

[No. 128, S.]

[Published March 27, 1889.]

CHAPTER 140.

AN ACT to amend sections 2532, 2533, 2535, 2556 and 2545 of chapter 116, of the revised statutes entitled, "Of Jurors."

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

Amending sec.
2532, R. S.

SECTION 1. Section 2532, of the revised statutes is hereby amended by striking out all of said section after the word, "shall," in the second line thereof, and insert in lieu thereof the following words: "Write the names of the persons contained therein on separate pieces of paper, each in the same manner, as near as may be, and fold the same so that the name written thereon shall not be visible, and shall deposit such pieces of paper, those containing the names of the grand jurors in one box and those containing the names of the petit jurors in another box, from which they shall be drawn as hereinafter provided, so that said section, when so amended shall read as follows: Section 2532. On receiving such lists, the clerk of the circuit court, shall write the names of the persons contained therein on separate pieces of paper, each in the same manner, as near as may be, and fold the same so that the name written thereon shall not be visible, and shall deposit such pieces of paper, those containing the names of the grand jurors in one box, and those containing the names of the petit jurors in another box, from which they shall be drawn as hereinafter provided"

Amending sec.
2533, R. S.

SECTION 2. Section 2533, of the revised statutes is hereby amended by striking out the words, "and when so ordered by the court to draw a grand jury," in the fifth and sixth lines of said section, and inserting in lieu thereof the following words: "and unless otherwise ordered by the court, as hereinafter provided," so that said section when so amended shall read as follows: Section 2533. At least fifteen days before the sitting of any court at which a jury is required to attend, the clerk of the court, in presence of the sheriff or

under-sheriff, and a justice of the peace, shall proceed to draw the names of thirty-six persons from the box containing the names of petit jurors to serve as petit jurors, at such court, and unless otherwise ordered by the court as hereinafter provided, he shall in like manner, and before like witnesses, proceed to draw the names of seventeen persons from the box containing the names of the grand jurors to serve as grand jurors of said court, but the county board of any county, may by resolution duly adopted, limit the petit jurors to be drawn to any number not less than eighteen, which number shall thereafter be so drawn until such resolution shall be rescinded.

SECTION 3. Section 2535, of the revised statutes is hereby amended by striking out the words, "and when ordered to draw a grand jury," in the sixth and seventh lines of said section and insert in lieu thereof the words, "and when a grand jury is drawn," so that said section when so amended, shall read as follows: Section 2535. The clerk shall, at least twelve days before the first day of the court, issue and deliver to the sheriff or under-sheriff of said county a venire for the petit jury, under the seal of the court, commanding him to summon the persons so drawn as jurors to appear before the said court, at or before the hour of eleven o'clock A. M. on the first day of the term thereof, to serve as petit jurors. And when a grand jury is drawn, as provided by law, he shall in like manner issue and deliver a venire, commanding the sheriff or under-sheriff to summon the persons so drawn as grand jurors to appear before the said court at the time specified in the order of the judge.

Amending sec.
2535, R. S.

SECTION 4. Section 2536, of the revised statutes is hereby amended by striking out the words, "petit jurors shall be summoned at least four days before the sitting of the court; grand jurors shall have such notice as the judge in his order calling such jury shall require to be given," in the seventh, eighth, ninth and tenth lines thereof, and insert in lieu thereof the words, "grand and petit jurors shall be summoned at least four days before the sitting of the court," so that said section, when so amended, shall read as follows: Section 2536 The sheriff or under-sheriff shall summon the persons named in such venires to attend such court

Amending sec.
2536, R. S.

as grand or petit jurors as the case may be, by giving personal notice to each person, or by leaving a written notice at his place of residence with some person of proper age. He shall return such venires to the court at the opening thereof, specifying those who were summoned, and the manner in which each person was notified. Grand and petit jurors shall be summoned at least four days before the sitting of the court. All special venires shall be executed by the officer to whom delivered according to the command thereof.

Amending sec.
2545, R. S.

SECTION 5. Section 2545, of the revised statutes is hereby amended so as to read as follows: Section 2545. Grand jurors shall be summoned to attend each term of the circuit court, unless the judge thereof shall make and file with the clerk, at least fifteen days before the sitting of the said court, an order in writing directing such jury not to be summoned.

SECTION 6. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1889.

[No. 98, S.]

[Published March 27, 1889.]

CHAPTER 141.

AN ACT relating to judgments in criminal cases, and the execution thereof, and amendatory of section 4738, chapter 193, revised statutes.

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

Amending sec.
4738, R. S.,
relating to
judgments in
criminal cases.

SECTION 1. Section 4738, of chapter 193, of the revised statutes is hereby amended by inserting after the word, "any" where the same first appears in the fifth line of said section the words, "state prison, house of correction or," and by inserting after the word, "not" in the seventh line of said section the words, "such person," so that said section when so amended, shall read as fol-