

such petition. In all such actions the person, company or corporation liable for the payment of such debt or claim, shall be made the party defendant. Any person claiming to be the owner of any such logs or timber may be made a party defendant on application to the court having jurisdiction of the action, at any time before final judgment therein. No person purchasing such logs or timber or otherwise acquiring any interest therein, before the time for filing such petition or statement has expired, shall be considered a bona fide purchaser as against the rights of any such lien claimant; provided, however, that any time check that shall become the property of another by purchase or otherwise shall be and remain a lien and the person owning the same shall have the same right of a lien and the same rights and powers to enforce the same as the person or persons performing the work or labor for which said time check was given; provided, further, that in order to affect the rights of innocent parties, purchasing such logs or timber in good faith, such lien claimant shall have filed with the clerk of the circuit court a notice of his intention to claim a lien, as provided by law.

Party
defendant.

Claims of
purchasers or
persons ac-
quiring inter-
est before time
for filing peti-
tion not to
affect lien
claimant.

Time checks—
lien of.

Claimant to
file notice of
claim.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.
Approved April 16, 1889.

[No. 407, S.]

[Published April 22, 1889.]

CHAPTER 455.

AN ACT to amend chapter 240, laws of 1887, entitled, "An act to prevent deception in the sale of cheese."

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

SECTION 1. Chapter 240, of the laws of 1887, is hereby amended so as to read as follows: Section 1. Every person who shall, at any cheese factory in the state, manufacture any cheese shall

Amending ch.
240, laws 1887.

Cheese, box to
be stamped,
etc.

distinctly and durably stamp or mark upon each and every box, case or package of cheese manufactured and sold the name and location of the cheese factory at which the same was made, and all cheese made from milk containing three per centum or more of pure butter fat shall be branded as full cream. And if any manufacturer of cheese shall sell or dispose of any cheese without such stamp or mark, or shall falsely stamp or mark the same as full cream when made from milk containing less than three per centum of pure butter fat, he shall forfeit and pay to any person who shall prosecute for the same the sum of twenty dollars for every box, case or package of cheese sold or disposed of without being marked as prescribed in this act, or with a false mark thereon, to be recovered in a civil action in any court having jurisdiction of the person and subject matter, one-half of such penalty to be paid into the county treasury of the county in which such action is brought, to be by said treasurer paid to the state treasurer for the benefit of the school fund.

Penalty for
falsely stamp-
ing or mark-
ing.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.
Approved April 17, 1889.

[No. 408, S.]

[Published April 18, 1889.]

CHAPTER 456.

AN ACT to appropriate to Richard W. Comly, a certain sum of money.

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

Appropriation
to Richard W.
Comly.

SECTION 1. There is hereby appropriated to Richard W. Comly, out of any money in the state treasury not otherwise appropriated, the sum of sixty-seven dollars and fifty cents, to compensate him for his services as stenographer for the senate and assembly committees on railroads, at their joint sessions on hearing arguments on sen-