

CHAPTER 36.

[Published April 11, 1866.]

AN ACT to prevent minors from playing at billiards and on bowling alleys, and indulging in intoxicating drinks.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Sale of spirituous
liquors to minors.
a misdemeanor.

SECTION 1. Any keeper of any saloon, shop or place of any name whatsoever, in this state, for the sale of strong, spirituous liquors, to be drank on the premises in any quantity less than one gallon, who shall vend, sell or in any way deal or traffic in, or for the purpose of evading this chapter, give away any spirituous, ardent, intoxicating or malt liquors or drinks in any quantity whatsoever, with a minor, shall be deemed guilty of a misdemeanor.

Allowing a min-
or to play on a
billiard table, a
misdemeanor.

SECTION 2. Any owner or owners or keeper of any billiard table or tables in this state, who keep such table for profit, and who shall allow or permit, by his agent or employee, any minor, for pay or otherwise, to play any game on such table, shall be deemed guilty of a misdemeanor.

Allowing a min-
or to play on a
bowling alley, a
misdemeanor.

SECTION 3. Any owner or keeper of any bowling saloon or alleys in this state, who shall allow or in any way permit a minor to play with bowls on such alley or bowling table, for pay or otherwise, shall be deemed guilty of a misdemeanor.

Penalty.

SECTION 4. Any person or persons convicted of any of the foregoing misdemeanors, shall be punished for each and every offense, by a fine not less than twenty dollars nor more than one hundred dollars, and costs of suit, to be paid within twenty-four hours after the same have been imposed upon him and her, (during which time he or she shall remain in custody of the proper officer,) or by imprisonment in the county jail of the proper county for the space of ninety days, unless he or she shall be discharged therefrom before the expiration of said term, by payment of the aforesaid fine, and all costs and jail fees occasioned by his or her prosecution and imprisonment.

Jurisdiction of
justices.

SECTION 5. Justices of the peace shall have power to hold a court to hear, try and determine all offenses

against or growing out of the provisions of this chapter, and arising within their counties : *provided*, that the accused party shall not be deprived of a jury trial, nor of his right of appeal, as in other cases.

SECTION 6. Upon complaint made to any justice of the peace by any person, that he knows, or has good reason to believe, that an offense against this chapter has been committed, he shall examine the complainant upon oath, and he shall reduce such complaint to writing, and cause the same to be subscribed to by the person complaining ; and if it shall appear to such justice that there is reasonable cause to believe that such offense has been committed, he shall immediately issue his warrant, reciting therein the substance of such complaint, and require of the officer to whom such warrant shall be directed, forthwith to arrest the accused and bring him before such justice, to be dealt with according to law ; and the same warrant may require the officer to summon such persons as shall be therein named, to appear at the trial to give evidence. Complaint and warrant. Witnesses:

SECTION 7. It shall be the duty of the district attorney of the proper county, on notice given to him by the justice of the peace before whom any such complaint shall be made, or by the complainant himself, to attend the trial before such justice, and to conduct the same on behalf of the state. District attorney to attend trial.

SECTION 8. It shall be the duty of each member of the board of supervisors of the town, and of every member of the board of aldermen, and of every member of the board of trustees, as also of every justice of the peace, marshal and constable of any town, ward or village, who shall know of his own knowledge, or be credibly informed, that any offense has been committed against the provisions of this chapter, to report and make complaint against any person so violating any of the provisions thereof, within their respective towns, wards or villages, before some justice of the peace of their county, city or village ; and if any such supervisor or alderman, justice of the peace, trustee, constable or marshal, or deputy marshal, shall neglect or refuse to report and make complaint of any violation or offense against this chapter, of which he shall have knowledge as aforesaid, he shall be punished by a fine in the sum of twenty-five dollars for each such neglect or refusal, to be collected in an action to be commenced by the Duty of officers to report violations of this act. Penalty.

Repeal.

town treasurer of the town, or the treasurer of the board, alderman, village or city, against him therefor.

SECTION 9. All acts or parts of acts conflicting with the provisions of this bill [act,] are hereby repealed.

SECTION 10. This act shall take effect and be in force from and after its passage.

Approved March 30, 1866.

CHAPTER 87.

[Published April 10, 1866.]

AN ACT to amend section 8 of chapter 111 of the revised statutes, entitled "of divorce."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Voluntary separation for five years, cause for divorce.

SECTION 1. Section eight of chapter one hundred and eleven of the revised statutes, is hereby amended, as follows: by adding after the sixth cause for divorce, the following, as an additional cause for divorce, to wit: "7th. Whenever the husband and wife shall have voluntarily lived entirely separate for the space of five years next preceding application for divorce, the same may be granted on the petition of either party."

SECTION 2. This act shall take effect from and after its passage.

Approved March 31, 1866.