

No. 376, A.]

[Published May 30, 1951.

**CHAPTER 273.**

AN ACT to amend 291.05 and 291.06 (1) of the statutes, relating to unlawful detainer actions.

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

SECTION 1. 291.05 of the statutes is amended to read:

291.05 The plaintiff shall file with a justice of the county, or if the premises be within a city, then with a justice of such city, a complaint signed by him, his agent or attorney, giving therein a description of the premises of which possession is claimed, stating the facts which authorize the removal of the defendant, naming him, and praying for his removal. The justice shall thereupon issue a summons, directed to the sheriff or any constable of the county, commanding him to summon the defendant to appear before him on a day in such summons named, which shall not be less than \* \* \* 6 nor more than \* \* \* 15 days from the day of issuing the same and shall deliver the summons and complaint to such officer. The summons shall be in the form usually issued by justices of the peace in civil actions.

SECTION 2. 291.06 (1) of the statutes is amended to read:

291.06 (1) The summons and complaint shall be served *by the sheriff or any constable of the county where the defendant may be found* in the manner provided in sections 262.08 and 262.09 at least \* \* \* 6 days before the return date thereof. In case the defendant cannot be found, nor a member of his family at his usual place of abode of suitable age and discretion upon whom to make such service, then such summons and complaint may be served on a person residing on the rented premises.

Approved May 25, 1951.