

or rivers, through or below said dam or dams, shall be liable for the toll thereon, and any person having a mortgage upon any such logs or timber at the time the same are so sluiced or driven, who shall afterwards sell or take possession of such logs or timber by virtue of such mortgage, shall thereby become liable for the toll due thereon, and said William Sauntry, his heirs or assigns, are hereby authorized to sue for and recover the same from such mortgagee.

May exercise rights under sec. 1777, R. S.

SECTION 4. Said William Sauntry, his heirs or assigns, for the purpose of acquiring any flowage rights that they may deem necessary in carrying out the provisions of this act, may exercise all powers granted to corporations by section 1777, of the revised statutes of 1878.

Repeal.

SECTION 5. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 6. The right to alter, amend or repeal this act is hereby reserved.

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

Approved April 16, 1889.

[No. 618, A.]

[Published April 24, 1889.]

CHAPTER 447.

AN ACT to amend chapter 438, laws of 1885, entitled, An act relating to excise and the sale of intoxicating liquors.

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

Amending sec. 3, ch. 438, laws 1885, sec. 1556, R. S.

SECTION 1. Section 3, of chapter 438, laws of 1885, is hereby amended by striking out the words, "with knowledge thereof," where they occur in the ninth line of said section, also the last three lines of said section, and by inserting after the words, "to testify as to where," where they occur in the twenty-fourth line of said section, the words, "and from, through or by whom or by whose agency," so that the same when

amended shall read as follows: Section 1556, of the revised statutes of 1878, as amended by chapter 312, of the laws of 1880, and section 6, of chapter 322, of the laws of 1882, is hereby amended so as to read as follows: Section 1556. When the sale or giving away of any ardent, spirituous or intoxicating liquors or drinks to any person shall have been forbidden in the manner provided by law, every person who shall sell or give, to or for, or purchase or procure for, or in behalf of such prohibited person, any such liquors or drinks, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding fifty dollars (\$50), and the costs of prosecution; and in default of immediate payment thereof, he shall be committed to the county jail not less than thirty days, unless sooner discharged by the payment or such fine and costs. The person to whom the selling to or purchasing or procuring for any such ardent, spirituous or intoxicating drinks has been prohibited, may be arrested on complaint of any supervisor, trustee, alderman, or county superintendent of the poor, and brought before any justice of the peace of the county to testify as to where and from, through or by whom, or by whose agency, he obtained or procured intoxicating drinks, and if he shall refuse to testify, he shall be committed to the county jail to be detained therein until he shall so testify or be discharged by order of the court. In any such prosecution it shall not be necessary to allege in the complaint or information any facts tending to show that the person to whom such liquors or drinks were sold or given was a person to whom the sale of such liquors or drinks might lawfully or properly be forbidden, but it shall be sufficient to allege generally, that such liquors or drinks were given or sold by the accused to such person.

May be committed on refusal to testify as to where liquor was obtained.

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

Approved April 16, 1889.