

CHAPTER 294.

[Published April 24, 1863.]

AN ACT for the relief of Carpenter and Hyer.

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

Bond may be canceled.

SECTION 1. The commissioners of public printing are hereby directed to cancel the bond and contract for the state printing, between Carpenter and Hyer and the state, dated August 25th, 1862, the said contract having been rescinded by chapter thirty-six of the general laws of 1863: *provided*, that the secretary of state shall audit all bills for work done and not already audited, at rates strictly in accordance with the terms of said contract.

Auditing of bills for work done.

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

Approved April 2, 1863.

CHAPTER 295.

[Published April 24, 1863.]

AN ACT to provide for the collection of subscriptions made to pay bounties to volunteers, and subscriptions to support families of volunteers.

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

Town treasurer may bring actions to enforce payment of bounty subscriptions.

SECTION 1. The town treasurer of any town in this state, is hereby authorized and empowered to commence and maintain actions in any court of competent jurisdiction, to enforce the payment of subscriptions made to pay bounties to volunteers, raised in his town, for the military service of this state or of the United States, or subscriptions to support the families of such volunteers, whether such subscriptions are made payable to the volunteers or families, or to the supervisors or any committee or person or persons, for the use and benefit of such volunteers or families, or whether such sub-

scriptions omit the [to] name or designate any officer, committee or person to whom payment is to be made. Such action shall be brought in the following form: Form of actions.
 “A—— B——, as treasurer of the town of ——, against C—— D——;” and the same may be prosecuted to judgment in like manner and with like effect as other civil actions.

SECTION 2. In case the town treasurer of any town shall fail or refuse to commence and prosecute any such action, any person interested in the collection of any such subscription may commence or prosecute such action in the name of such treasurer; and in such case the treasurer so failing or refusing to commence or carry on such action, shall not be allowed or permitted to interfere with or control the same in any respect, nor to receive the moneys paid in by or collected from the defendant. If treasurer refuse to prosecute, any person interested may.

SECTION 3. No such action shall abate by reason of the death, resignation or expiration of the term of office of such treasurer; but the same shall continue to final judgment, and the judgment shall be enforced in the name of the original plaintiff; and no town treasurer or other person prosecuting any such action in good faith, shall be personally liable for the costs thereof. Death, &c., not to abate action.

SECTION 4. All moneys received or recovered in any such action, exclusive of costs, shall be applied by the officer or person prosecuting the action, to the object or purpose specified in the subscription paper on which the action is brought; and every officer or person so receiving such moneys, and failing or refusing to faithfully apply the same to the proper object or purpose, as aforesaid, shall be deemed and held to be guilty of embezzlement, and shall be subject to punishment therefor, in like manner and extent as in other cases of embezzlement. How moneys recovered to be applied.

SECTION 5. This act shall take effect and be in force from and after its passage and publication. Penalty.

Approved April 2, 1863.