

stances shall permit, and thereafter, the corporation shall carry in its treasury at least a sum sufficient to pay the largest obligation that can arise under any policy carried, and in case of loss or damage, as soon as the amount has been determined. If paid in cash, it shall be done within twenty days of the time the loss has been determined, and if repaired or rebuilt, work shall be begun within twenty days and prosecuted with reasonable dispatch thereafter until completion.

SECTION 11. After the payment of the fee to the commissioner of insurance for the license under which this corporation shall act, no other fees, dues or taxes shall be required of them. Who may act.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1889.

[No. 391, A.]

[Published April 13, 1889.]

CHAPTER 347.

AN ACT to amend chapter 182, of the revised statutes, relating to the baiting and fighting of birds, dogs and other animals.

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

SECTION 1. Chapter 182, of the revised statutes of Wisconsin is hereby amended by inserting immediately after section 4415 thereof, the following additional sections: Section 4445a. Any person who keeps or uses, or is in any manner connected with, or interested in the management of, or who receives money or valuable thing for the admission of any person to a house, apartment, pit or place, kept or used, or intended to be used, for

Section 4445a
new section,
revised statutes.

baiting or fighting any bird or animal, and any owner or occupant of a house, apartment, pit or place, who willfully procures or permits the same to be used or occupied for such baiting or fighting, is guilty of a misdemeanor, and shall upon conviction thereof be punished by a fine not less

Baiting and
fighting of
birds and other
animals.

Penalty for keeping, using, or permitting premises to be used for purposes of.

than ten dollars nor more than one hundred dollars, or by imprisonment not less than ten days nor more than thirty days, or both. Upon complaint made under oath or affirmation to any magistrate or court authorized to issue warrants in criminal cases that the complainant has just and reasonable cause to suspect that any of the provisions of law relating to or in any wise affecting animals are being or about to be violated in any particular building or place, such magistrate or court shall immediately issue and deliver a warrant to any person authorized by law to make arrests for such offenses, authorizing him to enter and search such building or place, and to arrest any person there present found violating any of said laws, and to bring such person before the nearest magistrate or court of competent jurisdiction, to be dealt with according to law.

Section 4445b, officer may take possession of animals, implements, etc.

Section 4445b. Any officer authorized by law to make arrests, may lawfully take possession of any animals or implements, or other articles of property used or employed, or about to be used or employed, in the violation of any provisions of law relating to fights among animals. He shall state to the person in charge thereof, at the time of such taking, his name and residence, and also the time and place at which the application hereinafter provided for will be made.

Section 4445c, after taking possession, officer to file affidavit with court, giving description of animals.

Section 4445c. The officer after taking possession of such animals or implements or other property, pursuant to the preceding section, shall apply to the magistrate or court before whom complaint is made against the offender violating such provisions of law, for the order next hereinafter mentioned, and shall make and file an affidavit with such magistrate or court stating therein the name of the offender charged in such complaint, the time, place and description of the animals, implements, or other property so taken, together with the name of the party who claims the same, if known, and that the affiant has reason to believe, and does believe, stating the grounds of such belief, that the same were used or employed, or were about to be used or employed in such violation, and will establish the truth thereof upon the trial of such offender. He shall then deliver such animals, implements or other property to such magistrate or court, who

To deliver animals, etc., to court or magistrate.

shall thereupon by order in writing, place the same in the custody of the officer or other proper person in such order named and designated, to be kept by him until the trial or final discharge of the offender, and shall send a copy of such order without delay to the district attorney of the county. The officer or person so named and designated in such order shall immediately thereupon assume such custody, and shall retain the same for the purpose of evidence upon such trial, subject to the order of the court before which such offender may be required to appear until his final discharge or conviction. Upon the conviction of such offender, the animals, implements, or other property shall be adjudged by the court to be forfeited. In the event of the acquittal or final discharge without conviction of such offender, such court shall on demand, direct the delivery of the property so held in custody to the owner thereof.

Order to be made for custody of.

Duty of custodian.

Forfeiture.

Property to be returned, when.

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

Approved April 10, 1889.

[No. 661, A.]

[Published April 13, 1889.]

CHAPTER 348.

AN ACT to amend section 4096, of chapter 176, of the revised statutes, entitled, "of evidence," as amended by chapter 194, of the laws of 1882, and by chapter 321, of the laws of 1885.

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

SECTION 1. Section 4096, of the revised statutes of 1878, as amended by chapter 194, of the laws of 1882, and by chapter 321, of the laws of 1885, is hereby amended by adding thereto, at the end thereof, the following: Provided, that whenever any plaintiff or defendant is a non-resident of the state his deposition may be had under the provisions of this section, in the county in which the action is pending, if he can be personally served

Amending section 4096, R. S.

Deposition of non-resident party to action may be taken in county where action is pending.