

[No. 280, A.]

[Published March 29, 1881.]

CHAPTER 191.

AN ACT to amend chapter two hundred and sixty, of the laws of 1877, entitled an act to revise, consolidate and amend the charter of the city Stevens Point, approved May 17, 1858, and the several acts amendatory thereof.

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

Action against city.

SECTION 1. Section eight of chapter six of said act, is hereby amended so as to read as follows: No action shall hereafter be maintained by any person against the city of Stevens Point, upon any claim or demand other than a city bond or order unless such person shall have first presented his claim to the city council of said city. It is hereby declared to be the duty of the owners of lots fronting on any street, alley, lane or highway in said city, upon which a sidewalk has been constructed in pursuance of any ordinance or by-law of said city, to keep the sidewalk in front thereof, in good and safe condition, and in case of injury to any person which may have been caused by the neglect of such lot owner to keep the sidewalk in front of such lot in proper repair, such owner shall be liable to said city and for any sum which said city may become liable to pay as damages for such injury caused by such defective sidewalk.

Security for costs.

SECTION 2. Chapter ten of said act is hereby amended by adding thereto, sections seventeen and eighteen which shall read as follows: Section 17. The justice may require of the complainant to give security for costs, as in civil cases, security may be required of the plaintiff, and if he refuses, the justice may in his discretion dismiss the complaint. Section 18. If the court, before whom the trial is had, shall certify in his docket that the complaint was willful and malicious and without probable cause, he shall enter a judgment against the complainant, to pay all the costs that shall have accrued to the court and sheriff or constable and jury, and the fees of witnesses in the proceedings had upon such complaint, the complainant may stay such judgment for thirty days by giving satisfactory security by bond to the state, with one or more sureties, conditioned for the payment of such judgment at the expiration of thirty days, but if the complainant shall neglect to give said security, or shall neglect to pay such costs, then in such case, the court before whom the cause is tried, may issue execution upon said judg-

Willful and malicious complaint.

ment against the person of the complainant in the same manner and to the like effect as is now provided by law in cases where execution may issue against a defendant in actions founded in tort, but the defendant in such judgment, shall have the right of appeal therefrom as in civil cases tried before a justice of the peace, and the case shall be tried and determined by the court on such appeal upon the records and evidence in the case, duly certified and returned by the magistrate.

SECTION 3. Section twelve, of chapter eleven, of said act, is hereby amended by striking out and omitting the words, "except that personal property shall not be seized or sold for the payment thereof," wherever they occur in said section. Amendment.

SECTION 4. Section sixteen of chapter thirteen, of said act, is hereby amended so as to read as follows: Who liable for
Poll tax.
Every male inhabitant in the city of Stevens Point, over twenty-one years of age and under fifty, except active members of the fire department and those otherwise exempt by the general laws of this state, shall pay into the city treasury annually the sum of one dollar and fifty cents as a poll tax. It shall be the duty of the assessor of the city of Stevens Point during the month of April of each year to make out duplicate lists of all persons liable to said tax, in the city of Stevens Point, and said assessor shall on the last Monday of April of each year, deliver one of said lists to the city clerk and one to the treasurer of said city of Stevens Point, and both of said lists shall be signed by the mayor and countersigned by the city clerk. The city clerk shall annex to each of said lists a warrant signed by the mayor and city clerk which shall be in substance in the following form:

To A. B., treasurer of the city of Stevens Point: Form of war-
rant.
You are hereby required to collect from the several persons named in the annexed tax list, the taxes set opposite to such persons within the time limited by law, and to apply the taxes by you so collected, and make due return thereof, as required by law.

Dated — day of —, 18—.

— —, City Clerk,
— —, Mayor.

The said treasurer shall thereupon immediately proceed to collect the same. The moneys collected as herein provided for shall be kept as a distinct fund, and shall be expended for the benefit and improvement of the streets of the city of Stevens Point. The

Board to determine liability for poll tax.

mayor, city clerk and treasurer shall constitute a board to determine the liability of persons to pay such tax and all persons claiming to be exempt from such tax, must apply to said board within twenty days from the time when said lists shall be delivered to the treasurer as aforesaid. The city treasurer shall collect the same fees for collecting said tax as he does for collecting taxes assessed upon real and personal property: provided, that if any person desires to, he shall be permitted to perform one day's work upon the streets of the city in the ward in which he resides, and the certificate of the street committee, that such person has performed one full day's labor shall be received by the city treasurer in full discharge of such tax.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 24, 1881.

[No. 267, A.]

[Published March 29, 1881.]

CHAPTER 192.

AN ACT to provide for recording certain instruments.

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

Acknowledgment by minor.

SECTION 1. Any instrument in writing signed and sealed by any person of lawful age, who, when an infant, was under guardianship, whereby such person shall state that he is twenty-one years of age, and whereby he shall acknowledge that he has received money or property from his guardian in full satisfaction of all demands against such guardian, and such instrument being attested by two subscribing witnesses, and certified to by a justice of the peace, notary public or other officer, authorized to certify to acknowledgments of execution of conveyances of land, may be recorded in the office of the county judge of the county in which said guardian was appointed, and the county judge of the proper county shall, when required, receive and record all such instruments.

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

Approved March 24, 1881.