

SECTION 3. Sales of mortgaged premises, by virtue any judgment or order obtained before this act takes effect, may be made in accordance with the provisions of this act, or in accordance with the provisions of laws now in force. How sales to be made.

SECTION 4. Chapter two hundred and twenty of the general laws of the year eighteen hundred and fifty-nine, and all other laws, so far as they contravene the provisions of this act, are hereby repealed. Repeal.

Approved April 2, 1863.

## CHAPTER 300.

[Published April 24, 1863.]

AN ACT to facilitate the confirmation of sales of mortgaged premises, in certain cases.

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

SECTION 1. In all actions for the foreclosure of a mortgage upon real estate, wherein a sale of the mortgaged premises shall be held and made by any sheriff, and a deed or a certificate of sale of the mortgaged premises shall be executed by said sheriff to the purchaser thereof, if the sheriff making such sale shall die without making a report of such sale, such report of sale may be made by the plaintiff, his agent or attorney, under oath ; and upon filing such report of sale, duly verified, the court shall make an order confirming such sale and report in the same manner and with the same effect as though said report of sale had been made by the sheriff who made such sale. If sheriff die, report of sale may be made by plaintiff, his agent or attorney.

SECTION 2. In all actions heretofore brought for the foreclosure of a mortgage upon real estate, wherein a sale of the mortgaged premises shall have been heretofore made by any sheriff, and a deed or certificate of sale of the mortgaged premises shall have been heretofore executed by any sheriff to the purchaser thereof, and said sheriff shall have died without having made a report of such sale, such report of sale may be made by the plaintiff, his agent or attorney under oath ; and upon filing Confirmation of sale.

In actions heretofore brought, reports may be made and sales confirmed as above.

such report of sale, duly verified, the court shall make an order confirming such sale and report in the same manner and with the same effect as though said report of sale had been made by the sheriff who made such sale.

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

Approved April 2, 1863.

## CHAPTER 301.

[Published April 20, 1863.]

AN ACT relating to fees in certain cases.

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

Fees of officer making sale of mortgaged premises.

SECTION 1. In all cases where the amount for which mortgaged premises [premises] are sold, shall exceed the sum of fifty thousand dollars, the sheriss [sheriff] or other officer executing the judgment directing the sale, shall be allowed one per centum upon such excess, in addition to the fees allowed by section four of chapter one hundred and thirty-three of the revised statutes: *provided*, that the whole amount of fees which the sheriff or other officer shall be entitled to receive on any one sale of mortgaged premises, shall not exceed the sum of one thousand dollars.

Limit to fees.

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

Approved April 2, 1863.