

CHAPTER 194.

[Published May 5, 1865.]

AN ACT relating to actions and writs of *scire facias* and *quo warranto*, and amendatory of section one of chapter one hundred and sixty of the revised statutes.

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

Scire facias and quo warranto, as prescribed in said chapter.

SECTION 1. Section one of chapter one hundred and sixty of the revised statutes, is hereby amended, so as to read as follows: "Section 1. The writ of *scire facias*, the writ of *quo warranto*, and proceedings by information in the nature of *quo warranto*, shall be as here prescribed, and the remedies heretofore obtainable in those forms may be obtained by civil action, as now prescribed by law; but any proceedings heretofore commenced, or judgment rendered, or right acquired, shall not be affected by this act. It shall not be necessary to sue out such writs in form."

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

Approved March 22, 1865.

CHAPTER 195.

[Published May 8, 1865.]

AN ACT relating to trial by jury, and amendatory of section 18 of chapter 182 of the revised statutes.

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

Trial by jury—how waived.

SECTION 1. Section eighteen of chapter one hundred and thirty-two is hereby amended so as to read as follows: "Trial by jury may be waived, by the several parties to an issue of fact, in actions on contract, and with the assent of the court in other actions, in the manner following: 1st. By failing to appear at the trial. 2d. By written consent, in person or by attorney, filed with the clerk. 3d. By oral consent in open court, entered in the minutes."

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

Approved March 22, 1865.

CHAPTER 196.

[Published March 24, 1865.]

AN ACT to authorize the Dane county bank to reduce its capital stock.

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

SECTION 1. The Dane county bank, of Madison, is hereby authorized to reduce its capital stock to any sum not less than twenty-five thousand dollars, upon filing with the bank comptroller a certificate from the secretary of state, that said bank has complied with the requirements of subdivision thirteen of an act to amend chapter 479 of the general laws of Wisconsin for the year 1852, entitled "an act to authorize the business of banking in the state of Wisconsin," approved May 15th, 1858, and setting forth in said certificate the amount to which such capital stock is to be reduced: *provided*, that said bank shall not be allowed to reduce its capital stock to an amount less than its circulating notes outstanding at the time of the filing of the certificate required in this section; and said bank shall be required to pay to the state treasurer all the taxes due to the state on the full amount of its capital up to and including the day on which such certificate is filed with the bank comptroller.

Capital stock may be reduced.

Provide.

SECTION 2. The president and cashier of the bank named in section one of this act, shall file in the office of the register of deeds of Dane county, a certificate, under oath, stating the sum to which the capital stock of said bank is reduced.

Certificate filed.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved March 23, 1865.