistance on the part of the prosecutrix must be shown, and it must also appear that she availed herself of every reasonable opportunity to make the utmost resistance in repelling the assailant and preventing him from accomplishing his purpose. Devoy v. State, 122 W 148, 99 NW 455.

Subject to the exception where the power of resistance is overcome by unconsciousness, threats, or exhaustion, in order to constitute the crime of rape not only must there be entire absence of mental consent or assent, but there must be the most vehement exercise of every physical means and faculty within the woman's power to resist. Brown v. State, 127 W 193, 106 NW 536.

The evidence was sufficient to sustain a conviction. Lam Yee v. State, 132 W 527, 112 NW 425.

To constitute rape the act must be committed by force and against the will of the female; but where she is rendered insensible through fright, or ceases resistance under fear of death or great bodily harm, the consummated act is rape. Loescher v. State, 142 W 260, 125 NW 459.

In a prosecution for rape, it was not error in distinguishing between rape and fornication to instruct the jury that "rape is a brutal crime, standing next in the category to murder," as it is a mere statement of a plain truth. Wilson v. State, 184 W 636, 200 NW 369.

The power of resistance need not necessarily be overcome by superior physical force, it being sufficient if it is overcome by fraud or fear of serious personal injury, or if the physical resistance becomes so useless as to warrant it ceasing upon that ground. Purpero v. State, 190 W 363, 208 NW 475.

The evidence was sufficient to warrant a conviction. Starr v. State, 205 W 310, 237 NW 96.

A person may be convicted of rape on the prosecutrix' uncorroborated testimony, if the jury is satisfied of the truth thereof beyond a reasonable doubt. Where the prosecutrix' testimony bears evidence of unreliability on its face, it should be corroborated by other evidence as to the principal facts relied on to constitute the crime. Cleaveland v. State, 211 W 565, 248 NW 408.

The term "by force and against her will" employed in defining the crime of rape is a codification of the prior existing law. While

the law requires the utmost resistance as evidence of a woman's will, the law does not require the useless or the impossible. State v. Schmear, 28 W (2d) 126, 135 NW (2d) 842.

The physical resistance requirement of the law governing the crime of rape is relative and is relaxed somewhat if it would be useless to resist. The element of utmost resistance was fully established by the evidence in this case. State v. Clarke, 36 W (2d) 263, 153 NW (2d) 61.

The term "utmost resistance" as used in 944.01 (2), Stats. 1963, is a relative rather than a positive term. State v. Cathey, 32 W (2d) 79, 145 NW (2d) 100; Gray v. State, 40 W (2d) 379, 161 NW (2d) 892; and State v. Muhammad, 41 W (2d) 12, 162 NW (2d) 567.

In determining whether the alleged victim of rape exerted "utmost resistance" as that term is used in 944.01, Stats. 1967, the following elements are relevant: (a) temperament of the victim; (b) the relations of the parties; (c) her state of health; (d) her physical strength; (e) her age; (f) her experience; (g) her courage; (h) her nervous condition at the time; and perhaps other circumstances naturally affecting her powers of resistance. State v. Muhammad, 41 W (2d) 12, 162 NW (2d) 567.

The evidence was sufficient to sustain a conviction, the identification of the assailant by the victim being positive, consistent, unequivocal, and in significant respects corroborated. State v. Richardson, 44 W (2d) 75, 170 NW (2d) 775.

944.02 History: 1955 c. 696; Stats. 1955 s. 944.02.

944.05 History: 1955 c. 696; Stats. 1955 s. 944.05.

To sustain an indictment for bigamy it must be shown that the first marriage was valid by the law of the place where contracted. Weinberg v. State, 25 W 370.

A person whose marriage occurred while he was incapable of assenting thereto for want of age may be convicted of bigamy if he remarries before the former marriage is avoided by a judicial decree. The original marriage of defendant was not void, but voidable only by judicial action under sec. 2350, R. S. 1878. State v. Cone, 86 W 498, 57 NW 50.

