

No. 301, S.]

[Published April 5, 1893.]

CHAPTER 77.

AN ACT to provide for the determination of certain leasehold estates.

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

Lease for a term exceeding fifty years, when may be determined.

SECTION 1. Whenever there shall be any default in the conditions of any lease of lands situated within the state of Wisconsin, or there shall be a breach of the covenants of any such lease, and such lease shall provide for a term exceeding fifty years, and shall require the lessee to erect and construct improvements or buildings upon the land demised, at his own cost, to exceed in value the sum of five thousand dollars, and such improvements shall have been constructed, and the lessor desires to determine said lease, and recover the possession of the property described in such lease, freed from all liens, claims or demands of the lessee therein, it shall be lawful for him to proceed in that behalf, in the manner hereinafter provided.

Action to recover possession of premises, how brought.

SECTION 2. In case of any breach or default as aforesaid, the lessor may institute an action in the circuit court of the county in which the demised premises are situated, against the lessee and all persons claiming under him, to recover the possession of the premises leased, and he shall proceed in all respects as if the action was brought under the statute to foreclose a mortgage upon real estate, except that no sale of the premises shall be ordered, and the judgment shall determine the breach or default complained of, and shall fix the amount due to the lessor at such time, and shall state the several amounts to become due within one year from the entry of said judgment, and said judgment shall further provide that unless the amount adjudged to be due from the lessee, with interest thereon, as provided in the lease, or by law, shall be paid to the lessor within one year from the entry of the judgment aforesaid, and the lessee shall have fully complied with the judgment of the court requiring him to make good any default in the

conditions of said lease, that the said lessee and those claiming under him, shall be forever barred and foreclosed of any title or interest in the premises described in said lease, and during said year ensuing the date of the entry of said judgment, the possession of the demised premises shall remain in the lessee, and he shall receive the rents, issues and profits thereof.

SECTION 3. If the lessee shall have failed to comply with the terms of said judgment, and the same has not been fully satisfied, and he shall refuse to surrender the possession of the demised premises at the expiration of said year, the lessor shall be entitled to a writ of assistance to be issued and executed in the manner provided by law.

Writ of assistance, when issued.

SECTION 4. The statutes of the state of Wisconsin relating to forcible entry and unlawful detainer, shall not apply to leases and property leased, described in section one of this act.

Certain statutes not to apply.

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

Approved March 31, 1893.

No. 293, S.]

[Published April 5, 1893.

CHAPTER 78.

AN ACT to legalize the acts and proceedings of the county board of supervisors of Oconto county, in organizing and creating the town of Brazeau in said county.

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

SECTION 1. Be it enacted that all acts and proceedings of the county board of supervisors of Oconto county, in organizing and creating the town of Brazeau, in said county, be and they are hereby legalized, and the territory comprising said town as described in said proceedings, shall be and the same is hereby declared to be a valid

Action legalized.