

No. 493, S.]

[Published March 30, 1917.

**CHAPTER 47**

AN ACT to validate nominations of candidates for offices to be voted for wholly within one city at the election to be held on the first Tuesday of April 1917.

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

SECTION 1. All nomination papers filed under section 5.26 of the statutes for or by any candidate for any office to be voted for wholly within one city at the election to be held on the first Tuesday of April 1917, which were not filed at least twelve days before said election as required by said section 5.26, but which were filed at least seven days before said election, are hereby validated and declared sufficient and effective to the same extent as though filed within the time prescribed in said section.

SECTION 2. This act shall take effect upon passage and publication.

Approved March 29, 1917.

No. 385, S.]

[Published April 2, 1917.

**CHAPTER 48**

AN ACT to amend section 20.42 of the statutes, making an appropriation for the geological survey.

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

SECTION 1. Section 20.42 of the statutes is amended to read: 20.42. There is appropriated from the general fund to the geological and natural history survey, annually, beginning July 1, \* \* \* 1917, \* \* \* fifty thousand dollars, for the execution of its functions; but the members of the board of commissioners of said survey shall receive no compensation for their services.

SECTION 2. This act shall take effect upon July 1, 1917.

Approved March 29, 1917.

No. 49, A.]

[Published April 2, 1917.

**CHAPTER 49**

AN ACT to amend sections 1175 and 1176 of the statutes, relating to sale of lands for taxes.

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

SECTION 1. Sections 1175 and 1176 of the statutes are amended to read: Section 1175. Whenever any lot or tract of

land which has been or shall hereafter be sold for taxes shall have been in the actual occupancy or possession of any person, other than the owner and holder of the certificate of such tax sale or some person holding under him, for the period of thirty days or more, at any time within the six months immediately preceding the time when the tax deed upon such sale shall be applied for, such deed shall not be issued unless a written notice shall have been served upon the owner or upon such occupant by the holder of such certificate at least three months prior thereto, stating that he is the owner of such certificate and setting forth the date thereof, and giving notice that after the expiration of three months from the service thereof such deed will be applied for. The plaintiff in any action to foreclose a mortgage, having filed with the register of deeds a notice of the pendency thereof, may file a copy of such notice with the county \* \* \* clerk, who shall note such filing opposite the land therein described upon the book of tax sales; and every subsequent applicant for a tax deed of any such land shall give thirty days' notice, in the manner above prescribed, to such plaintiff or his attorney. An affidavit showing such service and specifying particularly the time and manner thereof shall be filed with the officer whose duty it shall be to issue such tax deed before such deed shall be issued; and in no case shall any tax deed be issued upon the certificate of the sale of land for the nonpayment of taxes except upon proof of the service of the notice as herein provided, when requisite, and if the land be not so occupied, proof filed with such officer that the land described in such certificate was not occupied or possessed for the period of thirty days, as hereinbefore specified. After proof of service of any such notice is filed it shall be necessary to pay, in order to redeem such lot or tract of land or any part thereof or interest therein, one dollar in addition for each such notice and proof. Every such notice may be served in the same manner as a summons in an action in the circuit court, and the grantee in any tax deed, his heirs or assigns shall never recover or be entitled to receive from any county the amount due upon any certificate or certificates upon which such deed issued, or any part thereof, if such deed be set aside or declared void solely on the ground that the notice required by this section was not duly served, or that the proof of such service was insufficient, or that the affidavit as to the occupation or possession was not duly made or was insufficient.

Section 1176. If any land sold for nonpayment of taxes shall not be redeemed as aforesaid the county \* \* \* clerk shall, after the expiration of the time prescribed by law for the re-

demption thereof, on presentation to him of the certificate of such sale and proof of service of notice upon the occupant or that the lands are unoccupied as prescribed in the preceding section, \* \* \* execute in the name of the state and of his county, as county clerk thereof, under his hand and the seal of the county, to the purchaser, his heirs or assigns, a deed of the land so remaining unredeemed, and shall acknowledge the same, which shall vest in the grantee an absolute estate in fee simple in such land, subject, however, to all unpaid taxes and charges which are a lien thereon and to redemption as provided in this chapter; and such deed duly witnessed and acknowledged shall be presumptive evidence of the regularity of all the proceedings, from the valuation of the land by the assessor up to and including the execution of the deed, and may be recorded with the like effect as other conveyances of land. The county \* \* \* clerk shall not issue \* \* \* a deed of any parcel of land until by carefully comparing the advertised sale list of lands for unpaid taxes and the advertised list of the same for redemption with the treasurer's list of said lands in his book of sales he shall find that the description of such parcel of land so to be conveyed has been correctly and fully published, both in such advertised list of sales and redemptions; and if upon such examination the county \* \* \* clerk shall find any error or omission in any such advertised description he shall enter opposite the description of said land in his book of sales a statement of the fact of such error or omission; and the county board shall in all such cases cause such certificate to be canceled and direct the county treasurer to correct the description thereof and readvertise and sell the same at the next ensuing sale of lands for unpaid taxes.

SECTION 2. This act shall take effect upon passage and publication.

Approved March 29, 1917.

No. 50, A.]

[Published April 2, 1917.

## CHAPTER 50

AN ACT to create section 1175m of the statutes, relating to notice of application for tax deeds, proof of service thereof and of nonoccupancy of lands.

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

SECTION 1. There is added to the statutes a new section to read: Section 1175m. If a proper affidavit of service of notice of land sold for taxes or a proper proof of nonoccupancy, in due form, as provided in section 1175, has heretofore been filed ei-