See note to 971.19, citing 1 Atty. Gen. 168 and 9 Atty. Gen. 251.

944.06 History: 1955 c. 696; Stats. 1955 s. 944.06.

The fact that the defendant used a certain amount of force to overcome the resistance actually made will not enable him to escape punishment for incest, the parties being within the prescribed degree of consanguinity, if the force and resistance used were not sufficient to constitute rape. Porath v. State, 90 W 527, 63 NW 1061.

944.10 History: 1955 c. 696; Stats. 1955 s. 944.10.

The crime described in sec. 39, ch. 164, R. S. 1858, of unlawfully knowing and abusing a female child under the age of 10 years, is rape. Fizell v. State, 25 W 364.

If the prosecutrix is under the age of consent she is conclusively incapable of consenting, and the want of consent need not be alleged or proved. Proper v. State, 85 W 615, 55 NW 1035.

In a prosecution under sec. 4382, R. S. 1878, as amended, the prosecutrix may testify as to her own age. Dodge v. State, 100 W 294, 75 NW 954.

A person charged with rape under sec. 4382, Stats. 1898, may also be charged with fornication, seduction or incest under appropriate statutes. Loose v. State, 120 W 115, 97 NW 526.

An attempt to commit rape constitutes an assault under sec. 4383, Stats. 1898. Loose v. State, 120 W 115, 97 NW 526.

See note to sec. 6, art. I, on cruel punishments, citing Smits v. State, 145 W 601, 130 NW 525.

In a prosecution for rape upon a girl 9 years old, evidence by the prosecutrix as corroborated by physicians was sufficient to sustain a conviction. Collins v. State, 181 W 257, 194 NW 158.

Sec. 4382, Stats. 1919, was amended twice (4 days apart) by chs. 404 and 422, Laws 1921, each leaving the section in the same language except that the age "16" in the former was changed to "18" in the latter. The inconsistency did not invalidate the later act; and the later act was not void as unjust, even though the punishment prescribed was greater than that prescribed by sec. 4381 for forcible rape, a more serious crime. Application of Bentine, 181 W 579, 196 NW 213.

While a conviction for the crime of rape may be sustained upon the uncorroborated testimony of the complaining witness, a conviction upon such testimony is not to be arbitrarily sustained under all circumstances; and in this case, which is an appeal from a conviction of the defendant of the crime of statutory rape on his 15-year-old daughter, the attending circumstances and the subsequent conduct of the daughter cast so much doubt upon the credibility of her testimony that the judgment and sentence are not permitted to stand. Ganzel v. State, 185 W 589, 201 NW 724.

The evidence, in a prosecution for statutory rape committed by the defendant upon a 16-year-old servant girl employed in his home was sufficient to sustain a conviction. Cobb v. State, 191 W 652, 211 NW 785.

A very slight penetration of a 7-year-old child is sufficient to constitute rape. Richards v. State, 192 W 20, 211 NW 669.

Testimony of a 15-year-old prosecutrix, who was pregnant, that defendant had sexual intercourse with her sufficiently proved penetration. Athos v. State, 199 W 228, 225 NW 692.

In a statutory rape case, the weight to be given discrepancies between the testimony of the prosecuting witness upon the preliminary examination and her testimony upon successive trials, and between her testimony on the first trial and that on the second as to an extrajudicial statement, is for the jury. Haley v. State, 207 W 193, 240 NW 829.

A sentence of imprisonment for 20 years of one of 3 convicted of rape of a girl 16 years of age is not excessive. Duenkel v. State, 207 W 644, 242 NW 179.

The testimony of the victim when sup-

ported by circumstances is sufficient to sustain a verdict of guilty in a prosecution under this section. Where the record shows that the case was given to the jury 11 hours before it returned its verdict the supreme court assumes that the verdict was reached after long and careful consideration of the evidence. State v. Fischer, 228 W 131, 279 NW 661.

