

CHAPTER 117.

[Published March 31, 1871.]

AN ACT to simplify the proceedings of actions for the recovery of real estate.

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

SECTION 1. In any "action for the recovery of real property" commonly known as actions of "ejectment," the plaintiff therein shall be entitled to recover judgment for any interest which it shall be found or determined that the plaintiff has in the land or premises described in the complaint therein, or for any part or portion thereof for which it shall be found or determined the plaintiff is entitled to recover; and if there is one or more plaintiffs and a part only of the plaintiffs are entitled to recover, then judgment shall be for the plaintiff or plaintiffs to recover, and for such interest in a part of land or premises as aforesaid, for which such plaintiff or plaintiffs are entitled to recover as aforesaid, and the verdict of the jury (or the finding of the court) and judgment shall be accordingly.

In ejectment suits, plaintiff may recover for interest in land.

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

Approved March 23, 1871.

CHAPTER 118.

[Published March 31, 1871.]

AN ACT relating to bail in criminal cases.

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

SECTION 1. Whenever any person charged with a criminal offense shall be admitted to bail for his appearance at the circuit court to answer the same, he

How bail may be given.

may at his option, give bail either for his appearance at the then pending or next regular term thereof, or for his appearance at such term and from term to term thereafter until discharged by law.

SECTION 2. The following forms of recognizance and bail bonds may be used :

Form of recognizance for next term.

For appearance at next term only :

STATE OF WISCONSIN, ——— county.

We, A. B., C. D. and E. F., hereby give bail in the sum of ——— dollars, (stating amount fixed as bail) for the appearance of said A. B. at the next regular term of the ——— court for ——— county, to answer a criminal prosecution for (state the offense).

Dated, ———,

(Signed),

A. B.
C. D.
E. F.

Approved, ———, Judge, etc.

From term to term.

For appearance from term to term :

STATE OF WISCONSIN, ——— county.

We, A. B., C. D. and E. F., hereby give bail in the sum of ——— dollars, (stating amount fixed as bail), for the appearance of said A. B., at the next regular term of the ——— court for ——— county, to answer a criminal prosecution for (state the offense), and from term to term thereafter, until discharged by law.

Dated, ———,

(Signed),

A. B.
C. D.
E. F.

Approved, ———, Judge, etc.

How bail given in open court.

SECTION 3. Bail given in open court may be entered on the minutes substantially thus :

For appearance at present or next term :

THE STATE, }
vs. }
A. B. }

Came into court, A. B., C. D. and E. F., and gave bail in the sum of ——— dollars, for the appearance of

said A. B. at the present (or, next regular) term, to answer to a criminal prosecution for (state offense.)

For appearance from term to term :

THE STATE, }
 VS. }
 A. B. }

Came into court, A. B., C. D. and E. F., and gave bail in the sum of — dollars, for the appearance of said A. B. at the present (or, next regular) term, and from term to term thereafter until discharged by law, to answer a criminal prosecution for (state the offense.)

SECTION 4. Bail bonds and recognizances given or entered in the above forms, or forms of substantially the same import, shall be as valid, binding and effectual, and as much a charge, as those given in the forms heretofore in use, and shall bind the principal and sureties, jointly and severally as follows:

How bail bond shall bind principal and sureties.

1. If for the pending term only, for the appearance of the accused at the court from day to day during such term, unless excused from such daily appearance by the court.

2. If for the next regular term only, for the appearance of the accused at court at such term, on the first day thereof, and from day to day thereafter during term, unless excused by the court from such daily appearances.

3. If for all terms until discharged by law, for the appearance of the accused on the first day of each regular term, and from day to day thereafter during each term, unless excused by the court from such daily attendance, until discharged by law, and for like appearance at any court to which the case may be removed for trial.

4. That, at whatever term to which the bail applies, the accused shall do and receive what may by the court be then and there enjoined upon him, and not depart the court without leave.

SECTION 5. The oath required of the sureties on a bail bond, or recognizance, may be subjoined to the same and substantially in the following form:

Oath of sureties.

— COUNTY—ss.

O. D. and E. F., the sureties above named, being severally duly sworn, each for himself on oath says

RECORDED

that he owns and possesses unincumbered real estate, within this state, not exempt from sale on execution, worth at least the sum of — dollars, (amount to be double the sum at which the bail is fixed.)

C. D.

E. F.

Subscribed and sworn to before me, this — day of —, A. D. 18—.

—, Judge, Justice or otherwise.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved March 23, 1871.

CHAPTER 119.

[Published March 30, 1871.]

AN ACT to appropriate to John Boyd a sum of money therein named, and to O. B. Lapham the sum of \$79.90.

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

Appropriated †

SECTION 1. There is hereby appropriated to John Boyd the sum of one hundred and seventy-five dollars out of any money in the treasury belonging to the general fund not otherwise appropriated, which shall be in full compensation for all trouble and expense incurred by said John Boyd in contesting the seat of H. S. Town, now representing the 20th senatorial district, and to O. B. Lapham the sum of seventy-nine dollars and ninety cents out of any money in the treasury belonging to the general fund not otherwise appropriated, which shall be in full compensation for all trouble and expense incurred by said O. B. Lapham in contesting the seat of S. W. Pierce, of Adams county, in the assembly in 1870.

Warrant to be drawn.

SECTION 2. The secretary of state is hereby required to draw his warrant on the treasury in favor of the said John Boyd and O. B. Lapham for the amounts above