

shall be published, as provided in the preceding section."

Approved February 28, 1862.

CHAPTER 58.

[*Published March 5, 1862.*]

AN ACT to amend section four of chapter one hundred and twenty-four 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 :

SECTION 1. Section four of chapter one hundred and twenty-four of the revised statutes, is hereby amended so that the same shall read as follows, viz. : "The summons must be filed with the clerk, and the state tax on the action paid within ten days after the service of an answer or demurrer in the action. In case no answer or demurrer be served, then the summons shall be filed with the clerk, and the state tax on the action paid at the time of entering up judgment, or applying for relief in the action ; and if the summons be not filed and the state tax paid, as herein provided, the action may be dismissed by the court. In case a motion is made by the adverse party to dismiss such action for such cause, the court may allow the action to stand : *provided*, the plaintiff forthwith pays the state tax and five dollars costs of motion."

Filing of summons—state tax.

Approved February 28, 1862.