

[No. 140, A.]

[Published April 14, 1882.]

## CHAPTER 250.

AN ACT to amend section 1210d, of chapter 50, of the revised statutes, relating to lands sold for taxes.

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

SECTION 1. Section 1210d, of chapter 50 of the revised statutes, is hereby amended so as to read as follows: Section 1210j. "Every action or proceeding for the recovery of lands heretofore sold, or which may hereafter be sold for the nonpayment of taxes heretofore levied, shall be commenced within nine months after the recording of the tax deed, and not thereafter; provided, that in the case of tax deeds issued prior to the 25th day of March, 1878, the action, if not then barred, must be brought within nine months from that day and not thereafter;" and provided further, that if such action has heretofore been or shall hereafter be commenced within the time limited for the commencement thereof for such purpose, or for setting aside the tax on which such deed was issued, or for setting aside such tax deed; and such action has heretofore been or shall hereafter be dismissed for any error in the proceedings, or because of any mistake made in stating the cause of action or because the action was for ejectment when the plaintiff was in possession, then a proper action may be commenced within one year after the service of the final order of dismissal. In all suits which have heretofore been or shall be hereafter be brought by the grantee in such deed tax or his assigns against the owner for the recovery of lands described in such deed, or for the recovery of the possession thereof, prior to the time herein limited for the final commencement of a proper suit by such owner, then and in such case, any defects in the tax proceedings upon which such tax deed is issued, arising subsequent to the issuing of the tax certificate upon which such deed was issued, and any defects in such deed and in issuing the same, and any other facts material to the case may be set forth by supplemental answer to any such suit heretofore commenced, or by answer to any such suit hereafter commenced; and leave to serve and file such supplemental answer shall be allowed by the court, on application, without costs, and the issue raised by such answers shall be as available, and such action tried thereon, as though such action was commenced and

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such answer served within nine months after the recording of such tax deed.

SECTION 2. This act shall apply to all actions now pending, and be in force from and after its passage and publication.

Approved March 28, 1882.

[No. 235, A.]

[Published April 7, 1882.]

### CHAPTER 251.

AN ACT to amend chapter 250 of the laws of 1874, entitled an act to provide for the improvement of certain parts of the west branch of the Wolf river.

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

Improvement  
of west branch  
of Wolf river.

SECTION 1. Section 1 of chapter 250 of the laws of 1874, shall be amended so as to read as follows: Frederick Davis, Lyman Barnes, Daniel L. Libbey, J. M. Bray, R. McMillen, Myron H. McCord, and Leander Choate, their associates, successors and assigns shall be entitled and are hereby authorized to improve the west branch of the Wolf river in the state of Wisconsin, from the north line of town twenty-eight (28) north, of range fourteen (14) east, to the north line of town thirty (30) north, of range thirteen (13) east, or any portion thereof, by cleaning or straightening the channel thereof, closing sloughs, erecting side, rolling and flooding dams or otherwise, and to keep and repair and to operate any dams now on said river which have been heretofore built, operated or maintained under and by virtue of said chapter 250 of the laws of 1874, or by the grantees named in this act, and to keep in repair and operate the same; and are hereby authorized and entitled to have, receive and collect for the use and enjoyment of such improvements a toll of twenty-five cents per thousand feet, board measure, for all logs, timber and lumber passing through, enjoying or using said improvements; provided, however, that said works and improvements shall be so operated and maintained as to render the floating and driving of logs down and out of that part of said river, practicable and reasonably certain; and provided further, that when any part of such river is so improved, so that logs and timber can be run out of the same, the party so improving the same shall be entitled to receive such tolls from any party enjoying the same in running out logs or timber, and it shall be lawful for the party making such im-