

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

Approved May 14, 1913.

No. 1082, A.]

[Published May 16, 1913.

CHAPTER 265.

AN ACT to amend section 1498—6 of the statutes, relating to hunting and fishing licenses, and providing a penalty.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1498—6 of the statutes is amended to read: Section 1498—6. It shall be the duty of each county clerk in this state to remit to the state treasurer, on the first day of each month, all moneys received by him for hunting or fishing licenses during the preceding month, and to report to the state fish and game warden the number of licenses issued, and the amount of money remitted to the state treasurer. He shall also keep * * * an index * * * of the names of all licensees in alphabetical order, said names to be entered at the time the licenses are issued. Any county clerk who shall fail or refuse to comply with any of the provisions of this section shall on conviction thereof pay a penalty of not less than five dollars nor more than ten dollars or by imprisonment in the county jail not less than five days nor more than ten days.

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

Approved May 14, 1913.

No. 142, A.]

[Published May 20, 1913.

CHAPTER 266.

AN ACT to amend subdivision (7) of section 709, sections 1165, 1167, 1168, 1169, 1170, 1171, 1172, 1175 and 1176 of the statutes, relating to redemption of lands sold for taxes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subdivision (7) of section 709, sections 1165, 1167, 1168, 1169, 1170, 1171, 1172, 1175 and 1176 of the statutes are amended to read: (Section 709) (7) To keep in such manner a separate account of all moneys paid the county treasurer by him. * * *

SECTION 1165. The owner or occupant of any land sold for taxes or other person may, at any time within three years from

the date of the certificate of sale, redeem the same or any part thereof or interest therein by paying to the county * * * *treasurer* of the county where such land was sold, for the use of the purchaser, his heirs or assigns, the amount for which such land was sold and all subsequent charges thereon authorized by law, or such portion thereof as the part or interest redeemed shall amount to with interest on the amount of purchase money at the rate of fifteen per cent per annum from the date of such certificate, and all other taxes and charges thereon imposed subsequent to such sale and paid by such purchaser or his assigns prior to such redemption, with interest thereon at the rate of fifteen per cent per annum, vouchers or other evidence of the payment of which shall have been deposited with the county clerk or produced to such person seeking to redeem; but whenever any land sold for taxes shall be redeemed within six months after the sale thereof interest as aforesaid shall be paid for six months; and in all cases any such person may, in like manner, redeem any such lands or any part thereof or interest therein at any time before the tax deed executed upon such sale is recorded, and when so redeemed, such deed shall be void; provided, that when an application is made to the county * * * *treasurer* to redeem from any tax sale any part or portion of any lot or parcel of land which was sold for taxes as a whole, but which is owned in severalty, said * * * *treasurer*, before making a receipt for the redemption of such part or portion thereof, may ascertain by affidavits or by actual view the true proportion of taxes chargeable to the part or portion sought to be redeemed, and the amount so found shall be deemed to be the amount required for the redemption thereof. The provisions of this chapter relating to redemption, conveyance, rights of action, limitation and other proceedings shall apply to all swamp and overflowed lands which have been or may be contracted for sale by any county board.

SECTION 1167. Upon the redemption of any lands sold for taxes by payment to the county * * * *treasurer* such * * * *treasurer* shall execute to the person so redeeming a receipt specifying therein the name of the purchaser, the land redeemed and the amount of the redemption money paid on each parcel separately, and also in distinct items the whole amount of penalties and advertising fees on the parcels embraced therein and fees for said receipt; and such * * * *treasurer* shall also enter on the sale list kept by him the name of the person redeeming, the sum paid therefor, exclusive of fees as aforesaid, and the time when paid; which receipt, before it shall be evidence of such redemption, shall be presented to the * * * *clerk* of the same

county and countersigned by him; and said * * * clerk shall also make a similar entry in the sale list kept by him with that above required to be made by such * * * treasurer, and before said receipt shall be delivered to the person so redeeming; but the county * * * treasurer shall not be required to include in the same receipt of redemption lands sold in different years.

