

Form of votes—
how canvassed,
&c.

SECTION 2. The votes cast on such amendment, shall be by a separate [separate] ballot, and shall have written or printed, or partly printed or written, on each of them, the words "for the amendment to the constitution," or "against the amendment to the constitution," which words shall indicate the vote for or against the ratification and adoption of said amendment. The ballots so cast shall be canvassed and returned in the same manner as the votes for state officers are required by law to be canvassed and returned; also, the secretary of state shall, immediately on the completion of said canvass, publish a statement of the result thereof in the state paper; and if a majority of all the electors voting thereon, shall vote "for the amendment to the constitution," such amendment shall be deemed ratified and adopted, and shall go into effect immediately; otherwise, it shall be of no force or effect.

Secretary of state
to publish state
ment.

Approved April 4, 1862.

CHAPTER 203.

[Published April 7, 1862.]

AN ACT to amend chapter 71 of the revised statutes, entitled "of the incorporation of banking associations."

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

What interest
may be received
on loans.

SECTION 1. No bank or banking association shall demand or receive a greater or higher rate of interest upon any note discounted by such bank or banking association, or for the loan or forbearance of any money, goods or things in action, than seven dollars upon one hundred dollars for one year, and after that rate for a greater or less sum, or for a longer or shorter time.

Question to be
submitted to a
vote.

SEC. 2. At the general election to be held on the Tuesday next succeeding the first Monday in November, A. D. 1862, at all the places of holding elections in this state for the election of officers required by law then to be elected, the question whether this act shall become a law and go into effect, or in any manner be in force, shall be submitted to the people; and if the

same shall be approved by a majority of all the votes cast on the subject, it shall go into effect; otherwise, it shall not go into effect nor be in force.

SEC. 3. The votes cast on the subject specified in the last preceding section, shall be by separate ballot; and shall have written or printed, or partly written and partly printed, on each of them, the words "for amendment to the banking law," or "against amendment to banking law;" which words shall indicate the vote for or against the approval of this act; and the ballots so cast shall be canvassed and returned in the same manner as the votes cast for state officers are required by law to be returned and canvassed; and the secretary of state shall, immediately on the completion of said canvass, publish a statement of the result thereof in the official state paper, and shall communicate the same to the next legislature, at the commencement of the session; and he shall also deliver to the state treasurer a certified copy thereof, with a statement of the result of the canvass upon the subject, immediately after the completion of the canvass.

Form of votes—
how canvassed,
&c.

Secretary of state
to publish state-
ment.

SEC. 4. This act shall take effect and be in force from and after the twentieth day of January, A. D. 1863.

Take effect.

SEC. 5. All acts or parts of acts conflicting with or in any way contravening the provisions of this act, are hereby repealed.

Repeal.

Approved April 4, 1862.

CHAPTER 204.

[Published April 8, 1862.]

AN ACT to amend chapter 134 of the private & local laws of 1856, entitled "an act to incorporate the city of La Crosse," approved March 14th, 1856.

(See supplement to local laws.)

shall be presented by complaint before a justice of the peace of the proper jurisdiction, and no mere technical objection to the complaint shall be alleged to defeat a prosecution so commenced; and prosecutions for fines and forfeitures, under this act, shall be in the name of the state of Wisconsin.

SECTION 12. In all cases under the provisions of this act, when any person or corporation shall be entitled to recover damages, the same shall be recovered in a civil action, prosecuted according to the laws of this state; and in cases where the action shall be prosecuted by a city, the action shall be prosecuted by the mayor or chief officer of such city as plaintiff; and when the action shall be prosecuted by an incorporated village, the action shall be in the name of the principal officer of said village as plaintiff; and when the action shall be prosecuted by a town, then the chairman of the board of supervisors shall prosecute the same. How actions to be prosecuted.

SECTION 13. Chapter 175 of the general laws of 1860, entitled "an act to regulate the license and keeping of dogs," and all other acts inconsistent with the provisions of this act, are hereby repealed: *provided*, that nothing in this act shall be so construed as to repeal chapter 48 of the revised statutes, and said chapter 48 is hereby declared to be and to remain in full force. Repeal.

SECTION 14. This act shall take effect and be in force from and after its passage and publication.

Approved June 19, 1862.

[See note to chapter 354, page 220.]

CHAPTER 203.

[Chapter 203 originally published April 7, 1862; as amended by chapter 354, published June 30, 1862.]

AN ACT to amend chapter 71 of the revised statutes, entitled "of the incorporation of banking associations."

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

SECTION 1. No bank or banking association shall demand or receive a greater or higher rate of interest up - Rate of interest receivable by banks.

on any note discounted by such bank or banking association, or for the loan or forbearance of any money, goods or things in action, than seven dollars upon one hundred dollars for one year, and after that rate for a greater or less sum, or for a longer or shorter time.

[As amended by chapter 354]

Sale of securities on failure of bank to pay notes — surplus to be paid over to representative of bank.

Whenever the securities deposited with the state treasurer to secure the redemption of the circulating notes of any bank, shall be sold in pursuance of sections forty-one and forty-two of said chapter 71 [of the] revised statutes, if such securities shall be or have been sold for a sum sufficient to redeem its outstanding notes at par, then the bank comptroller shall, after the expiration of three years from the time of sale of such securities, pay over to the legal representative of any such bank, upon application therefor, the surplus derived from the sale of said securities, if any there be remaining in the custody of the comptroller.

Question to be submitted to vote of the people.

SECTION 2. At the general election to be held on the Tuesday next succeeding the first Monday in November, A. D. 1862, at all the places of holding elections in this state for the election of officers required by law then to be elected, the question whether this act shall become a law and go into effect, or in any manner be in force, shall be submitted to the people; and if the same shall be approved by a majority of all the votes cast on the subject, it shall go into effect; otherwise, it shall not go into effect nor be in force.

Form of ballots, how canvassed, returned, &c.

SECTION 3. The votes cast on the subject specified in the last preceding section, shall be by separate ballot; and shall have written or printed, or partly written and partly printed, on each of them, the words "for amendment to the banking law," or "against amendment to banking law," which words shall indicate the vote for or against the approval of this act; and the ballots so cast shall be canvassed and returned in the same manner as the votes cast for state officers are required by law to be returned and canvassed; and the secretary of state shall, immediately on the completion of said canvass, publish a statement of the result thereof in the official state paper, and shall communicate the same to the next legislature at the commencement of the session; and he shall also deliver to the state treasurer a certified copy thereof, with a statement of the result of the canvass upon the subject, immediately after the completion of the canvass.

Statement to be published.

SECTION 4. This act shall take effect and be in force ^{Take effect.} from and after the twentieth day of January, A. D. 1863.

SECTION 5. All acts or parts of acts conflicting with ^{Repeal.} or in any way contravening the provisions of this act, are hereby repealed.

Chapter 203 approved April 4, 1862; chapter 354 approved June 17, 1862.