

such interest in each year as aforesaid, furnish the commissioners with the certificate or certificates from the proper officer or officers, that all taxes and assessments for the preceding year have been paid on such mortgaged land, except enjoined taxes.

Action, on non-payment of interest and taxes.

SEC. 4. If the interest on such mortgage so extended as aforesaid, shall not be paid as aforesaid, or such certificate of payment of any taxes and assessments shall not be furnished as above provided, the whole principal of such mortgage and note or bond accompanying the same shall be due and payable, and any extension that may have been given as above provided for, shall become null and void, and the commissioners of the school and university lands shall at once without any delay take due proceedings for collection of same pursuant to law.

Commissioners to enforce collection.

SEC. 5. The said commissioners shall at once take proper steps to enforce the collection of any of the aforesaid mortgages, the time of payment of which shall not be extended in accordance with the provisions of this law.

Take effect.

SEC. 6. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1859.

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[Published March 18, 1859.]

## CHAPTER 89.

AN ACT to prevent unauthorized purchases in behalf of the state.

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

Authority to purchase.

SECTION 1. The state superintendent of public property under the direction and control of the governor, shall contract for and purchase all fuel, furniture, fixtures, carpets, or other article or thing required and to be used in and about the capitol or state offices, in the city of Madison, for state purposes; *Provided*, that purchases of stationery by the superintendent of public property shall be in accordance with the provisions of section two of this act, and not otherwise.

Proviso.

Relating to stationery.

SEC. 2. In addition to the stationery procured by the agent appointed by the governor, to purchase stationery, the superintendent of public property is hereby authorized to contract for and purchase such other stationery as shall be required and needful for state purposes, in and

about the capitol and state offices, in the city of Madison; *Provided*, that the whole amount of such purchase of stationery shall not exceed the sum of fifteen hundred dollars for and during any one year; *And provided further*, that the superintendent of public property shall purchase such stationery of the lowest bidder, and to that end shall receive proposals of at least two wholesale stationers for furnishing such stationery, or shall examine the stock of at least two wholesale dealers in stationery for the purpose of making such purchase. Proposals for lowest terms.

SEC. 3. The superintendent of public property shall disburse and account for the stationery so purchased in the manner provided in sections 8, 9, 10 and 11, of chapter 27, of revised statutes, and in section 15, of chapter 87 of "acts of a general nature," of 1858. Disbursements.

SEC. 4. No person except the agent appointed by the governor to purchase stationery and the superintendent of public property, as provided in this act, shall in behalf of the state purchase any stationery to be used in and about the capitol or state offices, in the city of Madison. Nor shall any person, except the superintendent of public property, contract for or purchase in behalf of the state any fuel, fixtures, carpets, furniture or other articles or thing (except stationery, as herein provided) to be used in and about the capitol and state offices in the city of Madison, for state purposes, and no contract or purchase purporting to be made with or by such unauthorized person shall constitute any liability on the part of, or indebtedness against the state, and no payment, for or by reason of such alleged purchase or contract, shall be made out of the state treasury. Authority for purchasing stationery, fuel, &c.

SEC. 5. All claims or demands for payment from the state for fuel, fixtures, carpets, furniture, or other article or thing contracted for or purchased for the use of the state, to be used in and about the capitol and state offices in the city of Madison, shall when presented, be accompanied by a certificate of the person authorized to contract or purchase as herein provided, setting forth that such articles or things were purchased and had for the use of the state, and it shall not be lawful for the committee on claims, of the legislature, to allow and provide for the payment of any such claim or demand, unless it shall be accompanied by such certificate. Certificates to accompany claims.

SEC. 6. Any person who shall make any contract, or purchase of any articles or things, in violation of the provisions of this act, shall be deemed guilty of a misdemeanor. Penalty.

Take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 12, 1859.

[Published March 22, 1859.]

## CHAPTER 90.

AN ACT in relation to affidavits in pursuance of an act of the Legislature of Michigan, entitled "an act concerning mortgages," approved April 19, 1833.

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

Relating to affidavit.

SECTION 1. Every affidavit made or taken in foreclosing any mortgage by advertisement, under the provisions of the act of the territory of Michigan, entitled "an act concerning mortgages," approved April 19, 1833, which was sworn before and certified by any officer then authorized to take the acknowledgment of deeds, shall be taken and held to have the same force and effect in law as if the same had been sworn before and certified by any of the officers mentioned in that behalf in the 14th section of the said act.

Remedy for illegal affidavits

SEC. 2. Every officer and person who made any affidavit in the course of foreclosure of any mortgage, under the provisions of the act mentioned in the 1st section of this act, which is or may be considered defective or insufficient in substance or form, or for the reason that the same was sworn before or certified by any officer not then authorized to take or certify the same, is hereby authorized to make such affidavit, according to the facts, before any officer authorized by law to take the acknowledgement of deeds, and such officer is hereby authorized and required to take such affidavit, to and subscribe his name to a certificate underneath the same, purporting that the person making such affidavit has appeared before him and made oath or affirmation to the same.

Effect of this act

SEC. 3. Any affidavit made in pursuance of the second section of this act, shall have the same force and effect as if made at the time and under the provisions of the act mentioned in the first section of this act, and all registers of deeds in the proper counties are required to record the same in the manner which was required by the act mentioned in the first section of this act, and the record of every such affidavit shall have the same effect