

CHAPTER 121.

[Published March 7, 1874.]

AN ACT for the preservation of game in the counties of Eau Claire, Chippewa, Dunn, Trempeleau, Buffalo and Pepin.

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

SECTION 1. No person shall catch, kill or otherwise destroy or have in his possession or expose for sale, any grouse, prairie hen, prairie chicken, or partridge, in the counties of Eau Claire, Chippewa, Dunn, Pepin, Buffalo or Trempeleau, between the fifteenth day of November and the succeeding tenth day of August, in each year, under a penalty of ten dollars for each such grouse, prairie hen, prairie chicken or partridge caught, killed or otherwise destroyed or had in possession or exposed for sale.

Penalties for violating the game law.

SECTION 2. All penalties imposed by the provisions of this act may be recovered with costs of action by any person or persons, in his or their own names, or in the name of the state of Wisconsin, before any justice of the peace in any town, or police justice of any city in the county where the offense was committed, or where the defendant may reside or be found; and any such justice of the peace or police justice is authorized, upon receiving sufficient security for the costs on the part of the complainant, or otherwise, in his discretion, and satisfactory proof, by affidavit, of the violation of any of the provisions of this act, by any person whomsoever, to issue his warrant in the form of a criminal warrant, and have such offender brought immediately before him, to answer the charge against him, or committed or held to bail to answer such charge. And any justice of the peace or police justice, within either of the counties named in the first section of this act, may, upon proof of probable cause to believe that any person within either of said counties, conceals any game birds or bird mentioned in this act, during any of the prohibited periods, or conceals at any time during such prohibited period, any such game bird or birds caught, killed or otherwise destroyed, held or possessed in violation of any of the provisions of this act, issue his search warrant, and cause search to be made in any house, boat, car or other building, and for that end may cause any apartment, chest, box or locker to be broken open and the contents examined.

Penalties, how recovered.

Search warrants may be issued.

SECTION 3. The affidavit made by the complainant shall be deemed the complaint in all actions instituted under the provisions of this act, and it shall not be necessary to state therein the number of such game birds, concerning which the defendant is charged.

Penalties to go
to school fund.

SECTION 4. Any penalties, when collected, shall be paid into the court, and shall thereupon be paid by such court, before such conviction shall be had, to the credit of the school fund of such county, and on the non-payment of the penalty and costs of the prosecution, or any part thereof, at the time of conviction, the defendant shall forthwith be committed to the common jail of such county for a period of not less than ten days, when the judgment therefor, aside from the costs, exceeds not the sum of fifty dollars, and at the rate of one day for each ten dollars in which said judgment, aside from costs, exceeds in amount the sum of fifty dollars.

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

Approved March 3, 1874.

CHAPTER 122.

[Published March 7, 1874.]

AN ACT to repeal chapter one hundred and sixty-five of the laws of 1873, entitled "an act to amend chapter one hundred and eighty-eight of the general laws of 1872, entitled an act for the incorporation of villages."

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

Ch. 165 L. 1873
repealed.

SECTION 1. Chapter one hundred and sixty-five of the laws of 1873, entitled "an act to amend chapter one hundred and eighty-eight of the general laws of 1872, entitled an act to provide for the incorporation of villages," is hereby repealed.

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

Approved March 3, 1874.