

state, it shall be the duty of such clerk to enter such judgments as well against the person appearing to have entered into such recognizance as the persons against whom such judgments were rendered by the justice; and every such judgment from the time of filing such transcript, shall have the same lien on the real estate of the person appearing to have entered into the recognizance, as against the real estate of the person against whom judgment was rendered by the justice, and may be enforced and carried into execution against both the principal and the said bail, in the same manner and with the like effect as the judgments of such circuit courts: *provided*, that no execution shall be issued against the said bail before the expiration of five years from the entry of said judgment, unless an execution shall have first been issued against the principal judgment debtor or debtors, and returned unsatisfied in whole or in part."

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

Approved March 8, 1871.

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## CHAPTER 63.

[*Published March 10, 1871.*]

AN ACT to provide for the payment of the sergeant-at-arms of the senate session of 1870, and of the witnesses subpoenaed by him to testify before special railroad committee.

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

SECTION 1. The sergeant-at-arms of the senate session of 1870 shall receive and be paid a compensation (for the distance actually traveled by him, going and returning to subpoena witnesses, under order of the senate, to appear before special railroad committee,) the sum of one hundred and two dollars and sixty cents, being ten cents per mile.

Mileage for subpoenaing witnesses.

SECTION 2. The following named witnesses subpoenaed by the sergeant-at-arms of the senate session of

Names of witnesses and amount of fees.

1870, under order of the senate, to appear before the special railroad committee, shall be paid ten cents per mile for the distance actually traveled in going and returning, viz: to Edward Mahony, Milwaukee, twenty and 60-100 dollars; to John Saar, Milwaukee, twenty and 60-100 dollars; to O. E. Britt, Milwaukee, twenty and 60-100 dollars; to D. A. Olin, Racine, twenty five and 60-100 dollars; to O. D. Randall, Sparta, forty dollars; to C. C. Merrill, Sparta, forty dollars; to T. B. Tyler, Sparta, forty dollars; to John T. Hempshill, Sparta, forty dollars; to C. S. Strasberger, La Crosse, forty-six dollars; to L. Lotridge, La Crosse, forty-six dollars; to J. B. Talman, Oshkosh, twenty-eight dollars; to C. F. Barron, Oshkosh, twenty-eight dollars; to Charles Pfenning, Appleton, thirty-six dollars; to J. Wharton, Appleton, thirty-six dollars; to D. L. McCurdy, Fond du Lac, twenty five dollars.

Appropriated. §

SECTION 3. There is hereby appropriated from the general fund (not otherwise appropriated) a sum sufficient to pay the amount to the said sergeant-at-arms and the witnesses in this act named.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 9, 1871.

## CHAPTER 64.

[Published March 31, 1871.]

AN ACT to authorize town supervisors to construct drains in certain cases.

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

May make application for drain.

SECTION 1. When a majority of the resident owners on any marsh, swamp, water course or overflowed land within this state shall wish to have a ditch or drain laid out for the purpose of draining any marsh, swamp or overflowed land, or for the purpose of straightening or enlarging any water course, they may make application to the supervisors of the town in