

No. 435, A.]

[Published July 15, 1953.]

CHAPTER 446

AN ACT to amend 348.01 (1), 348.07 (1), 348.08, 348.09, 348.171 and 348.173 of the statutes, relating to lotteries and gambling and providing penalties.

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

SECTION 1. 348.01 (1) of the statutes is amended to read:

348.01 (1) Any person who shall set up or promote any lottery for money, or shall dispose of any property of value, real or personal, by way of a lottery, or who shall aid, either by printing or writing, or shall in any way be concerned in setting up, managing or drawing any such lottery, or who shall, in any house, shop or building owned or occupied by him or under his control, knowingly permit the setting up, managing or drawing of any such lottery, or the sale of any lottery ticket, share of a ticket, or any other writing, certificate, bill, token or any other device purporting or intended to entitle the holder, bearer or any other person to any prize or interest or share of any prize to be drawn in a lottery shall *for first offense be * * * imprisoned not more than 6 months or * * * fined not exceeding * * * \$200; for second offense imprisoned in the county jail not more than one year or fined not exceeding \$500; and for third offense imprisoned in the state prison not more than 3 years.*

SECTION 2. 348.07 (1) of the statutes is amended to read:

348.07 (1) Any person who shall set up, keep, manage or use any table, wheel or other construction, or any cards, dice or other device, scheme, contrivance or thing of any name or description adapted, suitable, devised or designed, or which can or shall be used for gambling purposes and induce, entice or permit any person to gamble, bet or play for gain with, at, or upon, or by means of, such table, wheel or other construction, or such cards, dice or other device, scheme, contrivance or thing, or to bet or wager anything at or upon any game whatever played by such keeper, manager or any other person by means or use thereof, or who shall open, keep or manage any common gambling house *for first offense shall be * * * imprisoned not more than * * * 6 months or * * * fined not exceeding * * * \$200; for second offense imprisoned in the county jail not more than one year or fined not exceeding \$500; for third offense imprisoned in the state prison not more than 3 years.*

SECTION 3. 348.08 of the statutes is amended to read:

348.08 Any person who shall bet or wager any money, property or anything of value at or upon any game played by himself or by another with, at, upon or by means or the use of any table, wheel or other construction, or any cards, dice or other device, scheme, contrivance or thing adapted, suitable, devised, designed, or which can or shall be used for gambling purposes *for first offense shall be * * * imprisoned not more than 6 months or * * * fined not exceeding * * * \$200; for second offense imprisoned in the county jail not more than one year or fined not exceeding \$500; and for third offense imprisoned in the state prison not more than 3 years.*

SECTION 4. 348.09 of the statutes is amended to read:

348.09 Any person who shall knowingly suffer or permit any table, wheel or other construction, or any cards, dice or other device, scheme, contrivance or thing adapted, suitable, devised, designed or which can or shall be used for gambling purposes to be set up, kept, managed or used, or any gambling or betting therewith, thereon or by means thereof in any house, building, shed, booth or on any lot or premises by him owned, occupied or controlled shall be ** * * imprisoned not more than 6 months or fined not exceeding * * * \$200; for second offense imprisoned in the county jail not more than one year or fined not exceeding \$500; and for third offense imprisoned in the state prison not more than 3 years.*

SECTION 5. 348.171 of the statutes is amended to read:

348.171 Any person who shall keep, manage or maintain any house, shop, building or other place where the game commonly called "policy" is played, and any person who shall set up, keep, manage or use any device, scheme or contrivance through or by means of which the game commonly called "policy" shall or may be played, or who shall receive any money or article of value paid for, upon or concerning the drawing of any number in any lottery or pretended lottery of any name, nature or description, whether such drawing occurs within or without this state, or who shall stake or bet money or any article of value upon the numbers drawn or pretended to be drawn at the drawing or pretended drawing of any lottery or pretended lottery, within or without this state, or who shall receive or pretend to receive any advice or information, by mail, telegraph or

otherwise, of the drawing or result of drawing, or numbers drawn or pretended to be drawn at any lottery or pretended lottery, in or out of this state, and which he shall furnish or use or allow to be used for the purpose of staking, betting or gambling or for determining the result of any stake, bet or game shall be * * * *imprisoned* not more than 6 months or by a fine not exceeding * * * \$200; for *second offense imprisoned in the county jail not more than one year or fined not exceeding \$500; and for third offense imprisoned in the state prison not more than 3 years.* No person shall be incapacitated, excused or privileged from testifying fully as a witness in any prosecution under this section by reason of any evidence or statement he might give or make which might tend to criminate him; and his testimony when given shall not be used as evidence against him in any criminal prosecution whatever.

SECTION 6. 348.173 of the statutes is amended to read:

348.173 Any person, or the officer or agent of any company or corporation, who * * * *violates* any of the provisions of s. 348.172 shall * * * *for first offense* be fined * * * not exceeding * * * \$200 or * * * *imprisoned* not * * * *more than 6 months; for second offense imprisoned in the county jail not more than one year or fined not exceeding \$500; for third offense imprisoned in the state prison not more than 3 years.*

Approved July 7, 1953.
