

No. 51, A.]

[Published May 5, 1899.

CHAPTER 351.

AN ACT to correct certain errors and supply certain defects in the Wisconsin statutes of 1898.

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

Division of
election dis-
tricts.

SECTION 1. Section 16 of the Wisconsin statutes of 1898, is amended by inserting after the word "act" in the seventeenth line, the words "as election officers."

Nominations,
how made.

SECTION 2. Section 30 of said statutes is hereby amended by striking out the word "two," in the ninth line from the bottom of said section on page 180, and inserting in place thereof the word "one."

See chapter
349, laws of
1899.

SECTION 3. Section 37 of said statutes is hereby amended by striking out of lines eleven and twelve on page 186, the words "if it be a general election, these words are to follow."

See chapter
349, laws of
1899.

SECTION 4. Section 38 of said statutes is amended by striking out the word "successfully" in the sixth line from the bottom of page 187, also by inserting after the word "state" in the last line of said section, on page 187, the words "the affidavit of said candidate shall be prima facie proof of having so taught."

Clerical help.

SECTION 5. Section 140 of said statutes is amended by adding after the word "law" in the third line, the words "a chief clerk."

Appropriation
for salaries.

SECTION 6. Section 172 of said statutes is amended by adding at the end thereof the following: "all appropriations made by these statutes for current annual expenditures or other regular annual uses shall be payable in equal proportionable sums in advance at the beginning of each quarter year, unless it be otherwise directed."

SECTION 7. Section 305 of said statutes is hereby amended by striking out of the fourth line of said section the following words: "each of the cities of Madison, Milwaukee and Chicago," and inserting in place thereof the words: "the state of Wisconsin, that shall in their discretion best protect the interests of the state."

Advertisement
for paper.

SECTION 8. Section 317 of said statutes is amended by striking out the word "forty" in the fifth line and inserting in place thereof the word "fifty." Also by striking out of lines seven and eight the following, "and ten copies shall be printed from the same type upon bond paper."

Journals of
legislature.

SECTION 9. Section 355 of said statutes is hereby amended by inserting after the word "states" in the eighth line of said section, the words "each charitable and penal institution, normal school, the adjutant general, quartermaster general, superintendent of public property, chief clerk of the land office, dairy and food commissioner, commissioner of labor and statistics, the state fish and game warden, the state treasury agent, the state bank examiner, and the state veterinarian."

Distribution
of session
laws.

SECTION 10. Said section 355 is hereby further amended by adding a new subdivision which shall be known as subdivision 3, and shall read as follows: Subdivision 3. There shall also from time to time be furnished to each elective state officer, to the adjutant general, to the quartermaster general, to the superintendent of public property, to the chief clerk of the land office, to the dairy and food commissioner, to the commissioner of labor and statistics, to the state fish and game warden, to the state treasury agent, to the state bank examiner, to the state veterinarian and to the justices of the supreme court, such further copies as shall be necessary or convenient for the transaction of the business of their respective offices."

Session laws
for use in de-
partments.

SECTION 11. Section 670 of said statutes is amended by striking out the word "except" in the third line of subdivision 11 of said section.

Powers of
county boards.

SECTION 12. Section 685 of said statutes is hereby amended by striking out the eighth line of

Trial of ap-
peals.

said section, which reads as follows: "except that the issue or issues arising therein shall be tried by the court."

Re-assessment of property.

SECTION 13. A new section is hereby added to the statutes of 1898 to be numbered and to read as follows: Section 1087a. Any property described in section 1037a shall be subject to re-assessment for reasons stated, and in the manner provided in section 1087.

Eligibility of county superintendent.

SECTION 14. Section 702a of said statutes is amended by striking out the last sentence thereof, beginning with the words "no person," and ending with the word "office."

Sheriff's fees.

SECTION 15. Section 731 of said statutes is amended by striking out the word "felony," in the first line of subdivision 34, and inserting in place thereof the words "any criminal offense."

Constable's fees.

SECTION 16. Section 843 of said statutes is amended by striking out the word "felony" in the tenth line from the bottom of said section, and inserting in place thereof the words "any criminal offense," in lieu of statutory fees.

Peace officers, who are.

SECTION 17. Section 888 of said statutes is amended by striking out the words and figures "37 of this act," and inserting in place thereof the words and figures "section 884."

Transcripts on division of territory.

