

those described in subsections (1), (2) and (2d), from January first to the succeeding April thirtieth.

SECTION 3. Paragraph (k) of subsection (1) of section 29.28 of the statutes is amended to read: (29.28) (1) (k) Marquette county: All waters *except those described in paragraph(jl) of subsection (2)*.

SECTION 4. This act shall take effect upon passage and publication.

Approved February 10, 1933.

No. 1, A.]

[Published February 15, 1933.

CHAPTER 11.

AN ACT to create sections 278.101, 278.102, 278.103, 278.104 and 278.105 of the statutes, relating to foreclosure of mortgages by action.

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

SECTION 1. Five new sections are added to the statutes to read: 278.101 EXISTENCE OF EMERGENCY. It is declared that the provisions of sections 278.102, 278.103, 278.104 and 278.105 of this act are made necessary by a public emergency growing out of the present financial and economic conditions, gravely impairing the market for real estate, and endangering agriculture, the basic industry of the state, and threatening the destruction of the population's means of shelter, and resulting in numerous foreclosures of real estate mortgages throughout the state, and that the results of such foreclosures upon farms and homesteads are so far reaching that they create an emergency, which condition seriously affects so many of our citizens as to imperil the public welfare, health and morals, and the peace and security of the people of the state. This act is declared to be temporary and unless earlier repealed, will terminate in its effect in accordance with the dates as hereinafter provided.

278.102 EMERGENCY EXTENSION OF REDEMPTION PERIOD. (1) In any such farm or homestead foreclosure action commenced prior to March 1, 1935, in which judgment of foreclosure and sale has not been entered at the time this section takes effect, the one year period specified in section 278.10 may be extended as hereinafter provided. The court before which any such action is pend-

ing shall make full inquiry in regard to and upon all the facts and circumstances of the case, and may direct by the judgment that no foreclosure sale shall be made until the expiration of a reasonable period not exceeding two years beyond the one year period in section 278.10 provided, but in no event beyond March 1, 1938; and such extension beyond such one year period shall be upon such terms and conditions as the court in a sound discretion shall at the time of the judgment and from time to time thereafter determine; and the judgment shall provide accordingly and be subject upon motion to revision accordingly by grant or modification of such extended period.

(2) Default in the payment of taxes, interest or insurance premiums, or in the payment of two or more of such items, shall not of itself be cause in such action for the appointment of a receiver; but a receiver in such action may in the sound discretion of the court be appointed for such period or periods subsequent to the commencement of the action and upon such terms and conditions as the court determines to be just.

278.103 DEFERRED SALE IN CASE OF EXISTING JUDGMENT. In any such farm or homestead foreclosure action in which judgment of foreclosure and sale was entered before the effective date of this act, and where no sale shall have been had, the plaintiff or his successors in interest shall, before the commencement of publication of notice of sale or thereafter and before confirmation of sale, if costs of notice and publication are paid or tendered apply to the court for an order directing the time and place of such sale and shall serve notice of the application therefor by mail upon all parties to the action or their attorneys; and all proceedings for sale shall be stayed during the pendency of such application; and upon the hearing of such application the court shall make full inquiry in regard to and upon all the facts and circumstances of the case, and may direct by order that no foreclosure sale shall be made until the expiration of a reasonable period not exceeding two years beyond the one year period in section 278.10 provided, but in no event beyond March 1, 1938; and such extension beyond such one year period shall be upon such terms and conditions as the court in a sound discretion shall at the time of the order and from time to time thereafter determine; and the order shall provide accordingly and be subject upon motion to revision accordingly by grant or modification of such extended period.

278.104 SECTION 7, CHAPTER 29 OF LAWS OF SPECIAL SESSION OF 1931. In no instance shall the combined effect of section 7 of chapter 29 of the laws of special session of 1931 and of the provisions of 278.102 or 278.103 be to extend the period prior to the commencement of publishing and posting notice of sale more than three years from the date of the judgment or order of sale or beyond March 1, 1938.

278.105 APPLICATION FOR CONFIRMATION OF SALE AND FOR DEFICIENCY JUDGMENT. At all times prior to March 1, 1938, whether upon judgments of foreclosure and sale heretofore or hereafter entered and in the case of all such judgments whether relating to farm or homestead property or other real estate, motion for confirmation of sale shall be only upon notice given by the plaintiff to the mortgagors whether they have appeared in the action or not and to all parties who have appeared or to the attorneys of such mortgagors and parties. Such notice shall be given either personally or by registered mail directed to the last known address, at least ten days prior to the date when the application is to be heard, and shall state, in addition to other matter required by law, whether or not application is also to be made for entry of deficiency judgment, the amount of the judgment, the amount realized upon the sale, the amount for which personal judgment will be sought against the several parties naming them, and the time and place of hearing.

SECTION 2. SEVERABILITY OF PROVISIONS. If any provision of this act or the application thereof to any person or circumstance is held unconstitutional, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 3. This act shall take effect upon passage and publication.

Approved February 14, 1933.

No. 41, S.]

[Published February 17, 1933.

CHAPTER 12.

AN ACT to create section 40.775 of the statutes, relating to political and religious discrimination in employing teachers in public schools, and providing a penalty.

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