

Proviso.

the amount secured by any such mortgage, or for any such charge, such sale shall not be confirmed by the judge of the county court, until the purchaser shall execute a bond to the executor or administrator, as required in this chapter, in the case of a sale of a contract for the purchase of land, on which payments are to become due: *provided*, that in cases where the charge, by mortgage or otherwise, is upon two or more lots or parcels of land, greater in value than the amount of said mortgage or liens thereon, the court or judge ordering the sale, on being satisfied that it would be most beneficial to the parties interested in said land, that the same be sold, freed from such incumbrance, may so order; in which case, sufficient of the moneys made by the sale, shall be appropriated or invested, by order of the county court, on confirming the sale, to pay and satisfy the said lien, and the balance that may remain shall be applied in course of administration as assets in the hands of the executor or administrator."

Approved March 27, 1862.

## CHAPTER 146.

[Published March 29, 1862.]

AN ACT to fix the compensation of witnesses attending upon legislative committees.

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

Compensation.

SECTION 1. The compensation of all witnesses who have attended or shall hereafter attend upon the joint select committee for investigating the expenditure of the war fund, or any other legislative committee appointed at the present session of the legislature, is hereby fixed at two dollars per day for attendance, and ten cents per mile one way for travel to attend upon such committee.

Secretary of state  
to audit ac-  
counts.

SECTION 2. The secretary of state is hereby authorized and directed to audit the accounts of such witnesses, upon the certificate of the chairman or clerk of the committee before which any such witness has attended, which certificate shall state the length of time such witness

has attended, and the distance by him or her actually traveled; and the account so audited shall be paid by the state treasurer out of any moneys in his hands not otherwise appropriated.

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

Approved March 27, 1862.

CHAPTER 147.

[Published March 29, 1862.]

AN ACT to amend section 5 of chapter 35 of the revised statutes, entitled "of excise."

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

SECTION 1. Section 5 of chapter 35 of the revised statutes, entitled "of excise," is hereby amended so as to read as follows: "If any person shall vend, sell, deal or traffic in, or for the purpose of evading this chapter, give away any spirituous, ardent or intoxicating liquors, or drinks, in any quantity whatever, without having first obtained license therefor, according to the provisions of this chapter, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished therefor by a fine of not less than ten nor more than forty dollars, besides the costs of suit; or in lieu of such fine, by imprisonment in the county jail of the proper county, not to exceed sixty days and not less than twenty days; and in case of punishment by fine as above provided, such person shall, unless the fine and costs be paid forthwith, be committed to the county jail of the proper county until such fine and all costs are paid, or until discharged by due course of law; and in case of a second or any subsequent conviction of the same person during any one year, the punishment may be both by fine and imprisonment, in the discretion of the court."

Persons selling without licenses, guilty of misdemeanor—punishment therefor.

Approved March 27, 1862.