SECTION 18. Section 959-8 of said statutes is hereby amended by inserting after the word "town," in the fourth line thereof, the word "city."

See chapter 323, laws of 1899.

SECTION 19. Section 1058 of said statutes is amended by striking out the word "copying" in the second line thereof.

School fund tax.

SECTION 20. Section 1072a of said statutes is hereby amended by striking out the words "on or before the first day of November," in the eighth line thereof, and inserting in place thereof the words "between the tenth and fifteenth days of December."

Actions of ejectment.

SECTION 21. Section 1189a of said statutes is hereby amended by striking out in the fifth line thereof the words "nine months," and inserting in place thereof the words "three years." Also by striking out in lines six, seven and eight of said

section the following: “no such action shall be brought as to lands so purporting to be conveyed by tax deed recorded after the first day of December, 1895, unless the same be brought within four years from the date of the recording of such deed.”

SECTION 22. Section 1407 of said statutes is amended by striking out the last sentence thereof, which sentence read as follows: “such reports shall not be bound with the public documents.”

Reports of state board of health.

SECTION 23. Section 1562 of said statutes is hereby amended by striking out of said section, in the third line thereof, the words “except as provided in section 931.”

Use of license money.

SECTION 24. Section 1576 of said statutes is amended by making the words in brackets in the sixth and seventh lines from the bottom a part of said section.

As to peddlers.

SECTION 25. A new section, to be designated as section 1636ee, consisting of printed matter in brier type, and enclosed in brackets at the top of page 1187 of said statutes, is hereby enacted, relating to fire escapes on buildings.

Fire escapes on buildings.

SECTION 26. Section 1636g of said statutes is amended by striking out “1636e,” in the second line, and making the same “1636ee.”

Watchman in buildings.

SECTION 27. Section 1770b of said statutes is hereby amended by striking out the words “or common law partnership,” in the second and third lines, and the words “partnership” and “copartnership” wherever they occur in said section. The said section is further amended by striking out all of said section commencing with the words “every subsequent violation,” and ending with the words “in like manner,” in lines seven, eight, nine and ten, on page 1280. Also by adding at the end of said section the following: Any corporation which has deposited in the office of the secretary of state a written instrument in compliance with section 1750a of the annotated statutes, shall not be required to make any further deposit of its articles under this act. Also by striking out the words “the first” in the last line on page 1279.

Filing articles of foreign corporations.

SECTION 28. Section 1785 of said statutes is

- Supervision of hospitals.** hereby amended by striking out the words “charities and reform,” in the next to the last line thereof, and inserting in place thereof the word “control.”
- Industrial schools.** SECTION 29. Section 1786 of said statutes is amended by striking out the words “charities and reform,” in the next to the last line, and inserting in place thereof the word “control.”
- Premiums recoverable as costs.** SECTION 30. Section 1966-36 of said statutes is amended by adding at the end thereof the following: “Not exceeding two per centum of the amount of such obligation.”
- Judgments.** SECTION 31. Section 2236 of said statutes is hereby amended by adding after the word “controversy,” in the third line, the words “or operating to pass title thereto or otherwise affect the title.”
- Terms of court.** SECTION 32. Section 2424 of said statutes is amended by inserting after the word “county,” in the third line from the bottom of said section, the words “in each circuit.”
- Struck juries, how drawn.** SECTION 33. Section 2544c of said statutes is amended by striking out the words “with the original lists of jurors returned in either of the modes provided by section 2526, containing the names of persons who are then liable to serve as petit jurors,” where they appear in the third, fourth, and fifth lines of said section. Also by striking out the words “said lists,” where they appear in the seventh line of said section, and inserting in lieu thereof the following: “the lists provided for in section 2533b.” Also by striking out the words “pursuant to the order of the court,” where they occur in the seventeenth line of said section.
- Assignment of judgment.** SECTION 34. Section 2906 of said statutes is hereby amended by striking out the words “made be made” in the second line, and inserting in place thereof the words “may be made.”
- Costs when executors parties.** SECTION 35. Section 2932 of said statutes is amended by inserting after the word “capacity,” in the fifth line from the bottom, the words “in such action or proceeding;” and also by striking

out the words "per annum," in the third line from the bottom.

SECTION 36. Section 2968 of said statutes is amended by striking out the word "on," in the next to the last line, and inserting in place thereof the word "or."

