

[Published March 29, 1859.]

CHAPTER 121.

AN ACT for the more speedy and thorough collection of penalties, forfeitures and fines.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

SECTION 1. Every chairman of the town board of supervisors shall demand of, and receive from each justice of the peace of his town, all fines and forfeitures received by such justice upon convictions and sentences before him accruing to the state. Chairman of town board, duty of.

SEC. 2. Every justice of the peace shall, on the demand of the chairman of the board of supervisors of his town, produce his docket for the examination of such supervisor, and if required, also all writs, process and papers concerning any prosecution entertained by him in behalf of the state. Justices to produce papers, &c.

SEC. 3. In case of the neglect or refusal of any such justice to comply with the demand of said supervisor to pay over promptly the sums of money received by him for fines and forfeitures accruing to the state, the supervisor of his town shall immediately bring suit against such justice and his sureties, before any other justice of the peace in his county, when the amount withheld is cognizable in a justice's court. In case of neglect or refusal

SEC. 4. On the Tuesday next succeeding the general election of each year, every such chairman, and every city treasurer, shall pay over to the treasurer of his county, all sums of money collected by him pursuant to this act, taking a receipt therefor, and at the same time shall submit a statement, verified by his affidavit, and filed with the clerk of the board of supervisors of his county, containing the names of the several justices of his town, and the amount of fines and forfeitures received from each, and time of collection, the name of the defendant in each case, the cause of prosecution and the date of process and judgment. Monies, to be paid over.

SEC. 5. Every city treasurer shall make demand respectively, of each justice of the peace of his city, of all fines and forfeitures received by such justice in like manner as required of town supervisors, as required in section one of this act, and upon demand of the city treasurer, each justice of the peace of his city, shall produce, for the examination of said treasurer, his docket Duty of city treasurer.

and all process and papers concerning prosecutions for fines and forfeitures in like manner as provided by section two of this act, concerning justices of the peace in towns; and in case of neglect or refusal to comply with such demand, said justice shall, with his sureties, be liable to prosecution, at the suit of the treasurer of his city, before any justice of his city.

Of county
treasurers.

SEC. 6. Every county treasurer shall, within the first three days of the annual session of the board of supervisors of his county, submit to such board a statement, verified by his affidavit containing the amount of money received by him, and the items thereof of fines and forfeitures during the year next preceding, and containing the names of the several town supervisors, or city treasurers, the amount received from each and date of receipt.

Expenses de-
ducted.

SEC. 7. Upon receipt of the statement provided for in section six, the county board of supervisors shall deduct from the aggregate amount of fines received, according to such statement, all expenses incurred by the county in prosecuting for the same, and the clear proceeds of such prosecutions so ascertained, shall be immediately certified by the clerk of said board to the county treasurer, and by him shall be paid into the state treasury, as required by law.

Penalty for
neglect.

SEC. 8. In case of the neglect or refusal, on the part of any chairman of the town board of supervisors, or city treasurer, to perform any of the duties required of him by the provisions of this act, he shall, on conviction be punished by imprisonment in the county jail not less than three months, nor more than six months, or by fine of not less than fifty dollars, nor more than three hundred dollars, or by both in the discretion of the court; and the county treasurer shall prosecute such chairman of town board of supervisors or city treasurer of his county forthwith, in any case of such refusal or neglect.

Repealed.

SEC. 9. Sections 15, 16, 17, 18, 19, 21, 22, 23, 24, and 25, of chapter 155, of the revised statutes, entitled "Of the collection of penalties, forfeitures and fines," are hereby repealed, and section 20 of said chapter is hereby amended, by striking out all of said section after the word "five," in the twelfth line thereof.

Take effect.

SEC. 10. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1859.