

No. 134, A.]

[Published April 5, 1893.]

CHAPTER 87.**AN ACT to abolish days of grace.**

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

SECTION 1. On all notes, drafts, acceptances, bills of exchange, bonds or other evidences of indebtedness, whereby the maker or acceptor shall promise to pay any person, corporation, or order, or the bearer, any sum of money as therein mentioned and in which there is no expressed stipulation to the contrary, no grace according to the custom of merchants shall be allowed, but the same shall be due and payable as therein expressed, on the day and date named, without grace. Days of grace abolished.

SECTION 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force one year from and after its passage and publication.

Approved March 31, 1893.

No. 145, A.]

[Published April 5, 1893.]

CHAPTER 88.

AN ACT to amend section 3186, of chapter 138, of the Revised Statutes of 1878, entitled "Of general provisions concerning actions relating to real estate."

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

SECTION 1. Section 3186, of the Revised Statutes of 1878, is hereby amended so as to read as follows: Section 3186. Any person having legal title to land, may institute an action against any Amends sec. 3186, R. S. Complaint.

other person setting up a claim thereto, and if the plaintiff shall be able to substantiate his title to such land, the defendant shall be adjudged to release to the plaintiff all claim thereto, and to pay the costs of such action, unless the defendant shall, by answer, disclaim all title to such land, and give a release thereof to the plaintiff, in which case he shall recover costs, unless the court shall otherwise order. It shall be sufficient to aver in the complaint in such action the nature and extent of the plaintiff's estate in such land, describing it as accurately as may be, and that he is in possession thereof, or that said land is vacant and unoccupied, and that the defendant makes some claim thereto, and to demand judgment that the plaintiff's claim be established against any claim of the defendant, and that he be forever barred against having or claiming any right or title to the land, adverse to the plaintiff; and the defendant, if he do not so disclaim and release, may answer any matter in denial of the plaintiff's claim, title or possession, or which, if proved, will establish his own, and judgment shall be rendered according to the rights of the parties.

In all cases where it may be necessary for the plaintiff to offer proof that the defendant is setting up or making some claim to said land, the introduction in evidence of any instrument in writing, theretofore at any time appearing of record, or of the record thereof, or of a duly certified copy of such record, purporting to convey to, or otherwise in any way to affect in favor of the defendant, or any grantor, devisor or ancestor or other assignor of the defendant, said land or any interest therein, adversely to the plaintiff, or under or through which the plaintiff does not trace his claim or title, shall be sufficient proof of the making or setting up of such claim of title on the part of the defendant; and the court may, in any case, receive any other competent evidence, whatsoever, tending to establish the fact of the making or setting up of claim on the part of the defendant. In any such action where a person, or persons, is or are made a party by a fictitious name, or as an unknown owner, heir, grantee, representative or other like designation pursuant to law, the plaintiff shall give in a note at the foot of the summons a brief description of the premises affected thereby. And any per-

Proof.

When premises
to be described
in summons.

son not having such title or possession, but being the owner and holder of any lien or incumbrance on land, shall also have the same right of action as the owner in fee, to test the legality and validity of any other claim, lien or incumbrance on such land or any part thereof.

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

Approved March 31, 1893.

No. 391. A.]

[Published April 5, 1893.

CHAPTER 89.

AN ACT to amend section 14, of chapter 48, laws of 1880. entitled "An act to create a municipal court for the county of Barron."

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

SECTION 1. Section 14, of chapter 48, laws of 1880, is hereby amended by inserting after the word "statutes," where it appears in the fourteenth line of said section, the following: "provided, however, that the board of supervisors of said county may at their annual meeting in any year, by resolution, abolish the salary of the municipal judge. Said resolution shall be adopted by a majority of all the members of said board, and take effect at the expiration of the term of office of the then incumbent;" so that said section, when so amended, shall read as follows: Section 14. The same fees in all actions, civil and criminal, that are now allowed by law to justices of the peace, it shall be lawful for said municipal judge to charge and collect, and one dollar in addition thereto for every civil action or proceeding in his court. For his services in conducting criminal trials and examinations of offenders, he shall receive a salary of three hundred dollars per year for the first term of said judge, payable quarterly, at the end of each quarter, out of the treasury of said county, an

Amends sec. 14,
ch. 48, laws of
1880.

Municipal
judge, fees of.