

[No. 180, S.]

[Published May 2, 1887.]

## CHAPTER 469.

AN ACT to provide for the change of the place of trial in bastardy cases.

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

Bastardy cases, where tried.

SECTION 1. All bastardy cases shall be tried in the county where the action is properly commenced or instituted unless it shall appear to the satisfaction of the court by affidavit that a fair and impartial trial cannot be had in such county, in which case the court before which the cause is pending may direct the person accused to be tried in some adjoining county where a fair and impartial trial can be had; but the party accused shall be entitled to a change of venue but once and no more.

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

Approved April 13, 1887.

[No. 744, A.]

[Published May 3, 1887.]

## CHAPTER 470.

AN ACT to suppress vagabondage, and to repeal chapter 188, of the laws of 1879, as amended by chapter 291, of the laws of 1882, and chapter 342, of the laws of 1883, as amended by chapter 333, of the laws of 1885.

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

Who deemed a tramp.

SECTION 1. Any male person, sixteen years of age or over, being a vagrant within the purview of section 1543, of the revised statutes of 1878, who shall be found in any town, city or village, not

being an inhabitant of such town, city or village, shall be deemed a tramp.

SECTION 2. Any person convicted of being a tramp, shall be punished by imprisonment at hard labor in the county jail not exceeding three months, or by imprisonment in such jail in solitary confinement not exceeding ten days nor less than three days.

How punished.

SECTION 3. Justices of the peace, police magistrates, county courts having civil jurisdiction, and municipal courts shall have jurisdiction of all offenses arising under this act.

What courts have jurisdiction of offense.

SECTION 4. Any vagrant or tramp who shall wantonly or maliciously, by means of violence, threats or otherwise, put in fear any inhabitant of this state or who shall kindle any fire on any highway or on the land of another within this state, without the consent of the owner or occupant of such land, or who shall enter any house, barn or out-building belonging to any other person with intent to commit some unlawful act, or who shall carry any fire-arm or other dangerous weapon, or who shall indecently expose his person, or shall be found drunk and disorderly, or shall commit any offense against the laws of this state for which no greater punishment is provided, shall, on conviction thereof, be punished by imprisonment in the county jail at hard labor not exceeding three months or by imprisonment in such jail in solitary confinement not exceeding ten days nor less than three days.

Punishment for putting in fear any inhabitants or kindling fires.

SECTION 5. Any punishment by imprisonment alone, shall be deemed a lesser punishment than by imprisonment at hard labor or in solitary confinement within the meaning of the preceding section.

Degrees of punishment.

SECTION 6. If two or more tramps shall assemble or congregate together within this state for the purpose of encouraging vagabondage or for any other unlawful purpose, they shall be prosecuted and convicted thereof together by the court before whom they shall be brought and tried, and such justice of the peace, police magistrate or county judge or municipal judge shall only be entitled to the same fees as they are entitled to in prosecuting and convicting a single person for similar services and the officer committing such persons to jail shall only be entitled to the same

Fees of magistrate.

Tramps to be prosecuted together for unlawfully congregating, etc.

fees as he is entitled to for committing a single person for similar services.

County board  
to fix fees.

SECTION 6a. The county board of supervisors of each county may, from time to time, fix and regulate the fees or compensation of the officers and magistrates for services to be performed under this act, and no greater compensation than that so fixed shall had or allowed.

Complaints by  
officers against  
persons to be  
for highest  
offense..

SECTION 7. It shall be unlawful for any officer to make or cause to be made complaint against any person, having reason to believe him to be guilty of any offense against the provisions of this chapter, for any lesser offense, and any officer violating this provision shall, on conviction thereof be punished by a fine not exceeding one hundred dollars nor less than fifty dollars.

Not to furnish  
or permit  
tramps to have  
tobacco, etc.

SECTION 8. It shall be unlawful for any sheriff or the keeper of any common jail to permit any person convicted under this act to have or possess any tobacco, newspaper, cards or any other article of amusement or pastime, or to permit such person to be kept or fed otherwise than stated in the commitment, during the time of his imprisonment, and any sheriff or keeper of any common jail or other person who shall furnish the same or in any manner violate this section, shall upon conviction thereof, be punished by a fine not exceeding one hundred dollars nor less than twenty-five dollars.

