

No. 364, A.]

[Published June 13, 1907.

**CHAPTER 209.**

AN ACT to amend section 4608d, statutes of 1898, relating to the spreading of contagious diseases.

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

SECTION 1. Section 4608d, statutes of 1898, is amended to read:

\* \* \* \* \*

Approved June 12, 1907.

(In effect July 1, 1907.)

No. 64, A.]

[Published June 13, 1907.

**CHAPTER 210.**

AN ACT to amend sections 3110 and 3111 of the statutes relating to order of reference in proceedings for partition of real estate.

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

SECTION 1. Section 3110 is amended to read:

\* \* \* \* \*

SECTION 2. Section 3111 of the statutes is amended to read:

\* \* \* \* \*

Approved June 12, 1907.

(In effect July 1, 1907.)

against whom such execution issued having, in his own name, or as assignee, representative, trustee or otherwise a judgment rendered or a mortgage duly recorded, at any time before the expiration of fifteen months from the time of such sale and which shall be a lien and charge upon the premises sold, by paying the sum of money which was paid on the sale of such premises, together with interest thereon at the rate of \* \* \* six per cent. a year from the time of such sale, shall thereby acquire all the rights of the original purchaser, subject to be defeated in the manner hereinafter mentioned.

(Ch. 181, 1907.)

**Purchase from redeeming creditor by another creditor; interest reduced.** [SECTION 3010.] 1. By reimbursing to such first creditor, his personal representatives or assigns the sum which may have been paid by him to acquire such title, together with interest thereon at the rate of \* \* \* six per cent. a year from the time of such payment to the time of such reimbursement.

(Ch. 181, 1907.)

(SECTION 3030a changed to Section 3930a by Sec. 2, Ch. 660, 1907.)

**Practicability of realty partition; judge free to refer, or not refer.** SECTION 3110. Such order for partition *may, in the discretion of the court,* \* \* \* contain a clause referring it to a proper person to inquire into the situation of the premises and to report whether the premises or any part of them are so circumstanced that a partition thereof among the parties interested cannot be made without great prejudice to the owners, and also to inquire and report whether the interest of the parties will be promoted by platting the property sought to be partitioned or any part thereof.

(Ch. 210, 1907.)

**Practicability of partition; report thereon not essential.** SECTION 3111. \* \* \* *Whenever* the court shall be satisfied that the partition of the premises can be made without great prejudice to the owners it shall, by order, appoint three disinterested freeholders commissioners to make the partition so adjudged and according to the rights and interests of the parties as so ascertained; and in such order the part or shares, if any, which shall remain undivided for the owners whose interests have not been ascertained shall be designated; and if,

also, \* \* \* the court shall be satisfied that the interests of the parties will be promoted by platting the premises or any part thereof, it shall, by the same order, direct such commissioners to make and acknowledge a plat of such premises or a part thereof, to be designated, laying out streets, roads and alleys therein as they may deem most beneficial to the owners; which plat, when made, approved by the court and recorded as other plats are required to be recorded by law, shall have the same effect and validity as if duly made by the parties to the action pursuant to chapter 101. When such plat is so made, approved and recorded partition or sale if ordered may be made in accordance therewith.

(Ch. 210, 1907.)

**Partition actions: attorney's charges due from sale proceeds.** SECTION 3126. Unless the court otherwise direct the costs of every party to the action, *with reasonable attorney's charges to be allowed by the court upon notice personally to the parties who are known to be residents of this state*, must be deducted from the proceeds of the sale and paid to his attorney; but the court may, in its discretion, direct the costs and expenses of any trial, reference or other proceeding in the action to be paid out of the share of any party in such proceeds or may render judgment against any party therefor.

(Ch. 326, 1907.)

**Forfeiture cases: judgment transcriptions and docketing.** SECTION 3302. 1. In all cases where judgment is recovered pursuant to this chapter it shall include *also* the costs of the action, and *except as to any corporation, association or society*, direct that if the same be not paid the defendant shall be committed to the county jail of the proper county, there to be imprisoned for a specified time, not exceeding six months, which period shall be fixed by the court in view of all the circumstances of the case, or until otherwise discharged pursuant to law. In such cases a commitment shall issue, as in ordinary criminal actions, and such defendant shall not be entitled to the liberties of the jail.

2. *In any such case where judgment has been rendered in justice court, a certified transcript of such judgment may be issued as provided in section 3669 and filed and docketed by the clerk of the circuit court as provided in section 2900.*

3. This section shall not prevent the issue of an execution