

same police and enforcement powers in respect to this section as it has in respect to the provisions of chapter 29 of the statutes. It shall erect or cause to be erected in suitable places near public waters or public property where the American lotus is found *or the restricted areas where the arbutus or lady's-slipper or trillium are prevalent*, substantial and permanent signs warning all persons against violations of this section. It may also erect or cause to be erected similar signs on private property with the consent of the owner thereof.

SECTION 2. A new subsection is added to section 343.442 of the statutes to read: (343.442) (2) Any person who shall wilfully root up, injure, destroy, remove or carry away, without the permission of the owner or person entitled to possession, any trailing arbutus (*Epigaea repens*) or any species of lady's-slipper (*Cypripedium*) or any members of the orchid family (*Orchidaceae*) trillium (*Liliaceae*) of any species, or who shall wilfully sell, expose for sale or purchase any flowers, roots, seed pods, bulbs or whole plants of any trailing arbutus, lady's-slipper or trillium so gathered or taken shall, upon conviction, be punished by a fine of not to exceed one hundred dollars or by imprisonment in the county jail not to exceed thirty days.

SECTION 3. This act shall take effect January 1, 1930.

Approved July 17, 1929.

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No. 613, A.]

[Published July 18, 1929.]

## CHAPTER 300.

AN ACT to amend subsection 1 of section 15 of chapter 549, laws of 1909, as amended by section 4 of chapter 202, laws of 1923, subsection 2 of section 15 of chapter 549, laws of 1909, as amended by section 2 of chapter 594, laws of 1917, subsection 3 of section 15 of chapter 549, laws of 1909, subsection 4 of section 15 of chapter 549, laws of 1909, as created by section 3 of chapter 594, laws of 1917, subsection 1 of section 27 of chapter 549, laws of 1909, as amended by section 11 of chapter 594, laws of 1917, subsection 2 of section 27 of chapter 549, laws of 1909, as amended by section 12 of chapter 594, laws of 1917, relating to the civil court of Milwaukee county.

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

SECTION 1. Subsection 1 of section 15 of chapter 549, laws of 1909, as amended by section 4 of chapter 202, laws of 1923, is amended to read: (Laws of 1909, chapter 549) (Section 15)

1. The summons, warrant or other process of said civil court shall be made returnable before said court by its proper title, and when issued in an action wherein the amount of the claim or in replevin the value of the property shall not exceed fifty dollars, it shall be made returnable before the small claims branch of said civil court. All summonses, except garnishee summonses, and summonses in actions of forcible entry and unlawful detainer, shall have a copy of the complaint attached thereto at the time of service \* \* \*. *Summonses and warrants shall be, except as otherwise provided, in said chapter 549 of the laws of 1909, as amended, and in this act, or the rules of court hereinafter authorized, substantially in the form and returnable within the time prescribed for the process of courts of justices of the peace, and shall be signed by a judge or by the clerk or a deputy clerk of said court; provided, that the judges of said court may by rules duly adopted order that summonses in actions for money recovery, including garnishment summonses, be made returnable and the defendant or defendants directed to appear before the clerk, in his office, to answer the complaint, at any time prior to and including the return day, which shall be not less than six nor more than fifteen days from the date of issue, substantially in accord with form No. 2 of subsection 2 of this section 15, and in the meantime suspend the issuance in such actions of the summons shown in form No. 1 of said subsection 2, and provided, further that a garnishee summons, except in aid of execution, may be issued either at the time of the issuing of the summons or warrant of attachment or at any time thereafter before final judgment has been entered. The summons of said court may be signed, sealed, and delivered by the clerk to attorneys authorized to practice law in Wisconsin, and may be issued by them in the manner provided by and subject to the restrictions of chapter 20 of the laws of Wisconsin of 1903, as amended, except as to time of filing.*

SECTION 2. Subsection 2 of section 15 of chapter 549, laws of 1909, as amended by section 2 of chapter 594, laws of 1917, is amended to read: (Laws of 1909, chapter 549) (Section 15)

2. Any summons issued to an attorney in such manner, excepting a garnishee summons and summons issued in actions pro-

vided for by chapter \* \* \* 291 of the statutes, relating to forcible entry and unlawful detainer, may be served and proof of such service may be made in the same manner as the service of a summons and proof thereof in actions in the circuit court of this state, and when not served by the sheriff, disbursements actually made or incurred for such service shall be taxable as costs in the action, not exceeding, however, the amount allowed to the sheriff for similar service. \* \* \* All summonses of said civil court shall be signed by the clerk or a judge thereof, *directed to the defendant or defendants* and shall be \* \* \* substantially in one of the following forms:

*Form No. 1*

STATE OF WISCONSIN,  
Civil Court of Milwaukee County.

.....,  
Plaintiff. Case No.....  
vs.  
.....,  
Defendant.

The State of Wisconsin, to the said defendant (s) (and each of them) :

You are hereby summoned to appear on the.....day of....., 19....., at nine o'clock in the forenoon, before the Civil Court of Milwaukee County, to answer to the complaint of the plaintiff (s), above named; and in case of your failure so to do, judgment will be rendered against you according to the demand of such complaint, (of which a copy is herewith served upon you).  
(Court Seal) .....

*Form No. 2*

STATE OF WISCONSIN,  
Civil Court of Milwaukee County.

.....,  
Plaintiff.  
vs.  
.....,  
Defendant.

