

as grand or petit jurors as the case may be, by giving personal notice to each person, or by leaving a written notice at his place of residence with some person of proper age. He shall return such venires to the court at the opening thereof, specifying those who were summoned, and the manner in which each person was notified. Grand and petit jurors shall be summoned at least four days before the sitting of the court. All special venires shall be executed by the officer to whom delivered according to the command thereof.

Amending sec.
2545, R. S.

SECTION 5. Section 2545, of the revised statutes is hereby amended so as to read as follows: Section 2545. Grand jurors shall be summoned to attend each term of the circuit court, unless the judge thereof shall make and file with the clerk, at least fifteen days before the sitting of the said court, an order in writing directing such jury not to be summoned.

SECTION 6. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1889.

[No. 98, S.]

[Published March 27, 1889.]

CHAPTER 141.

AN ACT relating to judgments in criminal cases, and the execution thereof, and amendatory of section 4738, chapter 193, revised statutes.

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

Amending sec.
4738, R. S.,
relating to
judgments in
criminal cases.

SECTION 1. Section 4738, of chapter 193, of the revised statutes is hereby amended by inserting after the word, "any" where the same first appears in the fifth line of said section the words, "state prison, house of correction or," and by inserting after the word, "not" in the seventh line of said section the words, "such person," so that said section when so amended, shall read as fol-

lows: Section 4738. When any person is convicted of any offense punishable only by imprisonment in the county jail, or by fine, or both, and it is alleged in the indictment, information or complaint, and proved or admitted on the trial that he had been before sentenced to imprisonment, either in any state prison, house of correction or county jail, by any court of this state or of any other state, or of the United States, and that such sentence remains of record, and unreversed, whether pardoned therefor or not, such person may be punished by imprisonment in the county jail, not less than the shortest time fixed for such offense, and not more than one year, or by imprisonment in the state prison, not more than three years nor less than one year.

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

Approved March 21, 1889.

[No. 382, A.]

[Published March 27, 1889.]

CHAPTER 142.

AN ACT relating to proceedings in civil actions in courts of record and amendatory of subdivision 3, of section 2614, of the revised statutes of 1878.

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

SECTION 1. Subdivision 3, of section 2614, of the revised statutes of 1878, is hereby amended by inserting after the word, "court," where that word occurs in the third, fourth and tenth lines of said subdivision 3, the words, "or a judge thereof," so that when so amended, said subdivision 3, shall read as follows: If such infant is not a resident of this state and his residence be known, and that fact shall appear by affidavit to the satisfaction of the court, or a judge thereof, and it shall further appear, that such infant has no general or testamentary guardian in this state, the court, or a

Amending
subd. 3, sec.
2614, R. S.,
service of
notice for
appointment of
guardians of
infants, court
or judge may
make order,
etc.