SECTION 1168. The county clerk shall *pay to the county treasurer all redemption money in his hands and hereafter he shall*, upon demand of any person entitled to any redemption money in his hands, forthwith, *issue an order upon the treasurer to pay the same to such person * * ** All such money shall, after the expiration of six years from the date of the sale of the property, * * * *become a part of the general fund and be disbursed as other moncys belonging thereto.* The legal holder of any certificate so redeemed may thereafter present the same to the county * * * clerk who shall *issue an order upon the county treasurer to pay the amount paid upon such redemption.*

SECTION 1169. Whenever any person claiming to be the owner of any certificate given by the county treasurer for lands sold for taxes shall have lost the same, or the same shall be wrongfully detained from him and the land therein described shall have been redeemed, he may exhibit to the county clerk evidence of such ownership, loss or detention; and upon his making it satisfactorily appear to such clerk that he is such owner and that the same is lost or wrongfully detained, and executing to him a bond with sufficient sureties, to be approved by him, conditioned that he will refund such redemption money, with ten per cent interest thereon if any other person shall thereafter show his right thereto, such clerk shall *issue an order upon the county treasurer to pay such redemption money to such person.*

SECTION 1170. Each county * * * treasurer shall, at least six and not more than ten months before the expiration of the time limited for redeeming lands sold as aforesaid, cause to be published in a newspaper printed in the county in which said lands are located, if there be such a newspaper, and if there is none, then in a newspaper printed in an adjoining county, if there be one; but if there be no newspaper printed in the same or in an adjoining county, then in the official state paper, once a week for four successive weeks a list of all unredeemed lands, specifying each tract or lot, the name of the person to whom assessed, if to any, and the amount of taxes, charges and interest, calculated to the last day of redemption, due on each parcel, together with a notice that unless such lands be redeemed on or before the day limited therefor, specifying the same, they will

be conveyed to the purchaser; but it shall not be lawful for any such * * * *treasurer* to publish any such list and notice in any newspaper in which the county treasurer is prohibited from publishing the list and notice he is required by section 1130 to cause to be published. Before publishing such list such * * * *treasurer* shall carefully compare the county treasurer's advertised list of lands to be sold for delinquent taxes with such treasurer's list of the same lands in his book of sales, and if upon such examination there be found any omission or erroneous description in said list, such parcel of land in the description of which the omission or error shall occur shall not be advertised for redemption, but * * * *he* shall cancel the certificate of sale of said parcel and * * * shall readvertise and sell the same at the next ensuing sale of land for unpaid taxes; provided, however, that if the number of the descriptions in the lists of lands to be advertised for redemption by the county * * * *treasurer* shall exceed three thousand, he shall then let by contract the publication of such list to the lowest bidder upon a notice, written or printed, to be delivered to and left with the publisher or one of the publishers of each newspaper printed as aforesaid, at least ten days prior to the time at which such contract shall be let; and any county * * * *treasurer* who shall wilfully refuse or neglect to perform any duty required by this section or who shall keep back and not report any unredeemed lands for the purpose of evading its provisions shall forfeit the full amount of the penalty of his official bond, one-half of which, when collected, shall be paid to the person prosecuting therefor and the residue into the treasury of the county for the use of the school fund; provided further, that no county * * * *treasurer* shall be liable to any penalty for causing such publication to be made in a weekly newspaper published in such county for the length of time hereinbefore named prior to the date of his notice, when by reason of accident or other cause more than one week has intervened between the dates of the actual issue of such newspaper to subscribers, if such delay at any one time shall not have exceeded three days; but every such newspaper, for the purpose of this section shall be deemed to have been regularly published once in each week as hereinbefore provided.

SECTION 1171. If no newspaper be published in such county the county * * * *treasurer* shall also, at least three months previous to the time limited for the redemption of any lands sold for taxes, cause to be posted up copies of the list and notice specified in the preceding section in at least four public places in his county, one of which copies shall be posted up in some conspicuous place in his office.

SECTION 1172. Whenever, by mistake or otherwise, such * * * *treasurer* neglects or fails to include in his published list any such tract or tracts of land or to publish such list in accordance with the requirements of law, the same may be published at any time within one year after the expiration of said three years; such publication shall be made in the same manner and for the same time as prescribed in the preceding section, and such * * * *treasurer* shall specify in his notice accompanying such published list when the time for making redemption of such lands from such sale will expire, which time shall not be less than six nor more than ten months from the expiration of the full twelve weeks required for the aforesaid publication; and all deeds made in pursuance thereof shall be as valid and effectual as if such publication had been made at the time required in such section.