The State of Wisconsin, to the said defendant (s) (and each of them) :

You are hereby summoned to appear on the.....day of....., 19....., or any day prior thereto, before the clerk of said court

*at his office (Insert address of clerk's office), in the city of Milwaukee, in said county, to answer to the complaint of the plaintiff above named; and in case of your failure so to do, judgment will be rendered against you according to the demand of such complaint, of which a copy is herewith served upon you.*

*(Court Seal.)*

*If issued in actions provided for by chapter 291 of the statutes, the summons shall state also that the complaint has been filed.*

SECTION 3. Subsection 3 of section 15 of chapter 549, laws of 1909, is amended to read: (Laws of 1909, chapter 549) (Section 15) 3. Every summons of said civil court when duly served shall be filed with the clerk of said court at least two days before the *end of the* time when such summons is returnable, and the action thereby commenced shall \* \* \* thereafter be assigned and placed upon the calendar of \* \* \* said court by said clerk in accordance with the provisions of law and the rules of said court.

SECTION 4. Subsection (4) of section 15 of chapter 549, laws of 1909, as created by section 3 of chapter 594, laws of 1917, is amended to read: (Laws of 1909, chapter 549) (Section 15) 4. Whenever in an action of attachment, garnishment and the action upon which the garnishment action is based, replevin, unlawful detainer, or forcible entry and detainer commenced in said civil court, it shall be necessary to notify any defendant by publication of the notice provided for by statute in each of such cases, or whenever in an action against two or more defendants wherein the summons or warrant was served on one or more of such defendants within the time required by law, it shall appear that any defendant, not served in the first instance, has been found within the jurisdiction of the court, and that service can be had upon him, the court may make an order, at any time before final judgment, adjourning the action to a day certain and directing the defendant or defendants not served to appear *before the court or clerk* on said adjourned day to answer to the demand of the plaintiff. The plaintiff may cause said order to be served on such defendant or defendants at least six days before said adjourned day by delivering to each personally a copy of said order, and the action shall thereafter proceed as if the summons or warrant had been served upon him or them in the first instance.

SECTION 5. Subsection 1 of section 27 of chapter 549, laws of

1909, as amended by section 11 of chapter 594, laws of 1917, is amended to read: (Laws of 1909, chapter 549) (Section 27)

1. Whenever any action shall have been commenced by summons upon contract, express or implied, or by warrant of attachment in said civil court, or shall be pending therein, or at any time after the issuing of an execution upon a judgment entered therein and before the same shall be returnable, if the plaintiff or judgment creditor or someone in his behalf shall make and deliver to the clerk or any judge of said court an affidavit setting forth the amount demanded in the complaint or due upon the judgment and stating that the affiant has good reason to believe that some person (naming him) is indebted to the defendant or judgment debtor or has personal property in his possession or under his control belonging to the defendant or judgment debtor, or when there is more than one defendant or judgment debtor, to any or all of them jointly or severally, not by law exempt from sale on execution, said clerk or judge shall issue a summons to such person to appear before said court *or the clerk thereof, if the rules of said court shall direct that summonses be made returnable before the clerk,* \* \* \* *within* the time and *at the place* expressed in such summons, not less than six nor more than fifteen days from the date thereof to answer touching his liability as garnishee; provided, however, that if the defendant or judgment debtor or someone in his behalf shall pay to the clerk the amount due to the plaintiff or judgment creditor as disclosed by his affidavit, together with the costs of the principal and garnishment actions up to the time of such payment, said garnishment action shall be at once dismissed and the money applied in payment of the judgment creditor's or plaintiff's claim. Such affidavit may be amended with the same effect as is provided in section \* \* \* 304.20 of the statutes. Any personal property, moneys, creditors, and effects held by a conveyance or title void as to the creditors of the defendant shall be embraced in the liability of the garnishee and held to be within the meaning of such affidavit.

SECTION 6. Subsection 2 of section 27 of chapter 549, laws of 1909, as amended by section 12 of chapter 594, laws of 1917, is amended to read: (Laws of 1909, chapter 549) (Section 27)

2. Such summons shall be issued under the seal of and \* \* \* *summon the defendant to appear* before said court, *or the clerk thereof, shall be directed to the defendant,* shall be signed by the

clerk or a judge thereof, shall be otherwise substantially in the form provided by section \* \* \* 304.23 of the statutes and shall be served by the sheriff \* \* \* on the garnishee personally at least six days before the return day thereof. A copy of such summons shall be served on the defendant within the time service thereof is required to be made on the garnishee. If the defendant cannot be found or is not a resident of the state, then service may be made upon him by publication as provided in sections \* \* \* 304.12 and \* \* \* 304.14 of the statutes, with like effect, unless he shall have a known agent or attorney residing within the jurisdiction of the court or some member of his family of suitable age and discretion shall reside within the same, when service may be made on such agent or attorney or some such member of the defendant's family. *The order for publication may be made by a judge or the clerk of said court.* The notice to the defendant may be substantially in the form prescribed in section \* \* \* 304.24 of the statutes, *except that it shall summon the defendant to appear before the clerk, if the rules of said court require it.*

SECTION 7. This act shall take effect upon passage and publication.

Approved July 17, 1929.

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No. 620, A.]

[Published July 19, 1929.]

## CHAPTER 301.

AN ACT to amend subsection (8) of section 206.20 of the statutes, relating to the filing of valuation records of domestic life insurance companies.

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

SECTION 1. Subsection (8) of section 206.20 of the statutes is amended to read: (206.20) (8) All valuations made by the state shall be tabulated and preserved as a part of the records of the department of insurance; *provided, that the commissioner of insurance may at any time order the destruction of any such records heretofore or hereafter filed which shall have been filed for not less than six years.* Each valuation shall be accompanied by a statement of the tables of mortality used, the rates of interest assumed, and the method of computation employed.