

[No. 125, S.]

[Published March 22, 1881.]

CHAPTER 135.

AN ACT to appropriate to the Wisconsin state dairymen's association a sum of money therein mentioned.

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

Appropriation
\$500.

SECTION 1. There is hereby appropriated out of the general fund, to the Wisconsin state dairymen's association, the sum of five hundred dollars.

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

Approved March 21, 1881.

[No. 130, S.]

[Published March 22, 1881.]

CHAPTER 136.

AN ACT to provide for service of process on guardians in the cases therein specified.

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

Citation by
publication.

SECTION 1. Whenever the judge of any county court in this state shall deem it necessary to require the appearance before such court of any guardian appointed therein, a citation to such guardian so to appear at a time certain may be served by publication, upon obtaining an order therefor, in the following cases: 1. When such guardian has absconded from this state, or keeps himself concealed therein, so as to avoid the personal service of a citation. 2. When such guardian is a non-resident of this state, or has absented himself therefrom for a period of one year.

Application for
order to be
based upon pe-
tition.

SECTION 2. The order for such publication shall be made by the judge of such county court. The application therefor shall be based upon a petition, duly verified and filed, stating cause for requiring the appearance of such guardian in said court, and an affidavit showing the facts required to exist, that personal service of a citation within this state cannot be made, and also the postoffice address of such guardian, or that the affiant is unable, after due diligence, to ascertain it. The order shall direct that service of the citation be made by publication in a newspaper, to be designated as most likely to give notice to the person to be served for such length of time as shall be deemed reasonable, not less than once a week for six weeks, and that, on or before the day of the first publication,

there be deposited in a specified post office a copy of the citation, together with a copy of the petition upon which such order of publication was made, securely inclosed in an envelope, the postage duly paid, addressed to such guardian at his post office to be therein named, or shall direct that such deposit may be omitted because the post office address of such guardian cannot be ascertained. After the making of such an order, personal service of such citation and petition without the state, shall have the same effect as completed publication and mailing.

SECTION 3. Upon due proof of compliance with said order, and at the time fixed in said citation, said county court shall proceed to consider such petition and take such proof and grant such relief thereunder as shall be just, and any order, judgment or determination made by said court in said proceeding, shall be binding upon such guardian, and shall be prima facie evidence in all courts of this state of all facts therein recited. Duty of court.

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

Approved March 21, 1881.

[No. 148, S.]

[Published March 22, 1881.]

CHAPTER 137.

AN ACT to amend section one thousand two hundred and eighty, of the revised statutes, entitled "of roads and bridges," and relating to costs on appeals.

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

SECTION 1. Section one thousand two hundred and eighty, of the revised statutes, is hereby amended by adding thereto, at the end thereof, the following: If the decision of the commissioners shall be appealed from, under the provisions of section one thousand two hundred and eighty-one, and shall be reversed and the order or determination of the supervisors shall be finally affirmed, the person appealing from the original order shall pay the costs of the appeal and shall not be reimbursed for the costs and fees required to be paid by him under the provisions of this section. Persons appealing to pay costs if decision is aff med.

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

Approved March 21, 1881.