SECTION 1175. Whenever any lot or tract of land which has been or shall hereafter be sold for taxes shall have been in the actual occupancy or possession of any person, other than the owner and holder of the certificate of such tax sale or some person holding under him, for the period of thirty days or more, at any time within the six months immediately preceding the time when the tax deed upon such sale shall be applied for, such deed shall not be issued unless a written notice shall have been served upon the owner or upon such occupant by the holder of such certificate at least three months prior thereto, stating that he is the owner of such certificate and setting forth the date thereof, and giving notice that after the expiration of three months from the service thereof such deed will be applied for. The plaintiff in any action to foreclose a mortgage, having filed with the register of deeds a notice of the pendency thereof, may file a copy of such notice with the county * * * *treasurer*, who shall note such filing opposite the land therein described upon the book of tax sales; and every subsequent applicant for a tax deed of any such land shall give thirty days' notice, in the manner above prescribed, to such plaintiff or his attorney. An affidavit showing such service and specifying particularly the time and manner thereof shall be filed with the officer whose duty it shall be to issue such tax deed before such deed shall be issued; and in no case shall any tax deed be issued upon the certificate of the sale of land for the nonpayment of taxes except upon proof of the service of the notice as herein provided, when requisite, and if the land be not so occupied, proof filed with such officer that the land described in such certificate was not occupied or possessed for the period of thirty days, as hereinbefore specified. After proof of service of any such notice is filed

it shall be necessary to pay, in order to redeem such lot or tract of land or any part thereof or interest therein, one dollar in addition for each such notice and proof. Every such notice may be served in the same manner as a summons in an action in the circuit court, and the grantee in any tax deed, his heirs or assigns shall never recover or be entitled to receive from any county the amount due upon any certificate or certificates upon which such deed issued, or any part thereof, if such deed be set aside or declared void solely on the ground that the notice required by this section was not duly served, or that the proof of such service was insufficient, or that the affidavit as to the occupation or possession was not duly made or was insufficient.

SECTION 1176. If any land sold for nonpayment of taxes shall not be redeemed as aforesaid the county * * * *treasurer* shall, after the expiration of the time prescribed by law for the redemption thereof, on presentation to him of the certificate of such sale and proof of service of notice upon the occupant or that the lands are unoccupied as prescribed in the preceding section, *certify to the county clerk that the certificate has been presented to him and that proof of service of notice upon the occupant or that the lands are unoccupied has been made before him; and thereupon the said county clerk shall execute in the name of the state and of his county, as county clerk thereof, under his hand and the seal of the county, to the purchaser, his heirs or assigns, a deed of the land so remaining unredeemed, and shall acknowledge the same, which shall vest in the grantee an absolute estate in fee simple in such land, subject, however, to all unpaid taxes and charges which are a lien thereon and to redemption as provided in this chapter; and such deed duly witnessed and acknowledged shall be presumptive evidence of the regularity of all the proceedings, from the valuation of the land by the assessor up to and including the execution of the deed, and may be recorded with the like effect as other conveyances of land. The county * * * *treasurer* shall not issue * * * *the above certificate relating to* any parcel of land until by carefully comparing the advertised sale list of lands for unpaid taxes and the advertised list of the same for redemption with the treasurer's list of said lands in his book of sales he shall find that the description of such parcel of land so to be conveyed has been correctly and fully published, both in such advertised list of sales and redemptions; and if upon such examination the county * * * *treasurer* shall find any error or omission in any such advertised description he shall enter opposite the description of said land in his book of sales a statement of the fact of such error or omission; and the county board shall in all such cases*

cause such certificate to be canceled and direct the county treasurer to correct the description thereof and readvertise and sell the same at the next ensuing sale of lands for unpaid taxes.

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

Approved May 17, 1913.

No. 169, A.]

[Published May 20, 1913.

CHAPTER 267.

AN ACT to amend section 13, chapter 241, laws 1893, as amended by chapter 12, laws 1901, and chapter 266, laws 1911, relating to the salaries of the judges and clerk of the municipal court for Ashland county.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 13, chapter 241, laws 1893, as amended by chapter 12, laws 1901, and chapter 266, laws 1911, is amended to read: Section 13. The judge for his services in criminal matters shall receive, in addition to the compensation hereinbefore provided, a salary of * * * *sixteen* hundred dollars per year to be paid monthly, and the clerk the sum of *nine* hundred dollars per year, to be paid monthly, as follows: One-half thereof shall be paid out of the treasury of Ashland county, and one-half out of the treasury of the city of Ashland.

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

Approved May 17, 1913.

No. 208, A.]

[Published May 20, 1913.

CHAPTER 268.

AN ACT to amend subdivision (31) of section 925—52 of the statutes, relating to the powers of the common council of cities.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subdivision (31) of section 925—52 of the statutes is amended to read: (Section 925—52) (31) To establish and alter the grade of streets and sidewalks; regulate the manner of using the streets and pavements; protect the same from injury by vehicles used thereon; require standard sidewalks and curbs to be laid upon such street or streets or part thereof as it may prescribe; declare any sidewalk and curbs or part thereof unsafe, defective or insufficient, and that the same be removed