

trustee might, or would be entitled to do if originally appointed a trustee in this state; *provided*, that in any such action such trustee shall be required to give security for costs, the same as required by law in the case of a non-resident plaintiff. Proviso.

SECTION 2. Such foreign trustee shall allege in the complaint the recording of such certified copy or of such original appointment, stating the name of the county wherein recorded, and such allegation shall be taken as true, and no proof of such allegation shall be required, or of the validity of the appointment of such foreign trustees unless the defendant, by affidavit, or by an allegation in his answer verified, deny positively such allegation, or positively allege the invalidity of said appointment, and state wherein said appointment is invalid. Such denial or allegation must be positive, and if it be by affidavit, it must be served upon the opposite party before the time to answer expires. Mode of procedure.

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

Approved February 10, 1876.

CHAPTER 15.

[Published February 14, 1876.]

AN ACT relating to the erection of permanent landmarks, and amendatory of section 120, of chapter 15, of the revised statutes, entitled, of towns and town officers, as amended by section 5, chapter 167, general laws of 1867.

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

SECTION 1. Section 120, of chapter 15, of the revised statutes, entitled, of towns and town officers, as amended by section 5, chapter 167, general laws of 1867, is hereby amended so as to read as follows: Amended.
 Section 120. When the surveyor in his survey comes at variance with the section-corners and quarter-posts established by the government survey, he shall in all such cases be governed in the erection of permanent landmarks by the section-corners and quarter-posts established by the survey of the general government; *provided*, that if there be a clerical error or omission When variance is found.

Re-establish-
ment of corners

in the government field notes, or the bearing-trees, mounds, or other locating evidences, specified in such field notes, are destroyed and lost, and there is no other reliable evidence by which said corners can be identified, said surveyor shall re-establish said corners under the rules adopted by the general government in the survey of the public lands.

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

Approved February 10, 1876.

CHAPTER 16.

[Published February 14, 1876.]

AN ACT to legalize the acts of Ferdinand Ree, justice of the peace in the county of Manitowoc.

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

Acts legalized.

SECTION 1. All the acts of Ferdinand Ree, justice of the peace in the town of Schleswig, Manitowoc county, from the first day of May, 1874, till the first day of May, 1875, are hereby legalized, and declared to be as valid and binding, in all respects, as if the said Ferdinand Ree had filed his official bond in time in the office of the clerk of the circuit court of said county, within the time limited therefor by law.

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

Approved February 10, 1876.

CHAPTER 17.

[Published February 14, 1876.]

AN ACT to legalize the acts of Charles Heins, justice of the peace in the county of Manitowoc.

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

Acts legalized.

SECTION 1. All the acts of Charles Heins, justice of the peace, in the town of Schleswig, Manitowoc coun