

tain and appraise the value of such improvements, under oath, in such manner and upon such testimony as they may deem proper, and with all possible dispatch to report the result of their deliberation, together with all evidence taken by them, to the clerk of the court where the decree of sale was entered; and in case the sale is made by virtue of any provision in such trust deed or mortgage, such determination and report shall be filed with the clerk of the supreme court. The decision of any two of such commissioners, so filed, shall be final and conclusive between the parties, as to the amount to be paid for such improvements. Decision to be conclusive.

SEC. 5. Upon depositing the sum of money named in such report with the clerk of the circuit or supreme court, as the case may be, the person so redeeming shall be entitled to the full possession, enjoyment, and occupancy of said road. Possession how gained

SEC. 6. The provisions of sections two, three, four and five of this act, in so far as they authorize any redemption after the sale of any railroad or any portion thereof, with its appurtenances, shall not be applicable to any mortgage heretofore executed by the Chicago, St. Paul and Fond du Lac Railroad Company, but the sale of the railroad of said company, when made in accordance with the provisions contained in any trust deed or mortgage now a lien upon the same, shall be absolute and final. Application of this act.

SEC. 7. This act shall take effect and be in force from and after its passage. Take effect.

Approved March 1, 1859.

[Published March 3, 1859.]

## CHAPTER 35.

AN ACT concerning certain actions.

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

SECTION 1. In all actions of money demands, of which justices of the peace have jurisdiction, which shall hereafter be commenced in any municipal, county, or circuit court, and in which judgment shall be rendered for the plaintiff, no more costs shall be recovered than would be recoverable in justices' courts, had the action been commenced. Certain actions how commenced.

- Jurisdiction.** menced in justices' courts. But the provisions of this section shall not extend to actions commenced in the circuit court wherein real estate shall be attached, nor to actions wherein the amount claimed by the plaintiff in his complaint on oath shall exceed the sum of one hundred dollars, although the amount recovered by such plaintiff shall be less than one hundred dollars.
- Take effect.** SEC. 2. This act shall be printed by the state printer immediately after its passage, and shall then take effect.  
Approved March 1, 1859.

◆◆◆

[Published March 3, 1859.]

### CHAPTER 36.

AN ACT to repeal chapter one hundred and twenty-three of the general laws of 1858, entitled "An Act to increase the civil jurisdiction of the county court of Pierce County."

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

- Repealed.** SECTION 1. Chapter one hundred and twenty-three of the general laws of 1858, entitled "An act to increase the [civil] jurisdiction of the county court of Pierce county," is hereby repealed: *Provided*, that all judgments heretofore rendered by said court, and all orders, decrees and proceedings heretofore made or had in said court shall be as valid and binding in all respects as though this act had not passed; and all such judgments, orders, and proceedings, as well as all such other judgments and proceedings as may be rendered or had in said court prior to the first day of March, 1859, may be enforced by said court in the manner now provided by law, and for that purpose the jurisdiction and powers of said court are hereby continued in full force, notwithstanding the repeal of said chapter one hundred and twenty three aforesaid: *Provided*, further, that all actions and proceedings of every nature which may be pending in said county court and undetermined on the first day of March, 1859, shall be considered and deemed to be pending in the circuit court in and for said county of Pierce, and the said circuit court is hereby authorized and required to take jurisdiction of all such actions and proceedings, and to hear, try, and determine the same, in all respects as though the same had been commenced in such circuit court. And it is hereby made the duty of the judge of
- Proviso.**
- Actions pending.**