

No. 284, A.]

[Published April 27, 1895.

CHAPTER 257.

AN ACT to regulate the sanitary condition of creameries, cheese factories and surroundings and providing for the seizure and condemnation of imitation dairy products.

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

Dairy and food commissioners to have free access to creameries, cheese factories, etc., and may inspect the same.

SECTION 1. The dairy and food commissioner or his agents shall have full access and ingress to any factory or building where any product of the dairy is manufactured or stored for sale or shipment of the same and shall be empowered to enforce such measures as may be necessary for the perfect cleanliness of said factories, buildings and surroundings, also for the cleanliness of all the utensils necessarily used in the manufacture and general handling of the dairy product. Any person refusing the privilege of such access to the dairy and food commissioner or his agent, or opposing him in any way shall be considered as having committed a misdemeanor.

Warrant may be issued to seize unlawful substances.

SECTION 2. When complaint shall be made on oath to any magistrate authorized to issue warrants in criminal cases that imitation butter or imitation cheese or any substance designed or intended to be used as a substitute for butter or cheese is in the possession or under the control of any person or persons contrary to the provisions of law of this state and that the complainant believes that it is concealed in any particular warehouse, store or refrigerator for mercantile purposes, the magistrate if he be satisfied that there is cause for such belief shall issue his warrant for such property.

Sheriff or his deputy shall serve the warrants.

SECTION 3. All such warrants shall be directed to the sheriff of the county or his deputy or to any constable of the county, commanding such officer to search the house, building,

store or other place where the imitation butter or imitation cheese or any substance designed or intended to be used as imitation butter or cheese for which he is required to search is believed to be concealed, which place and property to be searched for shall be designated and described in the warrant, and to bring such property when found and the person or persons in whose possession the same shall be found before the magistrate who issued the warrant or before some other magistrate or court having cognizance of the case.

SECTION 4. When any officer in the execution of a search warrant under the provisions of this act shall find any imitation butter, or cheese, or any substance designed or intended to be used as an imitation for butter or cheese and for which a search is allowed by this act, all the property so seized shall be safely kept by the direction of the court or magistrate, so long as shall be necessary for the purpose of being produced as evidence on any trial; provided, that it shall be the duty of the officer who serves a search warrant issued for imitation butter or imitation cheese or any substance designed or intended to be used as imitation for butter or cheese and alleged to be in his possession or under the control of any person or persons contrary to law, to deliver to the state dairy and food commissioner, or to any person by such commissioner authorized in writing to receive the same, a true and perfect sample of each article seized by virtue of such warrant, for the purpose of having the same analyzed. If any sample be found to be imitation butter or imitation cheese, or substance designed or intended to be used as an imitation for butter or cheese and that the same at the time of such seizure, was in the possession or under the control of any person or persons contrary to any of the provisions or requirements of this act, then and in such case, the property so seized, shall be confiscated and destroyed, under the direction of the court or magistrate, otherwise the same shall be forthwith returned to the person or persons from whom it was taken.

Unlawful substances to be seized and kept under the direction of the court.

Fine and imprisonment for violation of the law.

SECTION 5. Any person or persons violating any of the provisions or sections of this act shall be guilty of a misdemeanor and upon conviction thereof, be fined not less than twenty-five nor more than fifty dollars for the first offense, and for each subsequent offense not less than fifty nor more than one hundred dollars, or to be imprisoned in the county jail not less than thirty nor more than ninety days in the discretion of the court, before whom such conviction may be had.

Informers to receive half of the fines.

SECTION 6. One-half of all fines collected under the provisions of this act shall be paid to the person or persons furnishing information upon which conviction is procured.

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

Approved April 17, 1895.

No. 46, A.]

[Published April 26, 1895.

CHAPTER 258.

AN ACT defining the crime of indecent exposure and fixing the punishment therefor.

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

Penalty for taking improper liberties with child under 14 years of age

SECTION 1. Any male person over the age of sixteen years, who shall take indecent or improper liberties with the person of a female child under the age of fourteen years with or without her consent, without intending to commit the crime of rape on such child, shall, on conviction thereof, be punished by imprisonment in the state prison, not more than two years nor less than one year, or by imprisonment in the county jail not more than six