

SECTION 2. Chapter 437 of the private and local laws of 1856, entitled "an act to incorporate the village of Weyauwega," is hereby revived and declared to be in full force and effect. Revived.

SECTION 3. All officers elected in the year 1862, under and by virtue of said chapter 437, shall hold their offices respectively, unless otherwise disqualified, till the next annual election under said chapter, and until their successors are elected and qualified. Terms of office of present officers.

SECTION 4. All acts or parts of acts contravening the provisions of this act, are hereby repealed. Repeal.

SECTION 5. This act shall take effect and be in force from and after its passage.

Approved June 16, 1862.

## CHAPTER 347.

[Published June 18, 1862.]

AN ACT to amend an act entitled "an act to make street commissioners' certificates in the city of Milwaukee, a lien upon lots or lands against which they may issue," approved March 29, 1856.

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

SECTION 1. Section three of an act entitled "an act the make street commissioners' certificates in the city of Milwaukee, a lien upon lots or lands against which they may issue," approved March 29, 1856, is hereby amended so as to read as follows: "The holders [holder] of any street commissioner's certificates [certificate] which shall become a lien by virtue of this act, at any time after the expiration of three years from the time when such certificate shall have been countersigned by the city comptroller, in case the same shall not have been paid or redeemed, may commence his action in the circuit court of the county of Milwaukee, or in any other court having equity jurisdiction in said county, to enforce the lien given by this act, and to cause such lot or parcel of land subject to such lien, to be sold under a judgment of the court for the satis- Holder of certificate may file bill in circuit court.

Owner of land to  
be party to  
proceedings.

faction of such lien. The owner and all persons having any interest in such lot or parcel of land, shall be made parties to such action and served with process, which process and the service thereof as well upon resident as non-resident defendants to such action, shall conform to, and all proceedings in the case shall be conducted according to the law regulating proceedings in courts of equity jurisdiction, and according to the rules and practice of such courts in actions brought to foreclose mortgages upon real estate. The court shall allow the complainant's lien, together with all the taxes which may have (*have*) been paid by him, or by any person for him, or by any former holder of said certificate, in order to protect the lien by virtue of such certificate, with the interest thereon, as hereinafter provided, subsequent [subsequently] to the date of said lien aforesaid; and the street commissioner's certificate, duly countersigned by the city comptroller, shall be *prima facie* evidence of the amount of such lien, as well as [of] the validity and legality thereof, and of the regularity and validity of all the steps that have been taken up to and including the issue of said certificate, and the levying of the amount thereof on the land, and of all the facts stated in such certificate; and the receipts of the proper officers authorized to receive taxes, shall also be like evidence of the amount of taxes paid or redeemed by the plaintiff, or by any person for him, or by any former owner of said certificate. The court, upon ascertaining the amount of such lien as aforesaid, and also the amount of taxes paid by the plaintiff or for his benefit, shall render judgment against the lot or parcel of land for the amount of such lien and taxes, and the interest thereon at the rate of twenty-five per centum per annum, as hereinbefore provided, together with the costs of suit and sale, and also that the lot or parcel of land, or so much or such part thereof as will be sufficient to satisfy the amount of such judgment, be sold to satisfy and discharge the same; which judgment shall be carried into effect, as near as may be, in the same manner as judgments in actions brought to foreclose mortgages on real estate; and the plaintiff, or any of the parties to such actions, may become the purchaser at the sale. Such judgment and sale, when confirmed, shall forever bar and preclude all persons, parties to such action,

Evidence.

Decree of court.

or obtaining under them subsequent [subsequently] to the commencement thereof, from setting up any claims, right or interest in or to the premises sold, and shall cut off all right and equity of redemption therein, and shall vest the title therein absolutely in the purchaser. If the lot or parcel of land shall be sold for more than the amount of such judgment against it, including the costs of such action and such sale, the excess shall be brought into court by the sheriff or officer making the sale, for the benefit of those entitled to it, and subject to the order of court. The officer making the sale shall make, execute, acknowledge and deliver to the purchaser, or his or her assigns, a good and sufficient deed of the lot or parcel of land sold, which deed shall be executed and acknowledged as deeds for the conveyance of real estate are required to be executed and acknowledged by the laws of the state. The sheriff or officer making the sale, after the execution and delivery of the deed aforesaid, shall make a report of his proceedings to the court, and upon the coming in and filing of such report, the court shall make an order confirming such sale and such report thereof, and all the matters and things therein contained.

Excess, if any—  
how disposed of.

Deed.

Report.

SECTION 2. This [the] said act to which this act is amendatory, shall apply, as hereby amended, to all street commissioners' certificates heretofore issued upon any lot or parcel of land in the city of Milwaukee.

Application.

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

Approved June 16, 1862.

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## CHAPTER 348.

[Published June 18, 1862.]

AN ACT to repeal chapter 436 of the private and local laws of 1856, entitled "an act to amend the charter of the Milwaukee and Lisbon plankroad company," approved March 31, 1856.

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

SECTION 1. Chapter 436 of the private and local laws of 1856, entitled "an act to amend the charter of the Milwaukee and Lisbon plankroad company," approved March 31, 1856, is hereby repealed.

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