

tors of plumbing and drainage, fix their compensation, prescribe their duties, have full control of their official acts, and have power to remove them from office at pleasure, and the compensation of such inspector or inspectors shall be paid by the city council or village or town board.

Not to apply,
when.

SECTION 3. This act shall not apply to any city, village or town which has by charter or ordinance established a board, or commissioner, or other officer having especial supervision of plumbing, drainage and sewerage.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 4, 1889.

[No. 585, A.]

[Published April 6, 1889.]

CHAPTER 257.

AN ACT a bill to amend section 4653, of chapter 189, of the revised statutes, entitled, "Of indictments, informations and proceedings before trial."

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

Amending
section 4653,
R. S.

Relating to information, etc., statement of district attorney for not filing if satisfactory to judge to be indorsed by him, and if defendant under commitment, clerk to serve certificate of approval with sheriff who shall forthwith discharge prisoner.

SECTION 1. Section 4653, of chapter 189, of the revised statutes, is hereby amended so as to read as follows: Section 4653. The district attorney of the proper county shall inquire into and make full examination of all facts and circumstances connected with any case of preliminary examination as provided by law, touching the commission of any offense whereon the offender shall have been committed to jail, or become recognized or held to bail, and to file an information setting forth the crime committed, according to the facts ascertained on such examination and from the written testimony taken thereon, whether it be the 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 information ought not to be

filed, he shall make, subscribe and file with the clerk of the court a statement in writing, containing his reasons in fact and in law, for not filing an information in such case; such statement shall be filed at or before the term of the court at which the defendant shall be held for appearance for trial; and in such case the court or presiding judge shall examine such statement, together with the evidence filed in the case, if there be evidence filed therein, and if upon such examination the court or presiding judge shall not be satisfied with such statement, the district attorney shall file the proper information and bring the case to trial; but if the said statement is satisfactory to the court or presiding judge, said court or judge shall indorse approval upon said statement, and if at the time of such approval, the defendant in said case be confined in jail under commitment for trial in said case, the clerk of the court shall forthwith serve upon the sheriff or jailor having such defendant in custody, his certificate under the seal of the court, to the effect that reasons for not filing an information in said case have been approved by the court or judge, as the case may be; whereupon such sheriff or jailor shall forthwith discharge said defendant from custody.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 4, 1889.

[No. 604, A.]

[Published April 5, 1889.]

CHAPTER 258.

AN ACT to amend the charter of the city of Milwaukee.

(See Vol. 2.)