

CHAPTER 28.

[Published February 24, 1868.]

AN ACT to abolish the office of bank comptroller, and transfer his duties to the state treasurer.

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

SECTION 1. The office of bank comptroller is hereby abolished; to take effect on the first Monday of January, A. D., 1870. Office of bank comptroller abolished.

SECTION 2. The bank comptroller is hereby required, on the first Monday of January, A. D., 1870, to turn over to the state treasurer all the books, records, moneys, safes and furniture, together with all other appurtenances whatsoever appertaining or belonging to said office which may be in his custody, or for which he shall be held responsible. His books, etc., to be turned over to state treasurer.

SECTION 3. The state treasurer is hereby authorized and required to receive from the bank comptroller all the property and effects named in section two of this act, and thereafter perform and discharge all duties incident to the office of bank comptroller, and all acts of the state treasurer in pursuance of any requirement of the banking law shall be as valid for all purposes as though done and performed by the bank comptroller.

SECTION 4. This act shall be submitted to the electors of this state at the general election to be held on the Tuesday next succeeding the first Monday of November, 1868, and if approved by a majority of the votes cast on the subject, the same shall take effect and be in force as provided in section one of this act. Act to be submitted to vote of people.

SECTION 5. The form of ballot for the approval of this act shall be "for amendment to the banking law;" and against approval, "against amendment to the banking law," which shall be written or printed on a separate ballot and deposited in a separate box, and the votes cast for and against amendment shall be counted and returned by the inspectors of election, and be canvassed by the state board of canvassers, in the same manner and within the same time as the Form of ballot and manner taking and canvassing the votes.

Secretary of
state to publish
the result.

votes for state officers are required to be counted, 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 communicate the same to the governor, and he shall also deliver to the bank comptroller and state treasurer each a certified copy thereof.

SECTION 6. All acts and parts of acts contravening the provisions of this act are hereby repealed.

Approved February 19, 1868.

CHAPTER 29.

[Published February 24, 1868.]

AN ACT to provide for the service of summons by publication in certain cases, and for attachment therein.

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

How summons
may be served
on non-resi-
dents in certain
cases.

SECTION 1. When a cause of action exists against any person or corporation, and such person is a non-resident of the state, or his residence is unknown and he has property within the state, or said corporation is a foreign corporation and has property within the state; and the cause of action is one sounding in tort, and growing out of a transaction relating to the sale of real or personal property, made by defendant, or his agent, or when the cause of action arises out of any other wrongful act sounding in tort, committed by defendant or his agent, and the court has jurisdiction of the subject matter of the action, and the defendant, after due diligence, cannot be found within the state, and the facts are made to appear in manner and form as now required by law, under section 10 of chapter 124 of the revised statutes, and the several acts amendatory thereto; service may be had and made by publication of the summons as in other cases now provided for by law.