

CHAPTER 161.

[Published March 25, 1873.]

AN ACT to amend section one of chapter one hundred and twenty-six of the general laws for the year 1870, entitled "an act to define the meaning of the term, 'fire department.'"

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

Amended.

SECTION 1. Section one of chapter one hundred and twenty-six of the general laws for the year 1870, is hereby amended by adding thereto the words, "and Ripon," and striking out the word, "and" in the twentieth line thereof, so that when so amended the provisional portion of said section shall read as follows: "*provided, however*, that nothing in this act shall be so construed as relating to the fire departments of the cities of Milwaukee, Fond du Lac, La Crosse, Janesville, Madison, Oshkosh and Ripon."

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

Approved March 18, 1873.

 CHAPTER 162.

[Published March 26, 1873.]

AN ACT for the preservation of cranberries in Burnett county.

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

Penalty for
picking cran-
berries.

SECTION 1. Any person or persons who shall, at any time between the first day of June and fifteenth day of September in any year, gather or pick any cranberries off from state or unoccupied lands in the county of Burnett, and secrete, have in possession or offer for sale such berries in said county, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding fifty dollars nor less than five dollars, with costs of suit.

Possession
deemed evi-
dence.

SECTION 2. Possession of unripe cranberries during the time specified in section one of this act within the county of Burnett shall be deemed *prima facie* evidence

of the fact that the person or persons are guilty of a violation of the provisions of the preceding section.

SECTION 3. Any person who shall be convicted of any offense as provided in this act, shall stand committed to the county jail of the proper county until such fine, together with the costs of suit, are paid, or until properly discharged by the probate judge of said county of Burnett, or the justice of the peace by whom said person was committed.

Shall stand committed, after conviction.

SECTION 4. The probate judge of Burnett county may, at his discretion, appoint or deputize (not to exceed five in number) special constables or police for his county, whose special duty it shall be to apprehend and detect any person or persons violating the provisions of this act; and such constables or police are hereby vested with authority to arrest any and all persons in said county of Burnett, or on land adjacent thereto, whom they may find violating any of the provisions of this act, and bring them forthwith before said county judge or any justice of the peace in said county of Burnett, and then and there make complaint on oath as to the guilt of said person or persons under arrest; and for such services said constables or police shall be entitled, in addition to constables' fees (mileage excepted), to the sum of two dollars per day for every day's actual service between the fifth and fifteenth days of September, for which time he may be appointed: *provided*, said constable shall make an affidavit to the actual amount of service performed, and file the same with the clerk of the county board of supervisors, on or before the first day of November next following.

Judge may appoint special police—their duties and authority.

SECTION 5. The county board of supervisors are hereby authorized to audit the accounts of said constables or police appointed under the provisions of this act, in the same manner and at the same time that other county officers' accounts are audited.

Their accounts to be audited.

SECTION 6. Justices of the peace shall have jurisdiction to hear and determine all cases arising under the provisions of this act, and to order said constables to collect any fines levied, and to sell any and all berries by him seized under the provisions of this act, and to make due returns thereof, and to pay over to said justices all fines, together with the proceeds of all sales; and the said justice, after deducting his own fees, shall pay over the balance into the county treasury on or before the first day of November next following.

Justices to have jurisdiction.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 18, 1878.