

CHAPTER 147.

[Published April 19, 1867.]

AN ACT to amend section 7 of chapter 124 of the revised statutes, entitled "of the manner of commencing civil actions."

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

Subsequent purchaser or incumbrancer.

SECTION 1. Section seven of chapter 124 of the revised statutes is hereby amended, by adding thereto the following: "Every purchaser or incumbrancer whose conveyance or incumbrance is unrecorded at the time of such filing, shall be deemed a subsequent purchaser or incumbrancer, and shall be bound by the proceedings in the action to the same extent and in the same manner as if he were made a party thereto."

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

Approved April 11, 1867.

CHAPTER 148.

[Published April 19, 1867.]

AN ACT to amend sections 1, 2, 3, 4, 5, 6 and 8 of chapter 121 of the general laws of 1859, entitled "an act for the more speedy and thorough collection of penalties, forfeitures and fines."

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

Town treasurer to receive fines and penalties from justices.

SECTION 1. Section one of chapter 121 of the general laws of 1859 is hereby amended, so as to read as follows: "Every town treasurer of any town in this state shall demand of and receive from each justice of the peace of his town, all fines and forfeitures received by such justice upon convictions and sentences before him, accruing to the state."

Justice to produce docket, &c.

SECTION 2. Section two of said chapter 121 is hereby amended, so as to read as follows: "Every justice of the peace shall, on the demand of the treasurer of his town, produce his docket for the examination of

such treasurer, and if required also all writs, process and papers concerning any prosecution entertained by him in behalf of the state."

SECTION 3. Section three of said chapter 121 is hereby amended, so as to read as follows: "In case of the neglect or refusal of any such justice to comply with the demand of said treasurer to pay over promptly the sums of money received by him for fines and forfeitures accruing to the state, the treasurer of his town shall immediately bring suit against such justice and his sureties before any other justice of the peace in his county, when the amount withheld is cognizable in a justice's court."

If justice refuse to pay fines, &c. suit may be brought against him.

SECTION 4. Section four of said chapter is hereby amended, so as to read as follows: "On or before the first Monday in February, of each year, every such town treasurer and every city treasurer shall pay over to the treasurer of his county all sums of money collected by him pursuant to this act, taking a receipt therefor, and at the same time shall submit a statement, verified by his affidavit and filed with the clerk of the board of supervisors of his county, containing the names of the several justices of his town, and the amount of fines and forfeitures received from each, and time of collection, the name of the defendant in each case, the cause of prosecution, and the date of process and judgment."

When moneys to be paid to county treasurers, &c.

SECTION 5. Section five of the aforesaid chapter is hereby amended, so as to read as follows: "Every city treasurer shall make demand, respectively, of each justice of the peace of his city of all fines and forfeitures received by such justice, in like manner as required of town treasurers in section one of this act; and upon demand of the city treasurer, each justice of the peace of his city shall produce for the examination of said treasurer, his docket and all process and papers concerning prosecutions for fines and forfeitures, in like manner as provided by section two of this act concerning justices of the peace in towns; and in case of neglect or refusal to comply with such demand, said justice shall with his sureties be liable to prosecution at the suit of the treasurer of his city, before any justice of his city."

City treasurers to receive fines, &c. of city justices.

SECTION 6. Section six of the chapter aforesaid is hereby amended, so as to read as follows: "Every

Statement by county treasurer to county board.

county treasurer shall within the first three days of the annual session of the board of supervisors of his county, submit to such board a statement, verified by his affidavit, containing the amount of money received by him, and the items thereof of fines and forfeitures, during the year next preceding, and containing the names of the several town and city treasurers, the amount received from each, and date of receipt."

Penalty.

SECTION 7. Section eight of said chapter 121 is hereby amended, so as to read as follows: "In case of the neglect or refusal on the part of the treasurer of any town or city to perform any of the duties required of him by the provisions of this act, he shall upon conviction be punished by imprisonment in the county jail, not less than three months nor more than six months, or by fine of not less than fifty dollars nor more than three hundred dollars, or by both, in the discretion of the court, and the county treasurer shall prosecute such town or city treasurer of his county forthwith in any case of such refusal or neglect."

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1867.

CHAPTER 149.

[Published April 19, 1867.]

AN ACT to regulate and fix the time for holding certain terms of the circuit court in the ninth judicial circuit.

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

General terms
in Columbia
county.

SECTION 1. From and after the first day of June next, the general terms of the circuit court in and for the county of Columbia, in this state, shall be held as follows, to wit: on the third Tuesday in May and the first Tuesday in December, in each year, instead of the times now appointed by law for holding said court in said county.

Return of pro-
cess, &c.

SECTION 2. All writs, services, process, continuances, proceedings, returns and recognizances made, is-