

SECTION 3. Section 3701 of the statutes is amended to read: Section 3701. Any person may commence an action by warrant of attachment in a justice's court and proceed thereon against the property of his debtor in the cases, upon the condition, and in the manner provided by this chapter. *No warrant of attachment shall issue in any action, or in aid of any action, or in aid of any execution in any action brought to recover the price or value of strong, spirituous, malt, ardent, or intoxicating liquors sold at retail.*

SECTION 4. There is added to the statutes a new section to read: Section 3716m. No garnishee proceeding, as provided in section 3716, shall be commenced in any action to recover the price or value of strong, spirituous, malt, ardent, or intoxicating liquors sold at retail.

SECTION 5. This act shall not apply to any debts contracted prior to the taking effect of this act.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved June 2, 1909.

No. 260, A.]

[Published June 4, 1909.

CHAPTER 277.

AN ACT to amend section 4418 of the statutes, relating to the crime of embezzlement.

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

SECTION 1. Section 4418 of the statutes is amended to read: Section 4418. Any officer, agent, clerk, employe or servant of this state or of any county, town, school district, city, village or other municipal corporation therein, or of any banking, railroad, insurance or telegraph company or other corporation, or of any joint stock company or association, or in the service or employment thereof, who, by virtue of such office or employment, shall have the possession or custody of, or who shall be entrusted with, the safe keeping, the disbursement, investment or payment of any money or fund, or with the safe keeping, sale, carrying or delivering of any goods, wares, merchandise, produce, lumber or any other property or thing which is the subject of larceny, belonging to or under the care or control of the state, or such municipal or other corporation, or in which the state or such corporation has an interest, or any factor, carrier, warehouseman, storage, forwarding or commission merchant,

or any bailee, executor, administrator, guardian, or any trustee, agent, clerk, attorney, messenger, employe or servant of any private person, corporation, copartnership or association, except apprentices and other persons under the age of sixteen years, who, by virtue of his business or employment, shall have the care, custody, or possession of or shall be entrusted with the safe keeping, disbursement, investment or payment of any money, or shall have the care, custody or possession of or shall be entrusted with the safe keeping, carrying, sale or delivery of any goods, wares, merchandise, produce, lumber or any other property or thing which is the subject of larceny, belonging to such other person, corporation, copartnership or association, shall embezzle or fraudulently convert to his own use or to the use of any other person except the owner thereof, or shall take, carry away or secrete, with intent to convert to his own use or to the use of any other person except the owner thereof any such money, fund, goods, wares, merchandise, produce, lumber or any other property or thing shall be punished, if the money or property so embezzled shall exceed the value of * * * *twenty-five thousand* dollars, by imprisonment in the state prison not more than * * * *twenty-five* years nor less than * * * *ten* years, and if the money or property so embezzled shall not exceed the value of * * * *twenty-five thousand* dollars and shall exceed the value of * * * *ten thousand* dollars, by imprisonment in the state prison * * * not more than * * * *twenty years* nor less than * * * *five years* or if the money or property so embezzled shall not exceed the value of * * * *ten thousand dollars* and shall exceed the value of *one thousand dollars*, by imprisonment in the * * * *state prison* not more than * * * *ten years* nor less than *one year*, and if the money or property so embezzled shall exceed the value of *one hundred dollars* and shall not exceed the value of *one thousand dollars*, by imprisonment in the state prison not more than *five years* nor less than *one year*, and if the money or property so embezzled shall not exceed the value of *one hundred dollars* and shall exceed the value of *twenty dollars* by imprisonment in the state prison or county jail not more than *one year* nor less than *six months* or by fine not exceeding *two hundred dollars*, and if the money or property so embezzled shall not exceed the value of *twenty dollars* by imprisonment in the county jail not more than *six months* or by fine not exceeding *one hundred dollars*. Any person who is a member of any copartnership or one of two or more beneficial owners of any property specified in this section or of any property or thing which is the subject of larceny, who shall embezzle or fraudu-

lently convert to his own use or to the use of any other person, except the other members of such co-partnership or the other beneficial owners of such property or thing, or who shall take, carry away or secrete with intent to convert to his own use or to the use of any other person except as aforesaid, any such property or thing shall be punished as provided in this section the same as if he had not been or was not a member of such co-partnership or one of such beneficial owners. The offense of embezzlement may be prosecuted and punished in any county in which the person charged had possession of the property or thing alleged to have been embezzled.

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

Approved June 3, 1909.

No. 872, A.]

[Published June 4, 1909.

CHAPTER 278.

AN ACT to confirm, ratify and validate the creation and organization of the town of Lincoln in Bayfield county; to confirm the election of officers of such town, and to ratify their acts.

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

SECTION 1. The proceeding in the circuit court of Bayfield county commenced by a petition filed in said court upon the 24th day of February, 1909, and terminating by a judgment and order entered upon the 31st day of March, 1909, which said proceeding purports to be one creating and organizing the town of Lincoln in Bayfield county, and all judgments and orders of court entered in said proceeding are hereby ratified and confirmed, and township forty-five north, of range six west, and township forty-six north, of range five west is deemed to have been set off and detached from the towns of Mason and Pratt in said Bayfield county, and to have been created and constituted a separate town to be known and designated as the town of Lincoln in said Bayfield county.

SECTION 2. All proceedings and acts of the annual town meeting and of all adjourned town meetings which purported to be town meetings of the said town of Lincoln, held subsequent to and pursuant to the said order of court entered upon the said 31st day of March, 1909, and prior to the passage and publication of this act, are hereby ratified, confirmed and validated.