

second time in said section, and inserting "Tuesday of April," so that it will read, "a county judge shall also be elected for said county on the first Tuesday of April, 1860," &c.

SEC. 2. Section six of said act is hereby amended by Amendment striking out the word "April," where it first occurs in said section, and inserting the word "October."

SEC. 3. This act shall take effect from and after its Take effect. passage.

Approved March 19, 1859.

[Published April 1, 1859.]

CHAPTER 195.

AN ACT authorizing the redemption of lands sold under foreclosure of mortgages hereafter executed, by judgment or decree of court.

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

SECTION 1. In all cases of sales of mortgaged lands or Sale of mort- premises under or by virtue of any judgment order or gaged lands. decree hereafter made or rendered upon the foreclosure of any mortgage hereafter executed, it shall be the duty of the sheriff, deputy sheriff, or other officer making such Duty of sheriff, or other officer. sale, within ten days after the same is made, to execute and deliver to the purchaser, a certificate of sale in writing under seal, setting forth each tract or parcel of the lands or lots so sold, the sum paid therefor, and the time when the purchaser shall be entitled to a deed of the same, unless the same shall be redeemed as hereinafter provided; and such officer shall also within the said ten days after such sale, file in the office where the mortgage was recorded, a duplicate of such certificate signed by him, and such certificate, or a copy properly certified by the register, shall be taken and deemed evidence of the facts therein contained.

SEC. 2. In all cases of sales hereafter made of lands Redemption of lands so sold. or lots of lands under the provisions of this act, it shall be lawful for the mortgagor or his heirs, executors, administrators or assigns, whose lands or lots shall be sold as aforesaid, at any time within one year after such sale, to redeem such lands, lots and tenements, or any distinct tract or parcel thereof, separately sold, by paying to the purchaser, his executors, administrator or assigns, or the sheriff or other officer making such sale, or his successor

Money to be paid over.

in office, the sum of money bid therefor, and for which the same was sold, together with interest on such purchase money at the rate of ten per cent. per annum, from the date of such sale, and such payment being made, the said sale and certificate thereon granted, shall become null and void, anything contained in any law to the contrary notwithstanding; and the bail of the said sheriff or other officer, shall be responsible for the full and faithful payment to the purchaser aforesaid, or his legal representatives, of all money received by such sheriff or deputy, or other officer as aforesaid, and upon payment of the purchase money, with interest as aforesaid, the said sheriff, deputy or other officer, shall execute and deliver to the proper person, so redeeming as aforesaid, a certificate under seal of the fact of such redemption, which shall operate as a full and complete discharge of the mortgage and of all the rights, title and interest acquired by the purchaser at such sale, and shall vest the title of the lands and property so redeemed in the person lawfully entitled to the same; *Provided*, that in every case of such sale, the mortgagor of such lots or lands, or his assigns, may retain full possession of the mortgaged premises in trust for the mortgagee or purchaser, until the title shall absolutely vest in the purchaser according to the provisions of this act.

Proviso.

Unauthorized redemption.

SEC. 3. If at any time after the expiration of the said term of one year from the time of the sale of such premises, it shall appear that no person authorized so to do has redeemed the same, or any portion thereof, as provided in this act, it shall then become the duty of the sheriff, or deputy sheriff or other officer making such sale, or his successor in office, to execute and deliver to the purchaser at such sale, deeds of the lands or lots of land so sold, which shall vest in the said purchaser the same estate, and shall be as valid as if the same were executed by the mortgagor and mortgagee to the same person, and shall constitute an entire bar against all parties to such action in which the order or decree for such sale was made, and against their heirs respectively, and all persons claiming under them.

Subsequent mortgage.

SEC. 4. Any person who may have or hold a subsequent mortgage or other incumbrance on the premises sold or any separate lot or parcel thereof, shall be entitled to the same privileges of the redemption of the mortgaged premises that the mortgagor or his legal representatives might have had, or of satisfying the prior mortgage, and shall, by such satisfaction, acquire all the benefits to

which such prior mortgagee was, or might have been entitled.

SEC. 5. In all cases of foreclosure of mortgages by the Sale of premises, judgment, decree or order of any court, such judgment, order or decree, shall direct and require the mortgaged premises to be sold, and the equity of redemption shall not be foreclosed without such sale, except by consent of parties, in open court.

SEC. 6. The provisions of chapter one hundred and thirteen of the general laws of 1858, entitled "an act relating to the foreclosure of mortgages, and the sale of lands under such foreclosure," shall not apply to the foreclosure of mortgages executed after the passage of this act.

SEC. 7. All acts and parts of acts contravening the provisions of this act, are hereby repealed.

SEC. 8. This act shall be published immediately, and shall take effect and be in force from and after its publication.

Approved March 19, 1859.

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[Published March 28, 1859.]

CHAPTER 196.

AN ACT to provide for the payment of printing documents.

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

SECTION 1. There is hereby appropriated from the state treasury, a sum sufficient to defray the expenses of printing such documents as the governor was directed to have printed by joint resolution No. 17, including the reports of the school land commissioners and of the joint committee of investigation into the affairs of the state departments, which as yet have not been published.

SEC. 2. The secretary of state is hereby authorized and directed to audit all accounts for printing, in accordance with said joint resolution No. 17, upon receiving from the governor a certificate that such printing has been performed, and the documents delivered to the superintendent of public property.

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

Approved March 19, 1859.