

CHAPTER 49.

5776. 110, 112, 113

[Published April 6, 1866.]

AN ACT to amend sections 1 and 4 of chapter 183 of the revised statutes, entitled "of costs and fees."

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

Fees of sheriff.

SECTION 1. Section one (1) of chapter one hundred and thirty-three (133) of the revised statutes, is hereby amended, so that it shall read as follows: "Section 1. Every sheriff in this state shall be entitled to receive the following fees for his services, viz.:

"First. For serving a summons, or any other process by which an action shall be commenced in any court of record, or writ or order of injunction, and making return thereon, for one defendant, one dollar; for each additional defendant, fifty cents.

"Second. Traveling in making service of any summons, writ or other process, except criminal *capias*, to be computed, in all cases, from the court house of the county in which service is made, ten cents per mile, going and returning.

"Third. Taking a bond or undertaking in any case when required by law, and approving the same, fifty cents.

"Fourth. Making a copy of any bond or undertaking, summons, writ, complaint or other paper served or taken, when required by law or demanded by a party, ten cents per folio.

"Fifth. Serving and returning a subpoena to testify, for each person served, twenty-five cents.

"Sixth. Serving an execution on a judgment for the recovery of real estate, or other writ not provided for, one dollar.

"Seventh. Collecting and paying over all sums upon execution, writ or process for the collection of money, five per cent. upon any sum not exceeding three hundred dollars, and upon any sum more than three hundred and less than six hundred dollars, two and one-half per cent., and upon all sums exceeding six hundred dollars, one and one-fourth per cent.; but in no case shall the whole per centage exceed thirty dollars.

“Eighth. Advertising goods and chattels for sale upon execution, writ or process, seventy-five cents; but when there are more than one execution, writ or process in the hands of the sheriff against the same defendant, there shall be but one advertising fee charged in the whole, which shall be on the execution having priority.

“Ninth. Drawing advertisement of real estate, per folio, twenty-five cents.

“Tenth. Every certificate of sale of real estate, fifty cents.

“Eleventh. Filing copy thereof with the register of deeds, including fees of register of deeds, twenty-five cents.

“Twelfth. Drawing, executing and acknowledging a deed pursuant to a sale of real estate, two dollars, to be paid by the grantee in such deed.

“Thirteenth. Summoning a grand or petit jury, to be paid from the county treasury, fifty cents for each juror named.

“Fourteenth. Summoning a jury upon a writ of inquiry, attending such jury, and making and returning the inquisition, one dollar and fifty cents.

“Fifteenth. Summoning a special jury, struck pursuant to an order of court, and returning the panel, one dollar and fifty cents.

“Sixteenth. Summoning a jury pursuant to any precept, or summons of any officer in any special proceeding, one dollar; and for attending such jury when required, one dollar and fifty cents per day.

“Seventeenth. Attending a view when ordered by the court, one dollar and fifty cents per day, and ten cents per mile traveling fee, going and returning.

“Eighteenth. Summoning appraisers and swearing the same, one dollar.

“Nineteenth. Every appraiser for each day, one dollar.

“Twentieth. Drawing an inventory or other paper, except returns upon a summons, subpoena or venire, twenty-five cents per folio.

“Twenty-first. Attending the supreme court, one dollar and fifty cents for each day, to be allowed on the certificate of the chief justice or clerk, and paid out of the state treasury.

“Twenty-second. Attendance upon the circuit or county court, three dollars per day to the sheriff, and one dollar and fifty cents each per day to the necessary deputies, to be paid out of the county treasury.

“Twenty-third. Serving notice of any general or special election upon the inspectors of elections of the different towns and wards in his county, fifty cents for each town or ward, to be paid out of the county treasury.

“Twenty-fourth. For serving any writ or other process, with the aid of the county, two dollars and fifty cents, and all necessary expenses incurred thereby.

“Twenty-fifth. All such necessary expenses incurred in taking possession of any goods or chattels and preserving the same, as shall be just and reasonable in the opinion of the court.

“Twenty-sixth. All fees allowed by law and paid to any printer for any advertisement required to be published by the sheriff.

“Twenty-seventh. Traveling to serve any criminal process, for every mile actually traveled, ten cents per mile, whether in the county from which process issued, or not.

“Twenty-eighth. Every commitment to prison, fifty cents.

“Twenty-ninth. Discharging a person from prison, twenty-five cents.

“Thirtieth. Bringing up a prisoner upon *habeas corpus*, to testify or answer in any court, or before a judge, one dollar.

“Thirty-first. Attending before any officer with a prisoner, for the purpose of having him surrendered in exoneration of his bail, or attending to receive a prisoner so surrendered, who was not committed at the time, and receiving such prisoner into custody, in either case, one dollar.

“Thirty-second. Attending any court or officer with a prisoner, one dollar and fifty cents per day, besides actual necessary expenses.”

Fees of sheriff for
executing judgment directing
sale of mortgaged
premises.

SECTION 2. Section four (4) of said chapter one hundred and thirty-three (133) is hereby amended, so that it shall read as follows: “Section 4. The following fees shall be allowed the sheriff or other officer for services in executing a judgment directing sale of

577c 116

mortgaged premises, viz.: For making sale when the amount of the judgment does not exceed five hundred dollars, the sum of five dollars; when the amount of the judgment exceeds five hundred dollars, and less than one thousand dollars, the sum of eight dollars, and when the amount of the judgment exceeds one thousand dollars, the sum of ten dollars; for drawing, executing and acknowledging the deed, the sum of three dollars; for making the receipt of sale in each case, three dollars; for drawing advertisement of sale, one dollar; for travel performed in making such sale, to be computed from the court house, ten cents per mile, going and returning."

SECTION 3. All acts and parts of acts contravening the provisions of this act, are hereby repealed.

Repeal.

5776.116

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 4, 1866.

CHAPTER 50.

[Published April 12, 1866.]

AN ACT to amend section 1 of chapter 244 of the general laws of 1865, relating to "costs and fees."

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

SECTION 1. That section 1 of chapter 244 of the general laws of 1865, is hereby amended, by adding after the word "supreme," in the sixth line of said section, the words "or circuit."

Amendment.

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

Approved April 5, 1866.