

No. 326, A.]

[Published June 13, 1905.]

CHAPTER 340.

AN ACT relating to the levee at the city of Portage and vicinity, in the state of Wisconsin, and making an appropriation therefor.

Preamble. Whereas by the neglect and refusal of the United States government to repair, strengthen and enlarge its levee in the vicinity of Portage, as it was expected it would do at the time of the passage of chapter 419 of laws of 1903, the levee commissioners appointed pursuant to said chapter were compelled to expend nearly \$5,000.00 upon said government levee for the protection of the adjacent lands and the Fox river valley from overflow by the Wisconsin river, and the funds at the disposal of said commissioners for the repair and enlargement of the other levees in the vicinity of Portage were thereby diminished by said amount, and

Whereas approximately the said amount is required by said commissioners for the strengthening and enlarging of the Lewiston levee for the proper protection of the adjacent lands and the Neena creek and Fox river valleys from overflow by said river, and the said commissioners have at their disposal only funds sufficient for the proper completion of the work of strengthening and enlarging the levee in the towns of Caledonia and Fairfield and the city of Portage, and

Whereas there is in the general fund of the state a sum of moneys largely in excess of \$5,000.00 received by the state from sales of land granted by the United States to the state by act of congress of Sept. 28th, 1850, for the purpose of "building levees and the redemption of swamp and overflowed lands," and said moneys are by the terms of said grant legally available, and should in equity be applied, so far as necessary, to the strengthening of the said Lewiston levee, and

Whereas the situation in the vicinity of Portage resulting from the periodical floods of the Wisconsin river is without parallel anywhere in the state, and the said sum of \$5,000.00 is necessary for the purpose next above specified.

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

Purpose of appropriation. SECTION 1. There is hereby appropriated to the commissioners appointed pursuant to chapter

419 of the laws of 1903 from any moneys in the general fund received from the sales of swamp and overflowed lands granted and awarded to the state by the United States by and under act of congress of September 28, 1850, the sum of five thousand dollars, and the state treasurer is hereby directed to transfer said amount from such moneys to the special fund created under said chapter for the use of said commissioners; and the provisions of said chapter shall in all respects govern the expenditure of said sum.

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

Approved June 10, 1905.

No. 348, A.]

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CHAPTER 341.

AN ACT to amend section 1565 of the statutes of 1898, 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:

What is a sale; complaint. SECTION 1. Section 1565 of the statutes of 1898 is hereby amended so as to read as follows: Section 1565. The giving away of intoxicating liquors or other shift or device to evade the provisions of any law of this state relating to excise or the sale of intoxicating liquors shall be deemed and held to be an unlawful selling within its provisions, and in all cases not otherwise specially provided for any person convicted of any misdemeanor under the provisions of any such law shall be punished by a fine not exceeding fifty dollars and shall pay the costs of prosecution, and in default of immediate payment of such fine and costs shall be committed to the county jail for not less than thirty days nor more than ninety days unless sooner discharged by the payment of such fine and costs; the words "any law of this state relating to excise or the sale of intoxicating liquors" or any words of similar import when used in any statutes shall be held to include and apply to all excise