

[Published March 15, 1877.]

CHAPTER 235.

AN ACT to require service of notice of application for tax deeds in certain cases.

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

Notice of pendency of action for foreclosure of mortgage to be filed in office of register of deeds.

SECTION 1. In all actions brought in any court for the foreclosure of a mortgage on real property, if due notice of the pendency of such action shall be filed in the office of the register of deeds of the proper county, and the plaintiff or his attorney in such action shall file a notice of the pendency of such action with the county clerk of such county; and the said county clerk shall note upon the books of tax sales in his office, opposite all tax certificates upon such real property the fact of such filing, and thereafter no person shall receive any tax deed upon any tax certificate upon the land described in such notice of pendency of action, without giving notice in writing to the plaintiff or his attorney of application for such deed, at least thirty days before receiving such deed, and any deed issued in violation of this act shall be void.

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

Approved March 7, 1877.

[Published March 15, 1877.]

CHAPTER 236.

AN ACT to authorize James Hewitt to maintain a dam across Wedge's Creek, in Clark county, Wisconsin.

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

Authority to maintain dam.

SECTION 1. James Hewitt, his heirs and assigns, are hereby authorized to maintain and keep up a dam across Wedge's Creek, in Clark county, Wisconsin, at a point on said creek at or near Hewittville, in section ten, township number twenty-four (24) north, of range three (3) west, of the fourth (4th) principal meridian, for the purpose of facilitating the running and driving of logs to Black river.

SECTION 2. The said James Hewitt, his heirs and assigns, shall maintain and keep in repair suitable slides and gates in said dam for flooding purposes, and for the purpose of sluicing and driving logs over, through and beyond said dam into Black river, and shall keep the same in repair, and shall hold the water back for the above named purpose whenever the case may require, and for that purpose said gates shall be closed.

Requirements of incorporator.

SECTION 3. The aforesaid James Hewitt, his heirs and assigns, shall enjoy the privileges granted in this act for the term of fifteen years from and after the passage of this act.

Limit of franchise.

SECTION 4. The said James Hewitt, his heirs and assigns, are hereby authorized and empowered to receive and collect from the owners of all logs passing over such slides, or driven by the aid of said dam, as a compensation for keeping up and maintaining such dam, the sum of ten cents per thousand feet, board measure, on all logs passing over such slides, and the aforesaid James Hewitt, his heirs and assigns, shall have a lien on all logs run over said dam, or driven by the aid thereof, until the aforesaid charges shall be fully paid, which lien shall be enforced in the same manner in which other liens for labor and services upon logs are enforced in Clark county, Wisconsin.

Rates of toll.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 7, 1877.

[Published March 20, 1877.]

CHAPTER 237.

AN ACT to codify and amend the laws of this state relating to garnishee and garnishee proceedings.

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

SECTION 1. Section 2 of chapter 53 of the general laws of 1869, is hereby amended so as to read as follows:

Amended.

Section 2. If the original defendant in any garnishee proceeding in a court of record shall desire to discharge, the person or corporation garnisheed from liability, except in garnisheement on execution, he may file with the clerk of the court where the action is

How original defendant to secure discharge from garnishee proceeding.