

No. 35, S.]

[Published March 20, 1905.]

## CHAPTER 16.

AN ACT relating to service by publication and amending section 2640 of the statutes of 1898, as amended by section 1 of chapter 48 of the laws of 1901.

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

**Application, date of filing.** SECTION 1. Section 2640 of the statutes of 1898 as amended by section 1 of chapter 48 of the laws of 1901, is hereby amended by adding at the end of the second sentence thereof the words, "which application and order shall be filed within ten days after the date of said order;" so that said section when so amended shall read as follows:

**Application for order; when made; what to contain; first publication.** SECTION 2640. The order mentioned in the preceding section shall be made by the court or a judge thereof within ten days after the date of the affidavit herein required. The application therefor shall be based upon the complaint, duly verified and filed, and an affidavit, together showing the facts required to exist and that the plaintiff is unable, with due diligence, to make service of the summons upon the defendant in respect to whom such order is applied for, and also the postoffice address of such defendant or that the plaintiff is unable, after due diligence, to ascertain it, *which application and order shall be filed within ten days after the date of said order.* The order shall direct that service of the summons be made by its publication in a newspaper to be designated as most likely to give notice to the defendant to be served, for such length of time as shall be deemed reasonable, not less than once a week for six weeks, and that on or before the day of the first publication, the plaintiff deposit, in a specified postoffice, a copy of the summons, together with a copy of the complaint, or of a notice of the object of the action as the case may require, securely enclosed in an envelope, the postage duly paid, addressed to the defendant at his postoffice, to be therein named, or a direction that such deposit may be omitted because the defendant's postoffice address cannot be ascertained;

or that, at the plaintiff's option, a copy of the summons and a copy of the complaint or of the notice aforesaid be delivered to the defendant personally without the state; which, when done, shall have the same effect as a completed publication and mailing. The first publication must be made within three months from the date of such order, and service shall be deemed complete at the expiration of the full period prescribed by the order after the date of the first publication, copies having been duly deposited in the postoffice when required.

SECTION 2. This act shall take effect and be in force from and after June 1st, 1905.

Approved March 17, 1905.

No. 1, S.]

[Published March 20, 1905.

## CHAPTER 17.

AN ACT to amend section 2345 of the statutes of 1898 so as to enable a married woman to maintain an action in her own name for the alienation and loss of the affections and society of her husband.

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

### **Married woman; action for alienating husband's affections.**

SECTION 1. Section 2345 of the statutes of 1898 is hereby amended so as to read as follows: Section 2345. Every married woman may sue in her own name and shall have all the remedies of an unmarried woman in regard to her separate property or business and to recover the earnings secured to her by the two next preceding sections, and shall be liable to be sued in respect to her separate property or business, and judgment may be rendered against her and be enforced against her and her separate property in all respects as if she were unmarried. And any married woman may bring and maintain an action in her own name for any injury to her person or character the same as if she were sole. *She may also bring*