

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

Approved February 21, 1874.

CHAPTER 41.

[Published February 24, 1874.]

AN ACT to amend section 10 of chapter 124 of the revised statutes, entitled "of the manner of commencing civil actions."

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

SECTION 1. Section ten of chapter one hundred and twenty-four of the revised statutes, is hereby amended by adding thereto the following, as subdivision six: "6. Where the action is brought to foreclose a mortgage upon real estate and the defendant is a proper or necessary party defendant to said action."

Section 10, ch. 124 revised statutes amended.

Approved February 21, 1874.

CHAPTER 42.

[Published February 24, 1874.]

AN ACT to authorize the commissioners of school and university lands to reconvey to the county of Marathon, certain lands.

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

SECTION 1. The commissioners of school and university lands are hereby authorized and empowered to convey to the county of Marathon such lands as have been heretofore conveyed to the state of Wisconsin by said county, by virtue of chapter 22, general laws of 1867, through mistake or want of authority, and of which said county had no title at the time of making said conveyance, and where the tax sales on which such title is based have since been cancelled.

Lands may be conveyed to Marathon county.

SECTION 2. Upon the receipt of a list of such land from the county clerk of said county, stating the rea-

son why such conveyance is void opposite each tract, duly verified, the said commissioners may in their discretion, and if they shall deem such reason sufficient, convey to said county in the usual manner, all the lands described in said list.

Price to be charged therefor.

SECTION 3. Upon the completion of such conveyance, the county of Marathon shall be charged at the rate of fifty cents per acre with interest at seven per cent up to the time of re-conveyance, for all lands so conveyed, and the amount so charged shall be included in the apportionment of state tax to said county for the ensuing year.

Purchase money to be refunded.

SECTION 4. Wherever any such lands have been conveyed by the state to other parties, said commissioners are hereby authorized to refund the purchase money paid for such land with interest at seven per cent, and there is hereby appropriated out of any money in the state treasury, not otherwise appropriated, a sum sufficient for such purpose.

SECTION 5. This act shall take effect and be in force from and after its passage.

Approved February 21, 1873.

CHAPTER 43.

[Published February 24, 1874.]

AN ACT relating to the collection of statistics from towns, villages, cities and counties.

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

County clerks may send messenger.

SECTION 1. Whenever any town, village or city clerk shall fail in any year to return to the county clerk, within the time fixed by law, the statement required by section one of chapter 150, of the general laws of 1872, it shall be the duty of the county clerk of the county, to send a messenger to such town, village or city, so delinquent, to procure the statement required by said act; said messenger shall be entitled to a compensation of \$3.00 per day, and to a traveling fee of 10 cents per mile for the distance necessarily traveled in the discharge of such duty; and such compensation shall be paid from the county treasury, and the chairman and clerk shall issue an order for the amount, and said amount shall be charged to the town, village or

Compensation.

Chargeable to the town.