

Chap. 77. An Act to amend Section one hundred and thirty-six of Chapter ten of the Revised Statutes.

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

Defect of surveyor.

SECTION 1. Section 136, of chapter 10, of the revised statutes of this state, is hereby amended so as to read as follows: "Whenever a surveyor is required to make a subdivision of a section as established by the United States survey, he shall proceed as follows, except when the section is fractional: commencing at either quarter section corner of the section, he shall run north or south and east or west, across said section, and establish a common centre therefor, which centre shall be the same distance from the north quarter post that it is from the south quarter post, and the same distance from the east quarter post, that it is from the west quarter post; at which point a post shall be firmly fixed and driven into the ground and if practicable, two bearing trees shall be marked with a suitable instrument, one quarter S. and their course and distance from the said post noted in the plat and field notes: any less subdivision than a quarter section shall be made by proceeding in the same manner, except in fractional sections, the corners of which shall be established and noted as before provided for; the surveyor denoting the quantity upon the bearing trees as one-eighth, or one-sixteenth, as the case may be.

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

Approved, April 2, 1853.

Chap. 78.

An Act to amend Chapter sixty-two of the Revised Statutes.

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

Order for sale of real estate.

SECTION 1. Whenever an order shall be made by the judge of probate for the sale of any real estate for the payment of any valid claim against the deceased, and charges of administration, and such real estate is ordered to be sold, shall be subject to the right of dower in the widow, it shall be lawful for the executor or administrator to make and enter into a contract, in writing with the widow, by which she may agree to accept in lieu of her dower in trust, such a per centage on the amount realized on the sale as shall be deemed upon the

principles of law, applicable to annuities, a reasonable satisfaction for such dower interest, which said contract shall be filed in the office of the judge of probate, together with an affidavit setting forth the age of the widow; and the said contract when acknowledged and assented to by said widow, in open court, before said judge of probate, and approved by such judge, shall operate as a release of dower on the part of the widow, on the said real estate, and the same shall be sold free and clear of all claim of dower: and immediately after the said sale so ordered shall have been made, the executor or administrator shall file with the judge of probate, the receipt of the widow, for the said per centage in lieu of her right of dower, or he shall deposit the same right with the judge of probate for her use and benefit, to be paid to her when she endorse a receipt for the same, on the said contract.

Contract to be filed in the probate office.

Approved, April 2, 1853.

An Act concerning Bills of Exchange and Promissory Notes.

Chap. 79.

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

SECTION 1. That whenever any bill of exchange, draft, promissory note, or other negotiable security or paper, shall according to the terms thereof, be one due and payable on either New-Year's day, Sunday, Christmas, fourth of July, or the day of the year which shall be designated by the governor as a day of thanksgiving, such bill, draft, note or other negotiable security or paper, shall be deemed and considered in law to be due and payable on the day succeeding, unless that day shall be a Sunday, and in that case on the Monday succeeding.

In relation to negotiable paper.

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

Approved, April 2, 1853.

An Act to amend Chapter forty-one of the Revised Statutes.

Chap. 80.

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

That chapter forty-one of the revised statutes, be, and the same is hereby amended, by adding to the said chapter as section fifteen as follows, to wit: If the owner