

## CHAPTER 150.

[Published March 25, 1873.]

AN ACT to facilitate the collection of debts against certain contractors.

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

Sub-contractor may maintain action against principal.

Judgment for damages and costs may be entered.

SECTION 1. Any sub-contractor who shall have done work or furnished material at the request of, or upon contract with a principal contractor, for the construction, repair or removal of any building or machinery for this state, or for any county, town, city or village or school district therein, may maintain an action against such principal contractor and such state, county, town, city, village or school district, in the circuit or county court of the county where such work was done or such material delivered, by service of a summons and sworn complaint, in the manner provided by law for the service of summons and complaint in civil actions, stating the facts; and from the time of such service, such state, county, town, city, village or school district, as the case may be, shall be liable to such sub-contractor for the amount that may be found due or owing by such principal contractor to such sub-contractor, with all costs of such action, not exceeding the sum which it may owe to such principal contractor. If such state, county, town, city, village or school district shall give notice to such principal contractor of the commencement of such action, it need not make defense in such action after the date of such notice. Judgment shall be rendered in such action against such principal contractor for the amount found due to such sub-contractor, with costs of such action, also against such state, county, town, city, village or school district, as the case may be, for the amount for which it shall be liable as aforesaid, and payment of the amount. Of any such judgment by such state, county, town, city, village or school district shall relieve it from that amount of its indebtedness to such principal contractor. The principal contractor may at any time discharge such state, county, town, city, village or school district from such liability, by giving to the plaintiff in such action, and filing with the clerk of such court a bond, in such sum and with such sureties as the judge of such court shall approve, conditioned for the prompt payment of such

judgment as shall be rendered in such action against such principal contractor, with all costs attending the same.

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

Approved March 13, 1873.

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## CHAPTER 151.

[Published March 14, 1873.]

AN ACT to incorporate the city of Neenah.

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

### CHAPTER I

#### CITY AND WARD BOUNDARIES.

SECTION 1. From and after the last Monday of March, 1873, the district of country in the county of Winnebago, contained within the limits and boundaries hereinafter described, shall be a city by the name of Neenah, and the people now inhabiting and those who shall hereafter inhabit the district of country herein described, shall be a municipal corporation by the name of the city of Neenah, and shall have the general powers possessed by municipal corporations at common law, and in addition thereto, shall possess the powers herein especially granted, and the authorities thereof shall have perpetual succession, shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in all courts of law and equity, and shall have a common seal and may change and alter the same at pleasure.

SECTION 2. The territory lying in the county of Winnebago and being all of the south half of sections twenty-three and twenty-two, all of the southeast quarter, and the east half of the southwest quarter of section twenty-one, all of sections twenty-six and twenty-seven, all of the east half and the east half of the northwest quarter and the east half of the southwest quarter of section twenty-eight, all in township twenty, range seventeen east, shall comprise the territory and limits of the city of Neenah.