Testimony in the trial of statutory rape as to other offenses and acts of the defendant, wholly unconnected with the crime charged, on other dates, was incompetent and irrelevant. Birmingham v. State, 228 W 448, 279 NW 15.

A person may be convicted under 340.47, Stats. 1939, on the uncorroborated testimony of a prosecutrix if the jury is satisfied as to the truth of her testimony beyond a reasonable doubt; but where the testimony of the prosecutrix bears on its face evidence of its unreliability, there should be corroboration by other evidence as to the principal facts relied on to constitute the crime. State v. Crabtree, 237 W 16, 296 NW 79.

A sentence for statutory rape, in form of not less than one nor more than 4 years' imprisonment in the state prison, was but a determinate sentence of 4 years, under the indeterminate-sentence statutes (359.05 and 359.07) which do not apply to rape. Sprague v. State, 243 W 456, 10 NW (2d) 109.

Testimony of the prosecutrix may be sufficient to sustain a conviction for statutory rape. State v. Fries, 246 W 521, 17 NW (2d) 578.

Under 340.47, Stats. 1943, where the age of the defendant is a material element, the prosecution must satisfy the jury beyond a reasonable doubt that the defendant was of the age specified or older at the time of the alleged offense. The physical appearance of the defendant may be observed by the jury in connection with other evidence for the purpose of determining his age. State v. Fries, 246 W 521, 17 NW (2d) 578.

The denial of a motion to vacate the judgment and grant a new trial to a defendant who had had the benefit of counsel and had made a confession and pleaded guilty to a charge of statutory rape was not an abuse of discretion, as against contentions that a medical examination of the child did not disclose facts sufficient to establish an offense and that there was a denial of due process. State v. Graff, 248 W 576, 22 NW (2d) 483.

In a prosecution under 340.47, Stats. 1953, an accused may be convicted of statutory rape on the uncorroborated testimony of a complaining witness. The explanation of the complaining witness, who became pregnant, that she was ashamed and did not tell her parents about the offense for 6 months thereafter because she thought nothing would come of it, did not express such an abnormal attitude as to require disbelief of her testimony but was for the jury to consider, together with all other facts and circumstances. State v. Pickett, 259 W 593, 49 NW (2d) 712.

In prosecutions for statutory rape, evidence of prior intercourse of the complainant with men other than the accused, or that her reputation for chastity is bad, is immaterial and inadmissible when offered as an excuse or justification. State v. Sabala, 32 W (2d) 95, 145 NW (2d) 95.

The evidence was sufficient to warrant a conviction under the statute. State v. Sabala, 32 W (2d) 95, 145 NW (2d) 95.

944.11 History: 1955 c. 696; Stats. 1955 s. 944.11; 1959 c. 579.

In a prosecution for taking indecent liberties with a minor, even conceding that the minor could be an accomplice, the jury could convict on his uncorroborated testimony. Varga v. State, 201 W 579, 230 NW 629.

Whether the conduct complained of amounts to the taking of "indecent liberties" within the meaning of that term, as used without definition in 351.34, Stats. 1939, is largely a question for the jury. State v. Hoffman, 240 W 142, 2 NW (2d) 707.

In a prosecution for taking indecent liberties with minors, the testimony of the 2 victims, age 7 and 9 respectively, was sufficient to establish that the crimes charged were committed and that the defendant was the person who committed them. Johnson v. State, 254 W 320, 36 NW (2d) 86.

No corroborative testimony is required in a case of this kind, and this is particularly true where the testimony of the minor victim is straightforward and consistent and no motive is shown which would have caused her to testify falsely. Testimony concerning immoral conduct of the defendant with persons other than the complaining witness related to acts bearing such a close relationship in both time and character to the specific conduct with which the defendant was charged as to show that the crime charged grew out of a general state of mind and was part of a general pattern of conduct indulged in by the defendant on the night in question, and was admissible as part of the res gestae. State v. Perlin, 268 W 529, 68 NW (2d) 32.

