

CHAPTER 175.

[Published April 22, 1867.]

AN ACT to amend chapter 46 of the session laws of 1866, entitled "an act to amend chapter 45 of the revised statutes, entitled 'of marks and brands, and filing chattel mortgages.'"

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

Sale of mortgaged personal property a misdemeanor.

SECTION 1. Section one of chapter 46 of the session laws of 1863 is hereby amended, so as to read as follows: "If any person having conveyed any article of personal property by mortgage, shall during the existence of the lien or title created by such mortgage, sell, transfer, conceal, take or drive away or in any manner dispose of said property, or any part thereof, or cause or suffer the same to be done, without the consent of the mortgagee of said property, with intent to defraud, he shall be deemed guilty of a misdemeanor."

Repealed.

SECTION 2. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1867.

CHAPTER 176.

[Published April 18, 1867.]

AN ACT to provide for the more efficient collection of license fees due the state.

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

Governor may appoint a treasury agent, to collect fees due from peddlers.

SECTION 1. The governor is hereby authorized to appoint an agent of the treasury of this state, whose duty it shall be to superintend and enforce, if necessary, under the provisions thereof, and as hereby amended, the collection of fees due for licenses fixed

in chapter fifty of the revised statutes, entitled "of hawkers and peddlers," and other acts of this state requiring the payment of fees into the state treasury for any license under which business is to be transacted. Said agent may appoint an assistant, whose acts shall have the same lawful force as the acts of the said agent. Such treasury agent shall, in case of necessity, and where there is reasonable ground to suppose that such license fees as are required by any law of this state may become otherwise uncollectable, seize and detain any property which is being sold or exposed for sale in violation of said chapter fifty, until the process provided in sections 6, 7 and 8 of such chapter may be issued and served; but the said agent shall exercise due diligence in procuring such process to be issued and served.

Agent may appoint assistant—may seize property, &c.

SECTION 2. Section one of said chapter fifty is hereby amended, so as to provide that itinerant vendors of patent rights, and of territory for the sale, use or manufacture of patented rights or articles, (except the inventions of citizens of this state,) shall procure the same licenses as other peddlers of the same class. Section 9 of said chapter is hereby so amended as to read as follows: "No action or prosecution for the recovery of any penalty provided in this chapter shall be maintained, unless it shall appear that the same was brought within one year after the commission of the offense charged." All licenses shall expire on the 31st day of December, except those heretofore issued. Licenses may be issued for a portion of a year, if it shall appear that the applicant is to prosecute business thereunder only for such portion of a year. Licenses may be transferred by the secretary of state, on the recommendation of the said agent, from one person to another, in case of a change in business, or for other good reasons. Section 2 of said chapter is so amended as to provide that applications for licenses shall be made to the secretary of state, through the said agent of the treasury, who shall keep a record of such applications and of all licenses issued.

Vendors of patent rights to procure licenses.

When actions to be brought.

When licenses to expire.

Transfer of licenses.

Application for licenses.

SECTION 3. Every person who shall neglect for ten days after being notified that any license fee is due, (allowing reasonable time for the mailing and receipt of such notice,) shall forfeit and pay a penalty of ten per cent. thereon, to be collected at the time and in

Penalty.

the manner that the principal is collected; which sum, together with thirty-three and one-third per cent. of the amount which said agent may cause annually to be collected as fees for licenses, over and above the average annual amount heretofore collected, shall be paid into the treasury, but shall be paid to said agent, as full compensation for his services and those of his assistant, except for necessary stationery, postage, blanks and advertising, which shall be furnished by the state in the usual manner; and an appropriation of such amount as may be found necessary to carry into effect the provisions of this act, is hereby made out of any money received into the treasury on account of license fees, under the said chapter 50 of the revised statutes, as hereby amended.

Ibid.

Duty of district attorneys.

SECTION 4. Any person who shall knowingly and willfully evade the provisions of the said chapter 50 of the revised statutes, with intent to defraud the revenue of this state, may be prosecuted for a misdemeanor, and on conviction thereof may be punished by imprisonment in the county jail, not to exceed three months, in the discretion of the court; and it shall be the duty of the district attorneys to prosecute all complaints in their respective counties under this act and the chapter of the revised statutes to which this act is amendatory.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1867.

CHAPTER 177.

[Published April 22, 1867.]

AN ACT to repeal chapter 187 of the general laws of 1864, entitled "an act to amend section 38 of chapter 117 of the revised statutes, entitled 'of county courts.'"

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

Repealed.

SECTION 1. Chapter 187 of the general laws of 1864, entitled "an act to amend section 38 of chapter