

of this act, shall forfeit for every such offense the sum of fifteen dollars.

SECTION 5. This act shall take effect and be in force from and after its passage.

Approved April 5, 1862.

## CHAPTER 274.

[Published April 12, 1862.]

AN ACT to authorize towns and counties in this state to purchase Williams' improved excavator.

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

SECTION 1. The board of supervisors of the several towns and counties, respectively, in this state, are hereby authorized to purchase E. H. D. & R. W. Williams' improved machine for excavating, grading, plowing, trenching, &c., &c., together with the right to use the same in their respective towns and counties, as the case may be, whenever, in the opinion of such board, the interests of such town or county require it.

Town board may purchase, &c.

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

Approved April 5, 1862.

## CHAPTER 275.

[Published April 11, 1862.]

AN ACT to suppress the sale of intoxicating liquors to Indians.

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

SECTION 1. Whenever any Indian in this state belonging to any tribe under the care or guardianship of the United States, shall be found in a state of in-

Intoxicated Indian may be arrested without process, and retained in custody until sober.

toxication, it shall be the duty of any sheriff, deputy sheriff, constable, justice of the peace, Indian agent, or any employee of an Indian agent, within this state, without warrant, to apprehend such Indian so intoxicated, and take and retain him in custody, at the expense of the county in which he is so found, until, in the opinion of such officer, the Indian so retained shall become sufficiently sober to testify properly in a court of justice, and as soon as may be thereafter, bring him before some justice of the county; and such Indian, so found intoxicated, shall, on oath, before such justice, disclose the place where and the person of whom the liquor so producing intoxication was obtained, and all the circumstances attending it; and on the refusal or neglect of such Indian to disclose, he may, by such justice, be committed to the common jail of the county in which he was so found, until he shall so disclose, or by said justice be discharged. And in case said justice shall judge from the evidence that the sale, furnishing or giving away said liquor was an offense, as provided in section one of chapter 36 of the revised statutes, he shall forthwith issue his warrant, and cause the person so selling, furnishing or giving away said liquor to be brought forthwith before him; and such proceedings shall be had in the case, in all respects, as would have been had if the person so offending had been regularly prosecuted before such justice for such offense. And any person resisting the arrest or detention of such Indian, so found intoxicated, by any of the persons aforesaid authorized by this act to make such arrest, shall be liable to the same penalties as are provided by law for resisting a sheriff in the execution of a legal process.

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

Approved April 5, 1862.

To disclose where liquor was obtained—if he refuse, may be committed.

Justice may issue warrant, &c.

Penalty for resisting arrest.