944.11 (2), Stats. 1967, denouncing as a crime indecent behavior with a child under 18, while an offense involving moral turpitude, does not contain as an element nor require proof of specific intent, and nothing in its language can be equated with such a requirement. Flowers v. State, 43 W (2d) 352, 168 NW (2d) 843.

944.12 History: 1955 c. 696; Stats. 1955 s. 944.12; 1959 c. 579.

944.12 defines a completed crime and a defendant can be convicted of an attempt to commit it. The information may use the words "for immoral purposes" rather than "against sexual morality". Huebner v. State, 33 W (2d) 505, 147 NW (2d) 646.

944.15 History: 1955 c. 696; Stats. 1955 s. 944.15.

Guilt of the accused may be inferred from facts and circumstances sufficient to satisfy a rational and just man beyond a reasonable doubt. Baker v. United States, 1 Pin. 641.

Fornication not being a common-law offense, both the information and proof must conform to the statute. State v. Shear, 51 W 460, 8 NW 287.

A count for fornication may be joined with one for rape founded on the same transaction, and the court may refuse to require an elec-

tion between them. Jackson v. State, 91 W 253, 64 NW 838.

Sec. 4580, Stats. 1898, as amended by ch. 99, Laws 1899, is a valid enactment, even though it leaves discretion in the prosecuting officer as to which clause the accused will be tried under. State v. Seiler, 106 W 346, 82 NW 167.

The fact that a person charged with the crime of rape under sec. 4382, Stats. 1898, may instead be charged under sec. 4580 with the offense of fornication, or be charged under appropriate statutes with the crime of seduction, or incest, according to the facts, does not invalidate the statutes, since the purpose is to ensure adequate punishment of persons guilty of unlawful commerce with female children, avoiding the danger of their going entirely unpunished in some cases because of the severity of the penalty, or the law being endangered by the prohibition against cruel and unusual punishment—in view of the change in the legal age of consent. Loose v. State, 120 W 115, 97 NW 526.

The evidence was insufficient to sustain a conviction under the statute. Hofer v. State, 130 W 576, 110 NW 391.

The amendment to sec. 4580, Stats. 1898, in 1907 did not affect the conclusion reached in Loose v. State, 120 W 115, 97 NW 526, that both this section and sec. 4382 are intended to stand together. Smits v. State, 145 W 601, 130 NW 525.

A married man who has illicit intercourse with an unmarried woman commits the crimes of both fornication and adultery. State v. Roberts, 169 W 570, 173 NW 310.

The state, presenting proof that the parties were not married to each other, need not prove the unmarried status of the woman, in a prosecution under 351.05, Stats. 1953, but such status will be presumed in the absence of evidence tending to the contrary. The presumption of sanity is sufficient to establish the fact in the absence of a plea of insanity pursuant to 357.11. Datka v. State, 266 W 124, 62 NW (2d) 420.

The defendant in a paternity proceeding case may also be arrested for seduction upon a complaint based upon the same facts. 1912 Atty. Gen. 319.

944.16 History: 1955 c. 696; Stats. 1955 s. 944.16.

The evidence in this case was sufficient to warrant the magistrate in committing the defendant for trial on a charge of adultery and to warrant the trial court in refusing to direct the jury to acquit. Till v. State, 132 W 242, 111 NW 1109.

See note to 944.15, citing State v. Roberts, 169 W 570, 173 NW 310.

In a prosecution for adultery the dismissal of the action as to the woman defendant did not necessitate a dismissal as to the man accused with her. In such a prosecution it is relevant to show other acts of adultery or undue familiarity between the parties. Where the evidence shows a continuous adulterous relationship during several months, including time before and after the time when the offense is charged to have been committed, the state need not elect the precise act relied upon. Gunlach v. State, 184 W 65, 198 NW 742.