Penalty for  
connivance on  
part of officers  
respecting fees.

SECTION 9. Any officer or magistrate who shall conspire with any other officer or person for the purpose of increasing the emoluments of his office or for any other unlawful purpose, to evade the provisions of this act, or who shall with such intent in any manner or by any means encourage such tramp or vagabond to remain within his bailiwick or jurisdiction, or to come within the same, shall, upon conviction thereof, be punished by fine not exceeding five hundred dollars nor less than three hundred dollars, and shall be ineligible for re-election or re-appointment for the space of five years from the rendition of such judgment.

Duty of sheriff  
or keeper of  
jail.

SECTION 10. It shall be the duty of the sheriff or keeper of any common jail to keep all persons sentenced to imprisonment at hard labor in such jail under this act, at work according to law, doing such work as the county board may provide, and in case none is provided, then upon highways

or other public improvements, and such sheriff or keeper is hereby authorized to appoint or detail any deputy or other police officer to guard such prisoners and keep them at work. Any officer having such prisoners in charge while at labor as provided in this section, shall receive one dollar and fifty cents for each day and seventy-five cents for each half day so employed, to be paid by the county.

SECTION 11. Any tramp or vagrant who has been duly sentenced to hard labor under the provisions of this act, who wantonly or wilfully refuses to work shall be punished by such jailor by imprisonment in solitary confinement in the county jail not exceeding ten days for each offense; provided, that such punishment shall not extend beyond the time for which he is sentenced.

Tramp sentenced to hard labor refusing to work, to be punished by solitary confinement.

SECTION 12. Hereafter no sheriff or jailor shall receive, and no county board of supervisors shall allow any compensation for keeping or boarding any tramp or vagrant in the common jail or any other place of any county in this state unless such tramp or vagrant shall have been duly arrested or committed under the provisions of this act; provided, that the county board of supervisors of each county shall have power to provide at the least possible expense to the county one night's lodging only for apparently deserving persons coming within the purview of this chapter, providing that all such persons who are sick or disabled may be cared for as the necessities of the case demand. And all county officers shall comply with the requirements of the county board in relation to the persons mentioned in this section.

No fees for keeping tramps not duly sentenced.

SECTION 13. Each of the counties of this state is hereby authorized to purchase, take and hold all the necessary real estate for jail purposes, and purposes of imprisonment at hard labor of all persons adjudged guilty of an offense against the provisions of this act. And whenever in the opinion of the board of supervisors of a county the county shall require for such purposes or either or any of them, any lands for the use thereof, and such board of supervisors shall be unable to agree with the owner upon the amount of compensation to be paid therefor, or where, by reason of the legal incapacity or absence of any such owner, or other sufficient cause, no such agree-

Counties authorized to purchase and hold all necessary real estate for jail purposes.

ment or purchase can be made without delay, the judge of the circuit court of the county in which such lands or any part thereof are situated may, upon application in writing of the board of supervisors of such county, making the application containing a description of the lands so required, appoint three disinterested persons, residents of such county, commissioners to appraise such lands and thereupon and thereafter such proceedings shall be had in the premises, so far as applicable, as are required by chapter 33, of the revised statutes in case of the state requiring and taking lands for the use of charitable, educational, correctional or penal institutions of the state, to the end that the county acquire and have an absolute title, in fee simple, to the lands so required and taken upon payment of the compensation finally awarded.

Repealed.

SECTION 14. Chapter 188, of the laws of 1879, as amended by chapter 291, of the laws of 1882, and chapter 342, of the laws of 1883, as amended by chapter 333, of the laws of 1885, are hereby repealed.

SECTION 15. This act shall take effect and be in force from and after its passage and publication.  
Approved April 13, 1887.

[No. 250, S.]

[Published May 2, 1887.]

## CHAPTER 471.

AN ACT to amend section 2482, of the revised statutes of 1878, relating to salaries of judges.

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

Amending section 2482, R. S.—salary of county judge, Winnebago county.

SECTION 1. Section 2482, of the revised statutes of 1878, is hereby amended by striking out the words "five hundred," in the twelfth line of said section, and inserting instead the words, "one thousand," so that the last paragraph of said section, when so amended, shall read as follows: "The county judge of Winnebago county shall receive an annual salary of one thousand dollars