

than 50 per cent of his salary as such salary shall be at the time of his resignation or discharge from the service, shall receive annuity from and after the date of such resignation or discharge of an amount equal to 50 per cent of his salary as it shall be at the time of such resignation or discharge.

Approved July 7, 1943.

No. 350, S.]

[Published July 9, 1943.

CHAPTER 459.

AN ACT to amend 176.32 (1) of the statutes, relating to presence of minors and certain other persons in places where intoxicating liquors are sold and providing a penalty.

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

176.32 (1) of the statutes is amended to read:

176.32 (1) Every keeper of any place, of any nature or character, whatsoever, for the sale of any intoxicating liquor, who shall either directly or indirectly suffer or permit any person of either sex under the age of 21 years, unaccompanied by his or her parent or guardian, or suffer or permit any person to whom the sale of any such liquors has been forbidden in the manner provided by law, who is not a resident, employe, or a bona fide lodger or boarder on the premises of such licensed person, to * * * remain in any barroom or other room on such premises in which such liquor is sold or dispensed *for any purpose, excepting the transaction of bona fide business other than amusement or consumption of edibles or beverages*, shall, for every such offense, be liable to a penalty not exceeding \$250, besides costs, or imprisonment in the county jail or house of correction not exceeding 60 days; and any such person so * * * *remaining* as aforesaid, who is not a resident, employe, or a bona fide lodger or boarder on the premises, or who is not accompanied by his or her parent or guardian, shall also be liable to a penalty of not more than \$20, besides costs, or imprisonment not exceeding 30 days in the county jail or house of correction. This section shall not apply to hotels, * * * *drugstores*, grocery stores, * * * *bowling alleys, cars operated on any railroad, nor to premises*

operated under both a "Class B" license and a restaurant permit where the principal business conducted therein is that of a restaurant. It shall be presumed, however, where such premises are so operated under both a "Class B" license and a restaurant permit, that the principal business conducted therein is that of the sale of intoxicating liquor, until such presumption is rebutted by competent evidence.

Approved July 7, 1943.

No. 386, S.]

[Published July 9, 1943.

CHAPTER 460.

AN ACT to create 318.30 of the statutes, relating to partition of real estate in estates of deceased persons.

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

318.30 of the statutes is created to read:

318.30 PARTITION (1) Whenever any heir or devisee is entitled to maintain an action under chapter 276 to partition any real estate received by descent or devise, he may, at any time prior to the entry of the order of final settlement and distribution in the estate of the person from whom he derives such real estate, petition the court in which such estate is pending for a partition or sale of such real estate and a division of the proceeds among the persons entitled to receive the same. Such petition shall be verified and shall contain a description of the real estate to be partitioned or sold and the names of all persons interested therein (including any person who may have an inchoate dower right therein).

(2) The court shall by order fix the time and place for hearing such petition and notice thereof shall be given as provided by section 324.18, except that all interested persons residing within the state shall be served with notice in the manner a summons is served in circuit court other than by publication.

(3) Upon the hearing, if the court shall find that actual partition of said premises can be made without great prejudice to the owners it shall by order appoint 3 disinterested persons commissioners to make the partition according to the interests of the