

uses as the said corporation, with the approbation of said court, or, in vacation, of said judge, shall conceive to be for the interest of such corporation. And when such order shall be granted by said judge in vacation, it shall be filed with the clerk of said court, and entered of record in the same manner as if it had been granted by the court.”

Order to be filed.

Of the time required for notice and how to be given.

SECTION 2. Section twenty of chapter sixty-six of the revised statutes, is hereby amended so as to read as follows: “At least ten days’ previous notice of any such application to the circuit court, or, in vacation, to the judge of said judicial circuit, shall be given, by publishing the same in some newspaper published in the county, if one be published therein, and, if not, by posting up notices in three or more public places in such county.

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

Approved February 19, 1861.

CHAPTER 38.

[Published February 20, 1861.]

AN ACT to amend Section 101 of Chapter 18 of the Revised Statutes, entitled “Of the assessment and collection of taxes.”

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

Treasurer may sue for unpaid taxes.

SECTION 1. Section 101 of chapter 18 of the revised statutes, entitled “Of the assessment and collection of taxes,” is hereby amended by inserting after the word “corporations” where it last occurs in said section, the following: “And in case the taxes named in said warrant shall be returned unpaid in whole or in part, the said treasurer may at any time within two years thereafter, sue for and recover such unpaid taxes and costs in an action to be brought in the name of the board of supervisors of his county against such person or corporation, before any court of competent jurisdiction in any county where he, she or they may be found, and the assessment roll and town treasurer’s warrant

and return, or abstracts therefrom, certified by the county treasurer under his seal of office, shall be *prima facie* evidence of such tax, of its being unpaid, and the amount which should be recovered in such action." Also, add to the end of said section the following: "or to a levy and sale upon execution for any judgment obtained by proceedings under this section." Levy and sale on execution.

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

Approved February 19, 1861.

CHAPTER 39.

[Published February 20, 1861.]

AN ACT to amend Chapter 187 of the Revised Statutes, entitled "Of Evidence."

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

SECTION 1. Section nine of chapter one hundred and thirty-seven of the revised statutes, is hereby amended so as to read as follows: "At any time after the cause is commenced by the service of process, or otherwise, or after it is submitted to arbitrators or referees, either party may give written notice to the adverse party to appear before any justice of the peace or other person authorized by law to take depositions, at the time and place appointed for taking the deposition, and to put such interrogatories as he may think fit." Either party may give written notice and take depositions.

Approved February 19, 1861.