

No. 61, S.]

[Published June 1, 1903.]

## CHAPTER 440.

AN ACT to amend section 1551 of the statutes of 1898, as amended by chapter 194 of the laws of 1899, as amended by chapter 113 of the laws of 1901, relating to the examination of witnesses and the practice and procedure in intoxicating liquor cases before justices of the peace.

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

**Complaint; warrant; duty of justice.** SECTION 1. Section 1551, statutes of 1898, as amended by chapter 194 of the laws of 1899, as amended by chapter 113 of the laws of 1901, is hereby amended by adding the words "and the witnesses produced by him" after the word "oath" in the fifth line thereof, and by inserting after the word "oath" in the twenty-seventh line the words, "and the witnesses produced by him;" so that said section 1551 will read, when so amended, as follows:

Section 1551. Upon complaint made to any justice of the peace by any person that he knows or has good reason to believe that an offense against any law of this state relating to excise or the sale of intoxicating liquors or any violation thereof has been committed, he shall examine the complainant on oath, and the witnesses produced by him, and he shall reduce such complaint to writing and cause the same to be subscribed by the person complaining. If it shall appear to such justice that there is reasonable cause to believe that such offense has been committed he shall immediately issue his warrant, reciting therein the substance of such complaint, and requiring the officer to whom such warrant shall be directed forthwith to arrest the accused and bring him before such justice to be dealt with according to law; and in the same warrant may require the officer to summon such persons as shall be named therein to appear at the trial to give evidence. Or upon complaint made to any justice of the peace by any person that he knows or has good reason to believe that an offense under section 1550 or 1565c, statutes of 1898, has been committed by any person on any particular premises or place, he shall examine such complainant on oath, reduce his complaint to writing, describing therein as par-

ticularly as may be, the premises on which the offense complained of was committed, and cause the same to be subscribed by the person complaining. If it appear to such justice that there is probable cause to believe that there has been such offense committed on said premises, he shall immediately issue his warrant, reciting therein the substance of the complaint, and containing a description of the premises described therein, and requiring the officer to whom it shall be directed forthwith to search such premises and seize any liquors on said premises which he believes are intoxicating, and to arrest the accused and bring him before such justice, to be dealt with according to law, and to produce, to be used in evidence on the examination and trial of the accused, the liquors so seized, or such portion thereof as the court or district attorney may direct. The officer executing such warrant shall state in his return, as particularly as may be, the kinds and quantities of liquor seized and keep the same in his custody, until said action is finally determined.

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

Approved May 22, 1903.

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No. 704, A.]

[Published June 1, 1903.

## CHAPTER 441.

AN ACT to relieve L. J. Mueller and P. E. Mueller co-partners under the firm name and style of "the Mueller Company" of the forfeiture of the penalty provided in a certain contract with the state for lighting and ventilating the Capitol.

**Preamble.** Whereas, the state of Wisconsin entered into a contract with the Mueller Company, a co-partnership consisting of L. J. Mueller and P. E. Mueller, of Milwaukee, Wisconsin, for the placing of a lighting and ventilating plant in the Capitol, wherein it was provided that said contracting company should forfeit the sum of twenty-five dollars for each and every