The evidence did not sustain a conviction of a married woman for adultery, as against her contention that the intercourse was by nonconsent on her part. Dietrich v. State, 187 W 136, 203 NW 755.

See note to 944.20, citing State v. Brooks, 215 W 134, 254 NW 374.

The state, presenting proof that the parties were not married to each other, need not prove the unmarried status of the woman, in a prosecution under 351.05, Stats. 1953, but such status will be presumed in the absence of evidence tending to the contrary. The presumption of sanity is sufficient to establish the fact in the absence of a plea of insanity pursuant to 357.11. Datka v. State, 266 W 124, 62 NW (2d) 420.

One who innocently cohabits with another under marriage vows is not guilty of adultery though the consort was already married; after being informed of the fact lack of knowledge can no longer be pleaded. 9 Atty. Gen. 251.

944.17 History: 1955 c. 696; Stats. 1955 s. 944.17.

A child 7 years old is not capable of a legal consent, and hence cannot be an accomplice in committing the offense of sodomy. Means v. State, 125 W 650, 104 NW 815.

Evidence that 2 police officers saw defendant and a man not her husband enter a bedroom in her apartment, under circumstances which indicated a criminal purpose, was sufficient to justify the officers in entering the apartment without a warrant and arresting the defendant, whom they actually found engaged in committing the crime of sodomy. Edwards v. State, 190 W 229, 208 NW 876.

Where, in a prosecution for sodomy, defendant complained that he was convicted on the uncorroborated evidence of the other party to the act, an 8-year-old boy, no corroboration as to the physical act was necessary if the facts and circumstances surrounding the affair, together with the testimony of the witnesses, may lead fair-minded persons to a belief in defendant's guilt beyond a reasonable doubt. Verhaalen v. State, 195 W 345, 218 NW 378.

944.20 History: 1955 c. 696; Stats. 1955 s. 944.20.

The offense may be committed by the intentional act of exposing one's person indecently in the presence of one person, to whom it is offensive, as well as in the presence of many persons. It could not change the quality of the act that it was committed in the presence of a child of tender years, too innocent to be offended by it. The benignity of the law would neither presume nor permit the consent of such a child to such an act. Conviction may be sustained upon the testimony, partially corroborated, of a child less than 5½ years old and who was not 5 years old when the offense was committed. State v. Juneau, 88 W 180, 59 NW 580.

A married man living with a woman in violation of 351.04, Stats. 1929, is guilty of lewd and lascivious behavior, and he may also be guilty of adultery under 351.01. State v. Brooks, 215 W 134, 254 NW 374.

944.21 History: 1955 c. 696; Stats. 1955 s. 944.21.

See notes to sec. 3, art. I, on freedom of speech, citing State v. Chobot, 12 W (2d) 110, 106 NW (2d) 286.

The test of obscenity is whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest. State v. Chobot, 12 W (2d) 110, 106 NW (2d) 286.

It may be a defense against a charge of possession of obscene literature that the possessor did not have knowledge of the contents, but not so where the defendant testified that he had looked at the covers and paged through the magazines in his possession, looking at the pictures, but not reading the text or stories, and even the most-cursory examination thereof would make him aware of their appeal to the prurient interest. State v. Chobot, 12 W (2d) 110, 106 NW (2d) 286.

One who operates a moving picture show in which an immoral picture is shown may be prosecuted. 10 Atty. Gen. 86.

A common carrier is not a person who imports within the meaning of 351.38 (1), Stats. 1933. 22 Atty. Gen. 667.

944.22 History: 1955 c. 696; Stats. 1955 s. 944.22.

944.23 History: 1955 c. 696; Stats. 1955 s. 944.23.

944.25 History: 1969 c. 405; Stats. 1969 s. 944.25.

944.30 History: 1955 c. 696; Stats. 1955 s. 944.30; 1969 c. 252.

An information charging that the defendant "did unlawfully and feloniously resort to, frequent and become an inmate of a house of ill fame resorted to for the purpose of prostitution and lewdness" is good after verdict, although it is silent as to the defendant's knowledge of the character of the house. The location of the house is well stated by alleging that it was in the town of Vaughn in the county of Ashland. State v. Richards, 76 W 354, 44 NW 1104.

