

## Chapter 56.

*(Published April 16.)*

An Act to provide for the manner of paying to the state the tax on suits collected by the clerks of the circuit courts.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :*

Duties of cl'ks  
circuit courts.

SECTION 1. The clerk of the circuit court of each county shall quarterly, on the first day of January, April, July, and October, or within five days thereafter, in every year, pay to the treasurer of his county, for the use of this state, the suit tax of one dollar required by law to be paid to the clerk, on every suit which has been commenced in the circuit court of his county during the three months ending on the last day of the month immediately preceding.

Clerk required  
to make report  
to secretary of  
state.

SEC. 2. The clerk shall take duplicate receipts from the county treasurer for the sums so paid, and on or before the tenth day of January, April, July, and October, in each year he shall forward to the secretary of state, at Madison, one of said receipts, and also a statement on oath of the number of suits commenced in the circuit court of his county during the three months ending on the last day of the month immediately preceding that date.

Duty of secretary  
of state in  
case of failure  
to make report

SEC. 3. If such statement, together with a receipt of the whole sum required by law to be paid to the clerk on the suits so commenced during the preceding quarters shall not be received by the secretary of state on or before the first day of the month next succeeding the time when such statement is above required to be transmitted to him, he shall forthwith notify the judge of the circuit court within whose circuit such clerk resides, of the failure to transmit such statement, or receipt, or both as the case may be.

Duties of judge

SEC. 4. Whenever the circuit judge shall be notified of such failure he shall forthwith appoint a time not exceeding sixty days from the date of the notice hereinafter mentioned, and a place within his circuit, when and where such clerk shall appear before him show cause why he shall not be removed, for the reasons to be mentioned in such notice, and shall cause notice thereof to be served within ten days upon the clerk. If the clerk shall not upon such hearing show to the satisfaction of the judge that

he has complied with the provisions of this act he shall be liable to be removed from office, as provided in section five, of chapter eleven, of the revised statutes.

SEC. 5. Proceedings under this act may be of a summary nature, and the testimony shall be taken under such reasonable regulations as to time and place, and in such manner as the judge shall prescribe.

The testimony or affidavit of the clerk may be received, in respect to the fact of his having transmitted a return, but no on other point.

SEC. 6. Moneys paid to the county treasurer pursuant to this act, shall be paid over by him upon the order of the state treasurer, and any such moneys remaining in his hands at the time when he is required by law to pay the state tax to the state treasurer, shall be paid therewith into the state treasury. Duties of co. treasurer.

SEC. 7. This act shall take effect from and after its passage and publication.

Approved, March 29, 1855.

## Chapter 57,

[Published April 20.]

An Act to provide for entering up and docketing final judgment in vacation in certain cases.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. In all cases wherein, in any court of record in this state, the defendants default in any suit, and an order for interlocutory judgment therein shall have been or may hereafter be duly entered, according to the rules and practice of the court, the plaintiff may at the time of entering of such default or order as aforesaid, or at any time afterwards in term time or in vacation of such court, enter or cause to be entered an order in the common rule book, kept by the clerk of such court, that the said clerk assess the plaintiff's damages, or that a writ of inquiry issue to the sheriff of the proper county for that purpose, as the nature of the case may require, and such assessment may at any time thereafter, be made accordingly.