

conviction thereof, be fined not less than fifty, nor more than one hundred dollars, for the first offense, and for each subsequent offense not less than one hundred, nor more than two hundred dollars, or be imprisoned in the county jail not less than thirty nor more than ninety days, or both, in the discretion of the court, before whom such conviction may be had. One-half of all fines collected under the provisions of this act, shall be paid to the person or persons furnishing the information upon which such conviction is procured.

SECTION 6. Nothing in this act shall be construed to apply to edam, brickstein, pineapple, limburger, swiss, or hand cheese, or other cheese by whatever name or style known, not made by the ordinary cheddar process.

SECTION 7. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1891.

No. 482, A.]

[Published April 22, 1891.

CHAPTER 265.

AN ACT to amend section 2501, revised statutes 1878, as amended by section 3, chapter 256, of the laws of 1879, and pertaining to the municipal court for Milwaukee county.

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

Amends sec.
2501, R. S. 1878.

Jurisdiction
and proceed-
ings.

SECTION 1. Section 2501, revised statutes, as amended by section 3, chapter 256, of the laws of 1879, is hereby further amended so that as amended it shall read as follows: Section 2501. The municipal court has all the powers and jurisdiction heretofore vested in the police justice of said city, in all cases of crimes and misdemeanors arising in said city, and has

jurisdiction of all prosecutions for breach of any ordinance, law, rule, regulation or resolution of said city; for such purposes said municipal court shall be open for business every morning, Sundays and legal holidays excepted, and hear, try and determine, in a summary way all cases which shall be brought before it by the police officers of said city or otherwise, either with or without process for violation of the laws of this state in cases of crimes and misdemeanors not indictable, arising in said city, or of any said ordinances, laws, rules, regulations or resolutions of said city; said court may in its discretion grant such continuances of cases mentioned in this section, as may be necessary to the ends of public justice, either with or without bail. Applications for warrants may be made to the clerk of the court; said clerk shall have power to issue the same, exercising the discretion a justice of the peace may exercise in granting or refusing the same. If the clerk shall refuse a warrant, the court on application, may grant the same in its discretion. Complaints and warrants shall be the same in substance as heretofore used in said court. A printed copy of an ordinance, by-law or resolution passed by the common council and published in a newspaper, or in pamphlet or book form, shall be *prima facie* evidence of its due passage and publication, and may be received in evidence. After issue joined and before trial in all cases cognizable before said court, the defendant may demand a jury, of not more than twelve nor less than six men, and shall designate the number at the time of the demand. The proper officer whom the court may direct shall thereupon make a list of twice the number of jurors demanded, who may be qualified to serve as jurors in courts of record of Milwaukee county, and the parties shall then alternately strike therefrom, the defendant commencing, so many names as will leave remaining the number demanded. The court shall thereupon issue a venire, commanding the officer to summon those so remaining to appear before him, at such time as he may direct, to make a jury for the trial of the said action, and the court may compel their attendance by attachment. Either party may challenge any juror

for cause, and deficiencies occasioned thereby or by any other cause, shall be supplied by talesmen, to be selected and summoned by the officer; if the defendant shall not demand a jury, the city may demand a like jury, as is above provided; and if no jury be demanded, it shall be deemed a waiver of a jury trial. If either party declines to strike from the list the names which he is entitled to strike, the court shall appoint some disinterested person to strike the same for such party. Each juror shall receive for his services the same fees allowed by law to petit jurors in courts of record in said county, and the fees of such jurors shall be taxed as costs in such action. Witnesses and jurors shall attend before said court, in all city and criminal prosecutions without the payment of fees in advance or a tender thereof, upon the process of the court duly served, and in default thereof, their attendance may be enforced by attachment. In case the jury after being kept a reasonable time, should disagree, they shall be discharged and thereupon the court shall adjourn the cause to a day certain and issue a new venire as aforesaid. The provisions of an act entitled, "An act to establish a code of procedure for the police court of the city of Milwaukee," approved March 17th, 1853, so far as the same are applicable, shall apply to the municipal court, except the third, fourth and sixth sections of said act, which are repealed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.
Approved April 17, 1891.