

No. 335, A.]

[Published June 5, 1907.]

**CHAPTER 159.**

AN ACT to amend section 4761, statutes of 1898, relating to appeal from justice court in criminal actions.

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

SECTION 1. Section 4761, statutes of 1898, is amended to read:

\* \* \* \* \*

Approved June 4, 1907.

(In effect July 1, 1907.)

No. 98, A.]

[Published June 5, 1907.]

**CHAPTER 160.**

AN ACT to amend section 3766, statutes of 1898, relating to appeals from justice courts.

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

SECTION 1. Section 3766, statutes of 1898, is amended to read:

\* \* \* \* \*

Approved June 4, 1907.

(In effect July 1, 1907.)

in garnishment, either before or after judgment in the main action, the principal defendant may, if he desire, \* \* \* offer in writing to permit the plaintiff to take judgment against him, and any surety or sureties who shall agree thereto in writing and who shall justify in twice the amount of the plaintiff's claim and who shall be approved by the justice, immediately upon the entry of judgment for the plaintiff in the main action for the amount of any final judgment obtained by the plaintiff against the defendant in said action in said court or in any court to which the same may be removed on appeal, and also the accrued costs of said garnishee action up to the time of \* \* \* making such offer of judgment and said garnishee may be then discharged from all further liability as garnishee therein.

2. Whenever judgment shall be rendered against the defendant mentioned in the preceding subsection, such judgment shall be entered against the defendant and his surety or sureties jointly; but it shall not be collected of the sureties by the officer to whom the execution is directed if he can find sufficient property of the principal to satisfy the same, and the party issuing the execution shall endorse a direction thereon to that effect.

(Ch. 348, 1907.)

**Appeals from justice courts: affirmation, if both parties neglect hearing.** SECTION 3766. If neither party shall bring the appeal to a hearing in the appellate court before the end of the second term after filing the return of the justice therein such court shall \* \* \* unless such cause be continued by special order, for good cause shown, affirm the judgment of the justice with costs.

(Ch. 160, 1907.)

**Justice court costs: \$1 per day for jurors.** [Section 3775]. 1. Witness fees for travel and attendance, not exceeding, however, fifteen dollars in one case, unless the justice shall, by an order entered in his docket, direct that a larger sum be taxed therefor, in which case he shall state in such order the reasons for making the same, provided, that in no event shall any sum exceeding twenty-five dollars be taxed in one case, and fees of jurors at the rate of \* \* \* one dollar per day and six cents for each mile actually and necessarily traveled to attend such trial, both coming and going, for each juror in attendance, less the amount advanced by the opposite party when the jury shall have been demanded by him; such