

No. 58, S.]

[Published July 6, 1905.]

CHAPTER 385.

AN ACT to amend section 1548 of the statutes of 1898 as amended by chapter 116 of the laws of 1899 and chapter 20 of the laws of 1905, relating to excise and sale of intoxicating liquors near public and parochial school grounds.

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

Saloons near school grounds prohibited. SECTION 1. Section 1548 of the statutes of 1898, as amended by chapter 116 of the laws of 1899 and chapter 20 of the laws of 1905, is hereby amended by inserting before the words "no such license" in the sixth from the last line of said section, the words: From and after June 30th, 1905, anything contained in any city charter to the contrary notwithstanding, and by inserting after the words "any such liquors" at the end of the fifth from the last line of said section, the words: in any building, booth or other place for which a license is not in force on the 30th day of June, 1905, within a distance of three hundred (300) feet of any public or permanently established parochial school grounds, said distance to be measured upon the streets from the boundaries of the school grounds. Whenever after January 1st, 1908, a list of all of the parents and lawful guardians of the children enrolled as pupils of any public school or permanently established parochial school, together with a remonstrance in writing signed and acknowledged before a notary public by a majority of such parents and lawful guardians, is filed with the city, village or town clerk, as the case may be, describing certain premises for which a license had previously been issued within three hundred (300) feet of the grounds of said public or parochial school (the distance to be measured as aforesaid) and demanding that no license be granted for the sale of intoxicating liquors on such premises, no such license shall thereafter be granted to any person for the sale of such liquors on such premises. The foregoing provision shall not apply to drug stores, hotels nor restaurants actually established and maintained as such prior to Feb-

ruary 1st, 1905. It shall be the duty of the city, village or town clerk, as the case may be, to receive, file and record such list and remonstrance. Nor shall any such license be granted for the sale of any such liquors, so that said section when so amended shall read as follows: Section 1548. Each town board, village board and common council may grant license under the conditions and restrictions in this chapter contained, to such *person* as they deem proper to keep groceries, saloons or other places within their respective towns, villages or cities for the sale of strong, spirituous, malt, ardent or intoxicating liquors. The sum to be paid for such license shall (subject to the right to increase the same, as in this chapter provided,) be, in towns having within their boundaries no city or village, incorporated or unincorporated, with a population of five hundred or more, one hundred dollars, and in all cities and villages and other towns, two hundred dollars, except for registered pharmacists as in this chapter provided. The application for any such license shall be in writing, and shall state the kind of license applied for and designate the premises where such liquor shall be sold. All such licenses shall remain in force until the first Tuesday of July next after the granting thereof, unless sooner revoked by the board or council granting the same; they shall be attested by the town, city or village clerk, and shall not be delivered until the applicant shall produce and file with the clerk a receipt showing the payment of the sum required therefor to the proper treasurer, and until the filing with the clerk of the bond provided for in section 1549. All town and village boards and common councils, or the duly authorized committees of such councils, shall meet and be in session on the third Monday of each June, and from day to day thereafter, so long as it may be necessary, for the purpose of acting upon such applications as may be presented to them conformably to this chapter. The population of any city or village shall be ascertained by the last preceding enumeration by the state or general government. *From and after June 30th, 1905, anything contained in any city charter to the contrary notwithstanding, no such license shall be granted to any person or persons for the sale of any such liquors in any building, booth or other place for which a license is not in force on the 30th day of June, 1905, within a distance of three hundred (300) feet of any public or permanently established parochial school grounds, said distance to be measured upon the streets from the boundaries of the school grounds. Whenever after January 1st, 1908, a list of all of the parents*

and lawful guardians of the children enrolled as pupils of any public school or permanently established parochial school, together with a remonstrance in writing, signed and acknowledged before a notary public by a majority of such parents and lawful guardians, is filed with the city, village or town clerk, as the case may be, describing certain premises for which a license had previously been issued within three hundred (300) feet of the grounds of said public or parochial school (the distance to be measured as aforesaid) and demanding that no license be granted for the sale of intoxicating liquors on such premises, no such license shall thereafter be granted to any person for the sale of such liquors on such premises. The foregoing provision shall not apply to drug stores, hotels nor restaurants actually established and maintained as such prior to February 1st, 1905. It shall be the duty of the city, village or town clerk, as the case may be, to receive, file and record such list and remonstrance. Nor shall any such license be granted for the sale of any such liquors within a distance of two and one-half miles of the grounds of the Wisconsin Veterans Home in the town of Farmington, county of Waupaca, nor to any person who is the owner or keeper, directly or indirectly, of a house of ill fame or house of prostitution.

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

Approved June 17, 1905.