

## CHAPTER 63.

[Published February 27, 1865.]

AN ACT relative to Appleton city orders.

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

Orders that may be received in payment of certain tax.

SECTION 1. No city orders issued by the city of Appleton; Outagamie county, shall be received by the city treasurer of said city, in payment of the tax voted January 19th, 1865, to provide bounties to volunteers, unless such orders have been issued to pay volunteers under the last call of the president of the United States, and to fill the present quota of said city.

SECTION 2. This act shall take effect immediately.  
Approved February 28, 1865.

## CHAPTER 64.

[Published February 27, 1865.]

AN ACT to amend section nine of chapter one hundred and twenty-four of the revised statutes, entitled "of the manner of commencing civil actions."

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

Upon whom summons must be served.

SECTION 1. Section nine of chapter one hundred and twenty-four of the revised statutes, is hereby amended, so as to read as follows, to wit: "The summons shall be served by delivering a copy thereof, as follows: 1st. If the action be against a minor, under the age of fourteen years, to such minor personally, and also to his father, mother or guardian, or if there be none within the state, then to any person having the care and control of such minor, or with whom he shall reside, or in whose service he shall be employed. 2d. If against a person judicially declared to be of unsound mind, or incapable of conducting his own affairs, in consequence of habitual drunkenness, and for whom a guardian or committee has been appointed, to such

guardian or committee, and to the defendant personally. 3d. If against a town, to the chairman of the board of supervisors and the town clerk, and if against a school district, to the director of such district and the clerk thereof. 4th. In all other cases, to the defendant personally, or, if not found, by leaving a copy thereof at his usual place of abode, in presence of some one of the family of suitable age and discretion, who shall be informed of the contents thereof."

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

Approved February 24, 1865.

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CHAPTER 65.

[Published March 2, 1865.]

AN ACT to amend section thirty of chapter two hundred and sixty-four of the session laws of 1860, entitled "an act to amend chapter one hundred thirty-nine of the revised statutes, entitled 'of appeals, writs of error, and proceedings thereon,'" approved March 30, 1860.

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

SECTION 1. Section thirty of chapter two hundred and sixty-four of the general laws of 1860, entitled "an act to amend chapter one hundred and thirty-nine of the revised statutes, entitled 'of appeals, writs of error, and proceedings thereon,'" approved March 30th, 1860, is hereby amended, so as to read as follows: "Section 30. An undertaking upon an appeal shall be of no effect, unless it be accompanied by the affidavit of the sureties, in which each surety shall state that he is worth a certain sum mentioned in such affidavit, over and above all his debts and liabilities, in property not by law exempt from execution, and which sums so sworn to by such sureties, shall in the aggregate be double the amount specified in said undertaking. The respondent may, however, except to the sufficiency of the sureties within ten days after notice of the appeal, and unless they or other sureties justify before a judge of the court below, or a county judge, as prescribed in sections nineteen

Undertaking on appeal—amount.

Sufficiency of sureties may be excepted to.