

No. 243, A.]

[Published April 25, 1951.

**CHAPTER 88.**

AN ACT to amend 176.341 of the statutes, relating to restrictions on the sale of intoxicating liquors from the original containers, evidence seized in violation thereof and providing a penalty.

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

176.341 of the statutes is amended to read:

176.341 (1) Any retailer or any person who shall dilute or add to any intoxicating liquor, or fill or cause to be filled, for the purpose of selling or offering the same for sale, so diluted or filled, from or in an original container which has previously been used for intoxicating liquor containing 21 per cent or more of alcohol by volume, "or shall have in his possession on premises licensed under section 176.05 (2) any such diluted liquor or refilled original container," shall be guilty of a misdemeanor and shall upon conviction be punished by a fine of not less than \* \* \* \$150 nor more than \$500 or by imprisonment for not less than 60 days nor more than 6 months or by both such fine and imprisonment. Possession of an original container containing any intoxicating liquor so diluted \* \* \*, added to or refilled shall be prima facie proof that the possessor thereof intended to violate the provisions of this section.

(2) Any person vested with police powers, may seize any intoxicating liquors which he deems necessary as evidence of a violation of subsection (1). Liquor so seized shall

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*be safely kept by the officer so long as necessary for the purpose of being produced as evidence on any trial. As soon as may be thereafter it shall be disposed of upon the order of the court.*

Approved April 20, 1951.

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