

CHAPTER 190.

[Published March 11, 1875.]

AN ACT to amend chapter 137, of the general laws of 1871, entitled,
 "An act to provide for the trial of offenses upon information, and
 to make the general laws of the state applicable thereto.

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

Amended.

Duty of dis-
 trict attorneys
 in criminal pro-
 secutions.

SECTION 1. Section 16, of said chapter 137, is here-
 by amended so as to read as follows: It shall be the
 duty of the district attorney of the proper county to
 inquire into and make full examination of all facts
 and circumstances connected with any case of pre-
 liminary examination, as provided by law touching
 the commission of any offense whereon the offender
 shall have [been] or shall be committed to jail, or be-
 come recognized or held to bail, and to file an infor-
 mation setting forth the crime committed according
 to the facts ascertained on such examination and from
 the written testimony taken thereon, whether it be
 the same offense charged in the complaint on which
 the examination was had or not; but if the district
 attorney shall determine in any such case that an in-
 formation ought not to be filed, he shall make, sub-
 scribe, and file with the clerk of the court a state-
 ment in writing, containing his reasons, in fact and
 in law, for not filing an information in such case;
 such statement shall be filed at and during the term
 of the court at which the offender shall be held for
 appearance: *provided*, that in such case the court may
 examine such statement, together with the evidence
 filed in the case, and if upon such examination the
 court shall not be satisfied with such statement, the
 district attorney shall be directed by the court to file
 the proper information and bring the case to trial.

To file state-
 ment with
 clerk of court
 setting forth
 reasons for not
 filing informa-
 tion.

Conflicting
 acts repealed.

SECTION 2. All acts and parts of acts contravening
 the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in
 force from and after its passage.

Approved March 4, 1875.