

chapter 167 of the general laws of Wisconsin for the year 1881, and acts amendatory thereof so far as applicable, such part of the state funds as they shall deem prudent, not to exceed one hundred eighty thousand dollars; such loans to be repaid from the appropriation by this act made, with interest on such loans. If the loans be made from other than trust funds, the rate of interest shall be that required by the state treasurer on deposits in bank made pursuant to chapter 273 of the general laws of Wisconsin for the year 1891, and the acts amendatory thereof.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 192, S.]

[Published April 29, 1895.

CHAPTER 299.

AN ACT to amend section 3324, of the revised statutes for 1878, as amended by section 4, of chapter 328, of the laws of 1881.

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

Costs in case of a sale of property under the lien law not to exceed \$25.

SECTION 1. Section 3324, of the revised statutes of Wisconsin, as amended by chapter 328, of the laws of 1881, as amended by chapter 256, of the laws of 1893, is hereby amended by adding after the word "liens" where the same occurs in the 18th line of said section, the words "which costs of such action shall not exceed the sum of twenty-five dollars, exclusive of disbursements," so that said section when so amended shall read as follows: Section 3324. The judgment in such action shall adjudge the amount due to the plaintiff, or in case several

claims or liens are embraced in the action, the amount due to each claimant who is a party to the action. It shall direct that the interest of the owner in the premises at the time of the commencement of the construction, repairs, removal or work of or upon the dwelling house, building, machinery, bridge, wharf or erection thereon, well, cellar, fountain, cistern, fence, water-lot, walk, sidewalk, curbing, grading, filling, leveling, grading and graveling any street, alley, roadway or gutter, on account of which such liens are claimed, or which he or any person claiming under him has since acquired, or so much thereof as may be necessary, be sold to satisfy the amount of the lien of the plaintiff, or of the several liens embraced in the action, with the costs of such action, including the costs of filing the claims for liens, which costs of such action shall not exceed the sum of twenty-five dollars exclusive of disbursements; and that after satisfying the same, together with such costs, that the residue of the proceeds be brought into court with the report of sale, to abide the order of the court. If the premises can be sold in parcels, without injury to, or to the advantage of the parties, the court may adjudge that the sale be so made. If the plaintiff in any such action fails to establish his lien upon the premises described in his complaint and claim for lien, but establish a right to recover upon contract for his alleged work and labor done, or materials furnished, he may have a personal judgment in the action against the party liable for the amount due him, with or without costs, to be taxed in his favor or in favor of the defendant, in like manner as if the action were for the recovery of money only.

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

Approved April 19, 1895.