

No. 187, A.]

[Published May 8, 1899.]

CHAPTER 337.

AN ACT to amend section 1181 of the Wisconsin statutes of 1898, relating to foreclosure of tax certificates.

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

SECTION 1. Section 1181 of the Wisconsin statutes of 1898, is hereby amended by inserting after the word "actions" in line twelve, the following: "provided that when costs are allowed to the plaintiff, such costs, exclusive of disbursements, shall be discretionary with the court but shall not exceed the amount of the face of the certificate or certificates embraced in such action, and such costs when allowed, shall be an additional lien upon the property described in such certificates, provided further that the defendant may in all cases within the time limited by law for answering the complaint, execute and deliver to the plaintiff or his attorney a quitclaim deed of the lands described in the complaint, conveying all the right, title and interest of such defendant at the time of the commencement of the suit; or may, within such time, either after having delivered such deed or without such delivery, answer disclaiming any title to the lands in question at the time of the commencement of the suit, in either of which cases the plaintiff shall not recover costs personally against any such defendant who quitclaims as aforesaid or who shall establish such disclaimer upon the trial of such action," so that when said section is so amended, the same shall read as follows: Section 1181. The holder of any tax certificate may, at his option, in lieu of taking a tax deed, at any time after three years from the date of such certificate, and before he would be debarred from demanding a

Limitations
as to costs in
actions of
foreclosure.

Foreclosure of
tax certifi-
cates.

tax deed thereon, foreclose the same by action as in a case of a mortgage upon real estate; and all the laws and rules of practice relating to the foreclosure of mortgages, as to the persons necessary and proper to be made parties, as to pleading and evidence, the judgment of foreclosure and sale thereunder, the right of the plaintiff to be subrogated to the benefit of all liens upon the premises by him necessarily satisfied in order to save the lien of his certificate, the right of the defendants or any of them, to redeem the premises at any time before sale, and as to costs and disbursements, including the necessary expenses for an abstract of title, shall, so far as they are applicable, prevail in such actions; provided, that when costs are allowed to the plaintiff, such costs, exclusive of disbursements, shall be discretionary with the court, but shall not exceed the amount of the face of the certificate or certificates embraced in such action, and such costs when allowed, shall be an additional lien upon the property described in such certificates, provided further, that the defendant may in all cases within the time limited by law for answering the complaint, execute and deliver to the plaintiff or his attorney a quitclaim deed of the lands described in the complaint, conveying all the right, title and interest of such defendant at the time of the commencement of the suit; or may, within such time, either after having delivered such deed or without such delivery, answer disclaiming any title to the lands in question at the time of the commencement of the suit, in either of which cases the plaintiff shall not recover costs personally against any such defendant who quitclaims as aforesaid or who shall establish such disclaimer upon the trial of such action. The plaintiff in such action, may include in one action, all the certificates he holds upon the same tract of land; and the sale in such actions shall be conducted, certificates thereon made and filed, the report made and confirmed and a deed thereon executed and delivered, in like manner and with like effect as in case of actions for foreclosure of mortgages;

but a foreclosure and sale under the provisions of this section, shall not limit or in any manner affect the right of redemption by a minor, idiot or insane person, as provided in section 1166. Rights of minors.

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

Approved May 3, 1899.

No. 184, A.]

[Published May 8, 1899.

CHAPTER 338.

AN ACT providing for the holding of elections in towns and villages.

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

SECTION 1. The town board of any town may, by resolution, provide that the question of changing the place for holding town meetings in any such town, be submitted to a vote of the electors at any regular town meeting held in the town, and if at any such town meeting a majority of the electors shall vote in favor of changing the place for holding any such election, then all elections and town meetings thereafter held in any such town, shall be held at the place so designated. The town board shall designate by resolution, the place to which the change is to be made, and shall describe such place with reasonable accuracy, which designation and description shall be embodied in the notice to be given by the clerk as hereinafter provided. The town clerk shall at least ten days before the holding of any such election, at which the question of changing

Electors may vote on change in place of holding town meetings.

Duty of town clerk.