

No declaration
required.

SEC. 8. No declaration shall be required to be filed upon the *scire facias*; but where executors or administrators are plaintiffs in any such writ, they shall make profert of their letters testamentary or of administration, in the *scire facias*, in the same manner as is now practiced in a declaration. And the defendant shall plead to such writ in the same manner as to a declaration.

Trial and
judgment.

SEC. 9. All issues, whether of law or of fact, joined upon any *scire facias*, shall be tried and judgment rendered thereon in the same manner as in personal actions.

SEC. 10. This act shall be published immediately after its passage, and shall be in force from and after such publication.

Approved March 31, 1856.

CHAPTER 84.

Published in Extra April 16.

An Act to provide for the manner of applying for pardons in cases of murder

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

Manner of
applying for
pardons.

SECTION 1. All applications hereafter made to the governor of this state for the pardon of any person who shall have been convicted of the crime of murder, shall be accompanied with a recommendation of the judge who presided at the trial in which said conviction was had, or of the judge in office when the application is made, in the circuit where the trial was had, and shall also be accompanied by a full statement of the facts in the case, and the grounds of the application, which statement shall be verified by affidavit.

Judge to keep
minutes, &c.

SEC. 2. It shall be the duty of any judge presiding at the trial of any person indicted for murder, to keep full minutes of all testimony given upon such trial, and at the close of the trial, such minutes shall be delivered to, and shall be filed by the clerk of the court in which such trial is had; and upon any application for pardon of the person convicted upon such trial, said minutes of testi-

mony, or a certified copy thereof, shall accompany the application for pardon.

SEC. 3. No pardon shall be granted unless the warden or keeper of the prison where such applicant shall have been confined, shall certify to the governor that the applicant has during his confinement conducted himself in a peaceful and obedient manner: *Provided*, That this act shall not be so construed as to render it obligatory upon the executive to pardon any convict, although the application for such pardon shall be made in accordance with the provisions of this act.

SEC. 4. This act shall be in force and effect from and after its passage.

Approved March 31, 1856.

CHAPTER 85.

Published May 14.

An Act to constitute an infant child an heir of Sylvanus S. Burgess.

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

SECTION 1. The female infant now known by the name of Mary Ellen Burgess, and whose parents are unknown, but supposed to be dead, and who now lives, and from the time she was only a few days old has lived with Sylvanus S. Burgess, of Leroy, Dodge county, in this state, is hereby declared, constituted and made an heir of the said Sylvanus S. Burgess, the same as though she were the legitimate daughter of the said Sylvanus S. Burgess.

SEC. 2. This act shall take effect upon being printed by the state printer.

Approved March 31, 1856.