

[No. 383, A.]

[Published March 21, 1879.]

CHAPTER 248.

AN ACT to prevent adulteration and fraud in food and drugs and liquors.

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

SECTION 1. No person shall mix, color, stain, powder, order or permit any other person to mix, color, stain or powder any article of food with any ingredient or material so as to render the article injurious to health, with intent that the same may be sold in that condition. And any person that shall sell any such article so mixed, colored, stained or powdered, shall be subject to a penalty in each case not exceeding a fine of fifty dollars for the first offense, and for a second offense shall be punished by imprisonment in the state prison for a period not exceeding one year, with hard labor.

Defining adulteration.

Penalty for violation.

SECTION 2. No person shall, except for the purpose of compounding as hereinafter described, mix, color, stain or powder, or permit any other person to mix, color, stain or powder, any drug with any ingredient or material so as to affect injuriously the quality or potency of such drug, with intent that the same may be sold in that condition. And any person who shall sell any such drug, so mixed, colored, stained or powdered shall be liable to the same penalty or punishment in each case respectively, as in the preceding section, for a first and subsequent offense: *provided*, that no person shall be liable to be convicted under the foregoing sections of this act, in respect to the sale of any article of food or of any drug, if he shows to the satisfaction of the justice or court before whom he is charged that he did not know of the article or drug sold by him being so mixed, colored, stained or powdered, as in that section mentioned, and that he could not, with reasonable diligence, have obtained that knowledge; or that such mixing, coloring, staining or powdering, was required for the production, extraction, preparation, preservation, consumption or transportation as an article of commerce in a state fit for carriage; or where the drug or food is supplied in the state required by the specification of the patent in force; or that the food or drug was unavoidably mixed with some extraneous matter in process of collection or preparation.

Compounded drugs, as herein prescribed, excepted.

SECTION 3. Every person who shall compound or put up for sale any food, drug or liquor, in casks,

Penalty for attempt to deceive.

boxes, bottles or packages, with any label, mark or device whatever, so as and with intent to mislead or deceive as to the true name, nature, kind and quality thereof, shall be liable to a penalty of not to exceed five hundred dollars for the first offense, and for every offense after the first offense, shall be punished by imprisonment in the state prison for not less than one year nor more than ten years.

The terms
"food" and
"drug" de-
fined.

SECTION 4. The term "food," as herein used, shall include every article used for food or drink by man other than drugs. The term "drug" shall include medicine for internal or external use.

SECTION 5. This act shall take effect and be in force from and after the first day of July, after its passage and publication.

Approved March 5, 1879.

[No. 380, A.]

[Published March 20, 1879.]

CHAPTER 249.

AN ACT to appropriate to William W. Johnson a sum of money therein named.

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

Appropriation,
\$150.

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of one hundred and fifty dollars to William W. Johnson for his necessary and reasonable attorney fees, officers fees and other disbursements, incurred in the contest for his seat in the assembly by Michael J. Egan.

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

Approved March 5, 1879.

[No. 355, A.]

[Published March 20, 1879.]

CHAPTER 250.

AN ACT to provide for levying a state tax for the year A. D. 1879.

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

Amount of
state tax levy.
\$248,000.

SECTION 1. There shall be and is hereby directed to be levied upon the taxable property of the state a