The evidence was sufficient to support a conviction under 944.30 (1). State v. Wilson, 41 W (2d) 29, 162 NW (2d) 605.

944.31 History: 1955 c. 696; Stats. 1955 s. 944.31.

944.32 History: 1955 c. 696; Stats. 1955 s. 944.32.

The evidence was sufficient to support a verdict of guilt under sec. 4581c. Weldon v. State, 165 W 452, 162 NW 428.

A conviction for enticing a female to leave her home and go to another place for the purpose of prostitution or for unlawful sexual intercourse must be reversed because of the absence of any evidence that the woman was enticed or induced to leave her home by any fraud, deceit or false representation on the part of the defendant, an element required to constitute an offense under 351.10. Hammond v. State, 191 W 8, 210 NW 417.

A janitor who has guilty knowledge of the purpose for which entrance to a house is gained through him is guilty under sec. 4581e, Stats. 1921. 12 Atty. Gen. 28.

944.33 History: 1955 c. 696; Stats. 1955 s. 944.33.

See note to 971.19, citing State v. Dowling, 205 W 314, 237 NW 98.

944.34 History: 1955 c. 696; Stats. 1955 s. 944.34.

The offense described in sec. 9, ch. 170, R. S. 1858, is not that of keeping a house which is reputed to be a "bawdy house" but keeping one which is so in fact. State v. Brunell, 29 W 435.

If one allows a girl under 16 years of age to resort to his premises for an unlawful purpose, the question being whether the person whose premises were resorted to knew at the time that the girl was under 21, the jury may be allowed to determine it from her personal appearance or from view only. Hermann v. State, 73 W 248, 41 NW 171.

The keeping of a house or place prohibited by sec. 4589, Stats. 1911, for any substantial time (as in the case cited, 2 days), is sufficient to constitute the offense. State v. McGinley, 153 W 5, 140 NW 332.

One cannot be convicted of keeping a house of ill fame without knowledge on his part of the unlawful conduct of visitors, but such knowledge may be proved by circumstantial evidence. Haffner v. State, 176 W 471, 187 NW 173.

Where a landlord rents a room for the purpose of prostitution he violates sec. 4589, Stats. 1923, even though the lessee did not intend or commit the act of prostitution. State v. Damorjian, 187 W 445, 204 NW 498.

The first 3 provisions of 351.35, Stats. 1929, cover the proprietor of the premises or the business; guilt under that part of the statute prohibiting the leasing of a building for prostitution requires that the premises be leased for that express purpose; the part penalizing the receiving or agreeing to receive any person for the purpose of prostitution contemplates legal possession and authority to receive or refuse to receive; the part prohibiting any person to remain in a building for such purpose implies authority to grant permission to remain or to exclude. An instruction that guilt of defendant owners depended on their guilty knowledge was prejudicially erroneous because ignoring the question of their relationship to the premises. State v. Larson, 206 W 154, 238 NW 837.

944.35 History: 1955 c. 696; Stats. 1955 s. 944.35.

CHAPTER 945.

Gambling.

On searches and seizures see notes to sec. 11, art. I; on lotteries and divorces see notes to sec. 24, art. IV; and on power of municipalities to prohibit criminal conduct see notes to 66.051.

Gambling by means of the free replay pinball machine. 42 MLR 98.

Legality of lotteries in Wisconsin. Mundschau, 1967 WLR 556.

945.01 History: 1955 c. 696; Stats. 1955 s. 945.01; 1963 c. 122; 1965 c. 122, 654; 1967 c. 255; 1969 c. 252.