

No. 304, A.]

[Published July 4, 1953.

CHAPTER 365

AN ACT to amend 272.04 (1) of the statutes, relating to the time within which execution on judgments must be issued.

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

272.04 (1) of the statutes is amended to read:

272.04 (1) Upon any judgment of a court of record perfected as specified in s. 270.66 or any judgment of any other court docketed in a court of record, execution may issue at any time within 5 years after the rendition thereof, and when an execution shall have been so issued and returned unsatisfied in whole or in part other executions may issue at any time upon application of the judgment creditor. But if no execution was issued within said 5 years, or, if application be made by one other than the judgment creditor, execution shall issue only upon leave of the court, in its discretion, upon prior notice to the judgment debtor, served as a summons is served, in a court of record. *If the judgment debtor is absent or a nonresident, service of such notice may be by publication, or in such other manner as the court may direct.* Application shall be by the petition of the judgment creditor or of the assignee, setting forth that such judgment or a portion thereof remains unpaid, and that the petitioner is the bona fide owner thereof, for value; but no execution shall issue or any proceedings be had upon any judgment after 20 years from the rendition thereof.

Approved June 25, 1953.
