

[No. 286, A.]

[Published March 28, 1881.]

CHAPTER 173.

AN ACT to amend section four thousand six hundred and fifty-four of chapter one hundred and eighty-nine of the revised statutes, relating to indictments and informations.

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

SECTION 1. Section four thousand six hundred and fifty-four chapter one hundred and eighty-nine of the revised statutes, is hereby amended so as to read as follows: No information shall be filed against any person for any offense, until such person shall have had a preliminary examination as provided by law, before a justice of the peace or other examining magistrate or officer, unless such person shall waive his right to such examination: provided, that information may be filed without such examinations against fugitives from justice within the meaning of the constitution and laws of the United States, and against corporations; but no failure or omission of such preliminary examination, shall in any case invalidate any informations in any court, unless the defendant shall take advantage of such failure or omission, before pleading to the merits, by a plea in abatement.

No informations to be filed without preliminary examination, except in certain cases.

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

Approved March 23, 1881.

[No. 299, A.]

[Published March 29, 1881.]

CHAPTER 174.

AN ACT to amend chapter sixty-six, of the revised statutes, entitled of excise and intoxicating liquors.

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

SECTION 1. Section one thousand five hundred and fifty-four of said chapter sixty-six, is hereby amended by inserting after the word "thereof" in the sixth line of said section the following words, "the wife of such person, or."

Wife of spendthrift may forbid the selling to him of liquor.

SECTION 2. Section one thousand five hundred and fifty-seven of said chapter sixty-six, is hereby amended by striking out of lines six and seven of said section, the following words, "having good reason to believe him to be such;" also amend section one thousand five hundred and fifty-eight of said chapter, by striking out

Amendments.

Spendthrifts;
who may forbid
dealers to fur-
nish them
liquors.

Penalty for
violation of
law.

Proceedings for
revocation of
license.

of said section, in lines six and seven, the words "having good reason to believe him to be such." so that said sections one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven and one thousand five hundred and fifty-eight when so amended, shall read as follows: Section 1554. When any person shall by excessive drinking of intoxicating liquors, misspend, waste or lessen his estate, so as to expose himself or family to want, or the town, city or village to which he belongs, to liability for the support of himself or family, or so as thereby to injure his health, endanger the loss thereof, or to endanger the personal safety and comfort of his family or any member thereof, the wife of such person, or such supervisors, aldermen, trustees, or any member thereof, shall in writing signed by her, him or them, forbid all persons, licensed by this chapter, to sell or give away to him any ardent, spirituous or intoxicating liquors or drinks, for the space of one year, and in like manner may forbid the selling, furnishing or giving away of any such liquors or drinks to such person by any licensed person in any other town, city or village, to which such spendthrift may resort for the same. Section 1557. Any keeper of any saloon, shop, or place of any name whatsoever, for the sale of strong, spirituous or malt liquors to be drunk on the premises in any quantity less than one gallon, who shall sell, lend, or in any way deal or traffic in, or for the purpose of evading this chapter, give away any spirituous, ardent or intoxicating or malt liquors or drink, in any quantity whatsoever, to or with a minor or to any person intoxicated or bordering on a state of intoxication, or to any other prohibited person before mentioned, shall be deemed guilty of a misdemeanor; nor shall any person sell or in any way deal or traffic in, or for the purpose of evading this chapter, give away any spirituous, ardent or intoxicating or malt liquors or drinks, in any quantity whatsoever, within one mile of either of the hospitals for the insane; and any person who shall so sell or give away any such liquors or drinks, shall be deemed guilty of a misdemeanor. Section 1558. Upon complaint made in writing under oath by any resident in, and filing with the clerk of, any town, village or city, that any such licensed person therein keeps or maintains a disorderly or riotous, indecent or improper house, or permits gambling in any form upon or within his premises or any appendage thereto, or that he has sold or given away any intoxicating liquor to any minor, with-

out the written order of his parents or guardians, or to persons intoxicated or bordering upon intoxication, or to known habitual drunkards, or that he has not observed and obeyed any order of such supervisors, trustees, alderman or any of them, made pursuant to law, the proper town board, village board or common council, shall issue a summons, to be signed by the clerk, directed to any constable therein, commanding the person so complained of to appear before them on a day and at a place, in such summons named, not less than three nor more than ten days from its date and show cause why his license should not be revoked. Such summons shall be served at least three days before the time at which such person is commanded to appear, and may send either personally or upon the person in charge of the place to which such license relates.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1881.

[No. 340, A.]

[Published March 28, 1881.]

CHAPTER 175.

AN ACT to amend chapter one hundred and twelve of the laws of 1878, entitled, an act to consolidate and amend the act to incorporate the city of Beaver Dam, and the several acts amendatory thereof.

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

SECTION 1. The office of street commissioner mentioned in said chapter one hundred and twelve, is hereby abolished, and the words "street commissioner," wherever they occur in said chapter, are hereby stricken out, and the words "superintendent of streets" inserted, except in sections one and two, in title two, of said chapter. But the superintendent of streets, hereafter mentioned, shall have no power or authority, or perform any act or duty, except as provided in the next section, or the ordinances or resolutions of the common council of said city.

SECTION 2. The common council of said city may, from time to time, and at such time or times as it shall deem necessary, elect such suitable person superintendent of streets, and by ordinance or resolution, provide for and fix his compensation per diem, and prescribe his powers and duties, and remove him from office at pleasure by a majority vote of said common council at any time the said common council may deem proper; and

Superintendent
of streets.

Election of
street superin-
tendent.