

CHAPTER 180.

[Published April 22, 1867.]

AN ACT to prohibit the picking and sale of unripe cranberries.

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

Gathering cranberries between June 1 and Sept. 15, a misdemeanor.

SECTION 1. Any person or persons who shall at any time between the first day of June and the fifteenth day of September, in any year, gather or pick any cranberries off from state or unoccupied lands, and secrete, have in possession or offer for sale such berries in any county in this state, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding fifty dollars nor less than five dollars, with costs of suit.

Possession evidence of guilt.

SECTION 2. Possession of unripe cranberries during the time specified in section one of this act, shall be deemed *prima facie* evidence of the fact that the person or persons are guilty of a violation of the provisions of the preceding section.

Offender to be imprisoned until fine and costs are paid.

SECTION 3. Any person who shall be convicted of any offense as provided in this act, shall stand committed to the county jail of the proper county until such fine, together with the costs of suit, are paid, or until properly discharged by the probate judge of said county, or the justice of the peace by whom said person was committed.

Appointment of special constables—their duties and compensation.

SECTION 4. The probate judge of any county in this state may, at his discretion, appoint or deputize (not to exceed five in number) special constables or police for his county, whose special duty it shall be to apprehend and detect any person or persons violating the provisions of this act; and such constables or police are hereby vested with authority to arrest any and all persons in said county, or on land adjacent thereto, whom they may find violating any of the provisions of this act, and bring them forthwith before said county judge, or any justice of the peace in said county, and then and there make complaint on oath as to the guilt of said person or persons under arrest; and for such services said constable or police shall be entitled, in addition to constable fees (mileage excepted) to the sum of two dollars per day for every day's actual serv-

ice between the fifth and the fifteenth days of September, for which time he may be appointed: *provided*, said constable shall make an affidavit to the actual amount of service performed, and file the same with the clerk of the county board of supervisors on or before the first day of November next following.

SECTION 5. The county board of supervisors are hereby authorized to audit the accounts of said constables or police appointed under the provisions of this act, in the same manner and at the same time that other county officers' accounts are audited. Auditing of their accounts.

SECTION 6. Justices of the peace shall have jurisdiction to hear and determine all cases arising under the provisions of this act, and to order said constables to collect any fines levied, and sell any and all berries by him seized under the provisions of this act, and to make due returns thereof, and to pay over to said justice all fines, together with the proceeds of all sales; and the said justice, after deducting his own fees, shall pay over the balance into the county treasury on or before the first day of November next following. Jurisdiction and duties of justices.

SECTION 7. All acts and parts of acts as far as they conflict with the provisions of this act, are hereby repealed. Repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1867.

CHAPTER 181.

[*Published April 27, 1867.*]

AN ACT to prohibit the opening of dance-houses and ten-pin alleys on Sundays.

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

SECTION 1. No owner, lessee or occupant of any building, tavern or dwelling-place in this state, shall keep such building, tavern or dwelling-place open on the Lord's day, commonly called Sunday, for the pur- Dancing, &c. prohibited on Sunday.