

shall be made returnable by said clerk at the time specified therefor in such rule or order.

How conditions upon bond, recognizance, etc. to be construed.

SECTION 5. In any bond, recognizance, undertaking or other obligation taken, entered into or given in any criminal, quasi-criminal or penal action or proceeding which [is] conditioned in form for the appearance of any person at the next term of the circuit court for either of said counties, such condition shall be taken and construed to mean the next term of the circuit court for such county at which a jury may be lawfully summoned, and shall have the like force and effect as though the specific time at which such jury term would be held were stated therein.

SECTION 6. All acts and parts of acts contravening the provisions of this act are hereby repealed.

Approved February 18, 1869.

CHAPTER 19.

[Published February 25, 1869.]

AN ACT relating to the duties of registers of deeds and amendatory of section 2 of chapter 80 of the general laws of 1867, entitled "an act relating to the duties of registers of deeds."

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

Amended.

Duties of registers.

SECTION 1. Section 2 of chapter 80 of the general laws of 1867, is hereby amended so as to read as follows: Section 2. Every such register of deeds shall provide for each volume in which such entries are made an alphabetical index, at the expense of the county, and shall place in such indexes the names of the parties entered in such volumes in alphabetical order, and shall receive for such service such compensation as the county board shall deem just and proper; and after the passage of this act such papers shall be indexed without additional expense to the county; but every such register of deeds shall be entitled to charge and receive from the person filing such certified copies of sheriffs' certificates of attachment of real estate,

certificates of sale of real estate, and notices of pendency of actions, the sum of twenty-five cents for each instrument so filed.

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

Approved February 19, 1869.

CHAPTER 20.

[Published February 25, 1869.]

AN ACT to amend chapter 28 of the general laws of 1860, entitled
 “an act to enable foreign executors and administrators to sue in
 the state of Wisconsin.”

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

SECTION 1. The first section of chapter 28 of the general laws of 1860, is hereby amended so as to read as follows : “When an executor or administrator shall be appointed in any other state or foreign country, on the estate of any person not a resident of this state at the time of his or her decease, and no executor or administrator thereon shall be appointed in this state, the foreign executor or administrator shall, upon filing an authenticated copy of his appointment in the probate court of any county in this state, be authorized to foreclose any mortgage by him held as such executor or administrator, upon real estate in said county, either by advertisement or action, and to purchase as such executor or administrator, and for the benefit of the estate, at the foreclosure sale, such real estate or any part thereof; and shall also be authorized to bring and prosecute in the proper courts in such county, civil actions to receive [recover] any property situate in this state, and all demands, debts and claims belonging to the estate of such deceased, from any person or persons, in possession of or claiming such property, or owing such demands, debts or claims : *provided*, that any court in which such actions may be commenced, may require such executors or administrators to give security for the costs therein.

Amended.

Foreign executor may foreclose mortgage.