

## Chapter 61.

*Published April 27th, 1858.*

AN ACT relating to Writs of Error.

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

Lawful to take exceptions from circuit courts to supreme court.

SECTION 1. It shall be lawful in all cases tried by a jury, in any of the Circuit Courts of this State, where exceptions are, or have been taken to any ruling, decision, or opinion of the judge before whom the case is heard, for the excepting party to take the same to the Supreme Court by writ of error, in the manner formerly in use in this State on bill of exceptions, prepared and settled according to the former rules and practice of said courts, without any previous applications for new trial or re-hearing before said Circuit Court.

Limit, when writs of error may be issued.

SEC. 2. The time within which a writ of error may be issued in any case, is hereby limited to two years from the date of the judgment rendered in the case in which the writ is taken.

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

Approved April 24th, 1858.

## Chapter 62.

*Published April 28th, 1858.*

AN ACT relating to Executions in certain cases.

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

In case a person has died against whom a judgment has been rendered, executions may issue.

SECTION 1. Whenever any person in whose favor a judgment has been or shall hereafter be rendered in any court in this State, shall have died before payment or satisfaction of such judgment, it shall not be necessary to revive such judgment by action, but execution may be issued therein in the same manner and with the like

effect as though the person in whose favor the same was rendered was still living.

SEC. 2. If there shall be executors or administrators of such deceased person, at the time of the issuing or return of such execution, the moneys to be collected thereon shall be paid over to such executors or administrators; but if there be no executors or administrators of such deceased person in office, the money shall be collected for the use of the heirs or next of kin (as the case may be) of such deceased person; but the judge of the court in which, or the justice before whom such judgment was rendered or shall be rendered, may, upon application of any person interested, require the moneys so collected to be paid over to the county judge, to be disposed of according to the rights of the respective parties.

If there are executors or administrators—money to be paid over to same; if there are none, then to heirs or next of kin.

SEC. 3. This act shall take effect immediately after its passage.

Approved April 28th, 1858.

## Chapter 63.

*Published April 30th, 1858.*

AN ACT to authorize the Commissioners of School and University Lands to remit penalties in certain cases.

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

SECTION 1. In cases where persons indebted to the school fund of this State, either for the purchase money due upon school, university and swamp land, or upon lands selected in lieu of swamp land, or upon loans of money from the school fund, shall have failed to pay the interest due for the year 1858, from them or any of them, on account of such indebtedness, on or before the time of the maturity of such dues by law, such persons shall be exonerated from paying the penalty now required by law; *Provided*, Payment of such interest shall be made on or before the 5th day of June, A. D. 1858.

Exonerated from paying penalty on school, university or swamp lands.

Proviso.

SEC. 2. All interest money that may be paid to the State on account of school fund income, between the

Interest when paid, how distributed.