

subjects, or for concerts of music, if exclusively for the above specified object.

SEC. 2. This act shall take effect from and after its publication.

Approved May 15th, 1858.

## Chapter 97.

*Published May 21st, 1858.*

AN ACT to amend chapter four, title three of the Code of Procedure, relating to offers of the defendant to compromise the whole or part of the action.

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

Amendment  
to chap. 4,  
title 3, Code  
of Procedure.

SECTION 1. The defendant may at any time before the trial or verdict, serve upon the plaintiff an offer in writing to allow judgment to be taken against him for the sum or property or to the effect therein specified, with costs. If the plaintiff accept the offer and give notice thereof in writing within ten days, he may file the summons, complaint and offer with an affidavit of notice of acceptance, and the clerk must thereupon enter judgment accordingly. If notice of acceptance be not given, the offer is deemed to be withdrawn and cannot be given as evidence; and if the plaintiff fail to obtain a more favorable judgment, he cannot recover costs, but must pay defendants costs from the time of the offer.

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

Approved May 15th, 1858.