

more than one court, and not to exceed eight hundred dollars in the aggregate during any one year.

SECTION 2. Section two of said chapter is hereby amended so as to read as follows: Section 2. The sheriff of Milwaukee county is hereby required to keep in attendance upon each of said courts during the session thereof as many deputy sheriffs as the judge of said court shall require and no more, and each deputy sheriff in actual attendance upon said courts shall receive for such, and for actual attendance only, four dollars per diem, to be paid out of the county treasury of said county: *provided*, that no more than nine deputy sheriffs shall draw compensation under this act for services rendered upon any one day, and that when any deputy sheriff shall have drawn eight hundred dollars for services rendered during the current year, his compensation shall cease, notwithstanding that he shall be required to service [serve] to the end of the current year; *and provided further*, that neither crier nor deputy sheriff shall receive compensation for any day when the court shall not have been in session, doing business; *and provided further*, that when any deputy sheriff or crier of the court shall have drawn the sum of seven hundred dollars, he shall draw no more until the end of the current year.

Amended—
sheriff shall
keep deputies
in attendance
upon court.

The number
and compensa-
tion limited.

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

Approved March 19, 1873.

CHAPTER 249.

[*Published March 27, 1873.*]

AN ACT to amend chapter one hundred and forty-one, general laws of 1872, entitled "an act to amend chapter fifty-five of the general laws of 1871, entitled an act to amend section twenty of chapter one hundred and forty-one of the revised statutes, entitled 'actions for the recovery of real property,' approved March 25, 1872."

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

SECTION 1. Chapter one hundred and forty-one of the general laws of 1872, is hereby amended so as to read as follows: The court in which any judgment for the recovery of any specific real property or the

Amended—
judgment to be
vacated upon
application and
payment of
costs.

Shall file undertaking before new trial is granted.

Time-suit is in supreme court of this state or of the United States, not to be included.

possession thereof has been or shall be rendered at any time within one year thereafter, upon the application of the party against whom the same was rendered, his heirs and assigns, and upon payment of all costs recovered thereby, shall vacate such judgment and grant a new trial in such cause: *provided, however*, that before any such new trial shall be granted, the party or parties applying for such new trial shall file an undertaking in such sum as the court shall direct, with good and sufficient surety or sureties, who shall justify upon their oath their responsibility in like manner as bail upon arrest, conditioned to pay all costs and damages, including the mesne profits that may be awarded against such party or parties upon the final determination of the case; *and provided further*, that if such cause shall, within one year after such judgment be or have been taken to the supreme court, upon appeal or writ of error, the time during which said suit is pending and remaining in the supreme court shall be excluded from and be no part of the year within which application to vacate such judgment and grant a new trial shall be made as aforesaid; *and provided further*, that if the judgment of the circuit court be affirmed in the supreme court of the state on such appeal or writ of error, and such cause be or have been taken to the supreme court of the United States on appeal or writ of error, the time during which said suit is pending and remaining in said supreme court of the United States shall be excluded from and be no part of the year within which application to vacate such judgment and grant a new trial shall be made as aforesaid, but no more than one new trial shall be granted under this section.

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

Approved March 19, 1873.