When execution may issue.

SECTION 37. Section 3030 of said statutes is hereby amended by striking out the word "in," where it last occurs in the eleventh line of said section, after the word "county," and inserting in place thereof the word "to."

Supplementary proceedings.

SECTION 38. Section 3187a of said statutes is amended by striking out of the fifth line from the bottom the words "certified copy of any."

Taking land for highway.

SECTION 39. Section 3342b of said statutes is amended by striking out the words "who sealed the logs," in the eighth line, and inserting in place thereof the words "in the district where the logs were sealed."

Liens on logs.

SECTION 40. Section 3526 of said statutes is hereby amended by striking out all after the word "government," in the ninth line of said section, and inserting in place thereof the following: "A copy of such notice shall be served by the sheriff in the manner of serving a summons in a civil action upon the mortgagor, if he shall be found within the county, and if the return of the sheriff shall show that the mortgagor cannot be so found, a copy of such notice shall be posted in a conspicuous place upon the mortgaged premises, and also served upon the occupant thereof, if any."

Notice of foreclosure of mortgage.

SECTION 41. Section 3627 of said statutes is amended by inserting after the word "contract" in the third line, the word "or."

Offer of judgment in actions.

SECTION 42. Section 3844, of said statutes is amended by striking out figures "3839," where they occur in said section and inserting in lieu thereof, the figures "3840."

Claims on county court.

SECTION 43. Section 3930 of said statutes is amended by striking out the words "on his bond, as provided in section 2932," in the last line, and inserting in place thereof the words "on any bond

Assignment of estate.

or undertaking given by him in the case, but not exceeding two per centum of the amount thereof."

Guardian's
bond.

SECTION 44. Section 3966 of said statutes is hereby amended by striking out the words "to the minor," in the second line, and inserting in place thereof the words "to the judge of the county court." Also by adding at the end of said section the following: "bonds heretofore made to the judge of the county court under the provisions of this section are hereby ratified and confirmed and made as good and valid in all respects as though the same had been authorized by this section."

Subpoenas,
when may is-
sue.

SECTION 45. Section 4053, of said statutes is amended by inserting after the word "county," in the second line of subdivision 3, the word "town."

Depositions,
taking of.

SECTION 46. Section 4112 of said statutes is amended by striking out the words "except that the notice of the taking of the same shall be given at least ten days," and by inserting in place thereof the words "notice being given as provided in section 4102."

State librarian
authorized to
certify copies
of laws or
opinions.

SECTION 47. Section 4136 of said statutes is amended by adding at the end thereof the following: "the state librarian shall have authority to make certified copies of the opinion of any court, or of any statute, law, act or resolution of any state or territory, or of any foreign country, contained in any book in the state library, and the same so made and certified, shall be received as prima facie evidence of the contents of such opinion, statute, law, act or resolution." He shall receive therefor such fees as are provided by the rules of the supreme court for certified copies of opinions made by the clerk of said court.

Certified cop-
ies.

SECTION 48. Section 4149 of said statutes is amended by striking out the word "direct," in the fifth line, and inserting in place thereof the word "correct."

Commitments
to industrial
schools.

SECTION 49. Section 4969 of said statutes is amended by adding at the end thereof the following: "any child, male or female, under the age of eighteen, convicted of a criminal offense, may, in the discretion of the judge or magistrate

before whom the case is tried, be committed to one of the industrial schools of this state, instead of to the state prison, house of correction, county jail, or police station, as the case may be, until attaining the age of twenty-one years, subject to the provisions of this section.”

SECTION 50. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1899.

No. 536, A.]

[Published May 9, 1899.]

CHAPTER 352.

AN ACT concerning the construction of free gravel, stone or other macadamized roads, providing for their location, the manner of their construction, and providing for the payment of the same, and for their maintenance.

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

SECTION 1. Whenever fifty or more resident freeholders of any town within the state, shall file with the town clerk their petition in writing, requesting the supervisors of any such town to improve any highway, or highways therein, by grading, gravelling, paving with stone, or macadamizing the same, the supervisors shall by order to be made within ten days from and after the filing of such petition, appoint an engineer and two disinterested freeholders of such towns as viewers, to examine the highway, or highways, described in the petition; to make a profile of the grade thereof, and to determine the extent and character of the work to be done, and the character

Proceedings
for securing
macadam
roads, her
started.