

No. 93, S.]

[Published May 1, 1905]

CHAPTER 136.

AN ACT to amend sections 1531, 1533, 1540, and 1542, of the statutes of 1898, relating to bastardy.

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

Proceeding on return of warrant. SECTION 1. Section 1531, statutes of 1898, is hereby amended so as to read as follows: Section 1531. On the return of such warrant, if the accused be in custody or shall appear, the justice shall examine the complainant under oath respecting the cause of complaint, and the accused may cross examine her and put any question necessary for his defense. Witnesses may be examined on behalf of either party. All testimony taken and proceedings had shall be reduced to writing; the proceedings for cause shown may be adjourned from time to time, not exceeding ten days at any one time; and on such adjournment the accused may be recognized for his appearance for such examination in a sum *not less than \$100 nor more than \$1,000*, and with sureties to the satisfaction of the justice, and in default thereof he shall be committed, pending such examination, to the county jail. The accused shall be entitled to a removal of such action as in criminal examination before justices of the peace.

Recognizance and commitment. SECTION 2. Section 1533, statutes of 1898, is hereby amended so as to read as follows: Section 1533. In case any person accused as aforesaid shall not comply with the provisions of the preceding section and there is probable cause to believe the accused person guilty the justice shall bind such person in a recognizance with one or more sureties, to be approved by the justice, in a sum *not less than two hundred dollars nor more than two thousand dollars*, to appear at the next term of the circuit court for the proper county, and from time to time thereafter until final judgment, to answer the said complaint and to abide the order of said court thereon; and on his neglect or refusal to find such security the justice shall cause him to be committed to the county jail, there to be held to answer to such complaint; and such justice shall thereupon certify and return the examination and all

testimony so taken before him with all process and papers in the case to the clerk of said court. *In case any examination has been had as provided by law, and the person complained of has been discharged for want of sufficient evidence to raise a probability of his guilt, and the district attorney shall afterwards discover admissible evidence sufficient, in his judgment, to convict the person discharged, he may, notwithstanding such discharge, cause another complaint to be made before any officer authorized by law to make such examination, and thereupon another arrest and examination shall be had.*

Inquiry by officers. SECTION 3. Section 1540, statutes of 1898, is hereby amended so as to read as follows: Section 1540. If any female shall be delivered of a bastard child which is or is likely to become a public charge, or shall be pregnant of a child likely to be born a bastard and to become a public charge, any member of the town board in a town, *village board in a village, common council in a city or superintendent or commissioner of poor or the chairman of the committee on poor in any such town, village city or wherein such female shall reside, or in case she shall reside in a county which has abolished the distinction between county poor and town poor, any member of the county board or any superintendent of the county poor thereof may, if they deem proper, apply to some justice of the peace of the same county, who shall thereupon examine such female on oath respecting the father of such child, the time when and the place where such child was begotten and as to such other circumstances as he may deem necessary; and such justice shall reduce such examination to writing and shall thereupon issue his warrant, without further or former complaint, to apprehend the reputed father, and the same proceeding shall be had thereon and with the like effects as are hereinbefore provided in cases of complaint made by such female.*

Compromise, how and by whom made. SECTION 4. Section 1542, statutes of 1898, is hereby amended so as to read as follows: Section 1542. *The chairman of the town, president of the village or mayor of the city wherein any such female shall reside, or county superintendents of poor in such counties as may have abolished the distinction between town and county poor, shall have power to make such compromise or arrangement with the putative father of any bastard child in any such town, city, village or county relative to the support of such child as they shall deem equitable and just; and thereupon may*

discharge such putative father from all liability for the support of such bastard.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 29, 1905.

No. 187, S.]

[Published May 1, 1905.

CHAPTER 137.

AN ACT to amend section 4043 of the statutes of 1898 relating to judgments in county courts and the lien thereof.

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

Judgment, how enforced; execution; lien. SECTION 1. Section 4043 of the statutes of 1898 is hereby amended so as to read as follows: Section 4043. All judgments for cost or for costs and a balance found due an estate against a person presenting a claim against such estate, entered by the county court pursuant to the provisions of law, shall have the same force and effect as judgments in the circuit court, and may be enforced by execution at any time within five years after the rendition thereof, and at any time within fifteen years after said five years, upon leave given by such court, upon reasonable notice to the judgment debtor. All such executions shall be signed by the judge and sealed with the seal of the court, and state the amount due upon such judgment, and shall be directed to the sheriff of the proper county, commanding him to satisfy the same, with interest and costs thereon, out of the goods, chattels, lands and tenements of the judgment debtor in his county, and shall be made returnable within sixty days from the date thereof to the court from which the same shall have issued. The sheriff shall proceed to levy upon and sell the property of the judgment debtor in the same manner as required by law upon executions issued out of the circuit court, and shall be entitled to the same fees and commissions allowed by law on executions issuing from the circuit court. * * * *Any such judgment for*