

SUPREME COURT OF MICHIGAN.

29 March, 1897.

CITY OF GRAND RAPIDS v. WILLIAMS.

Disorderly conduct—Peeking into windows of residence disorderly conduct—Evidence—Complaint.

One found guilty of peeking into the windows of an occupied residence, not occupied by himself, was properly convicted of being a disorderly person within the meaning of a city ordinance providing that, "All persons who shall be engaged in any illegal or immoral diversion, or shall use any insulting, indecent or immoral language, or shall be guilty of any indecent, insulting or immoral conduct or behavior in any public street, or elsewhere in said city, shall be deemed a disorderly person and shall be punished," etc.

The complaint sufficiently alleged an improper or unlawful purpose and sufficiently described the place of the alleged offence.

Testimony as to what occurred between the respondent and the parties who were watching him, was competent for the purpose of identifying him.

Error to the Superior Court of Grand Rapids; E. A. Burlingame, Judge.

Appeal of George Williams from a conviction of disorderly conduct, affirmed.

MOORE, J.—The respondent was convicted of a violation of section 1, of an ordinance of the city of Grand Rapids, entitled "An ordinance relative to disorderly persons, which reads, "All persons who shall be engaged in any illegal or improper diversion, or shall use any insulting, indecent or immoral language, or shall be guilty of any indecent, insulting or immoral conduct or behavior in any public street or elsewhere in said city, shall be deemed a disorderly person and shall be punished," etc.

The complaint, omitting the parts purely formal, reads as follows:—

"On the 8th day of September, A.D. 1895, at the city of Grand Rapids, in the county aforesaid, and within the corporate limits of said city, one George Williams was then and there guilty of indecent, insulting and immoral conduct and behavior by peeking in the window of a house on the corner of Wenham avenue and Lagrave street, said house being then and there occupied by persons living there, and not being the residence of said Williams, and was then and there found in a state of intoxi-