

No. 39.

AN ACT changing the Boundary Lines of certain Counties.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:

SEC. 1. That the north and south boundary lines of all the counties bordering upon and touching lake Michigan, be extended due east to the eastern boundary line of the territory; and that the eastern boundary line of said counties be the same with the eastern boundary line of the territory.

SEC. 2. That the north and south boundary lines of all the counties bordering on, or touching the Mississippi river, be extended west, to the western boundary line of the territory; and that said counties shall have jurisdiction on said river co-extensive with the jurisdiction of the territory of Wisconsin.

Approved, January 15th, 1841.

No. 40.

AN ACT to organise the County of Washington, and for other purposes.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:

SEC. 1. That the county of Washington shall be organised for county purposes from and after the fourth Monday of September next; and, from and after said day, shall be entitled to all the rights and privileges enjoyed by other organised counties in this territory: *Provided however,* That for all judicial purposes said county shall continue attached to, and form a part of the county of Milwaukee.

SEC. 2. The first election for county officers in said county First election, of Washington, shall be held on the second Monday of October when & where held. next, at the house of Taylor Heavilon, in said county, in the

manner now provided for holding general elections; and the returns thereof shall be certified to the clerk of the board of county commissioners for the county of Milwaukee, whose duty it shall be to canvass the same, and certify the result in the manner now required by law in other cases.

SEC. 3. All officers elected agreeably to the provisions of Officers to hold their offices—the preceding section of this act, shall hold their offices until the time of holding the next succeeding general election in [this] how long. the territory, and until others are elected and qualified; and all subsequent elections shall be held at the time and in the manner now provided by law for holding elections in other counties.

SEC. 4. Ten per cent of the moneys collected by tax in said county of Washington shall be paid into the treasury of the county of Milwaukee, to defray the proportionate expense of holding courts.

SEC. 5. Nothing in this act shall be construed to impair, or Taxes for 1840 in any manner affect, the collection of the tax assessed by the county of Milwaukee for the year 1840; but the same shall be collected and paid into the treasury of the said county of Milwaukee, in the same manner as if this act had not been passed.

SEC. 6. That so much of any act or acts heretofore passed, Act locating as establishes or locates the county seat of said county of county seat repealed. Washington, be, and the same is hereby repealed.

SEC. 7. That for the purpose of permanently establishing How county seat shall be located. the seat of justice of the said county of Washington, at the first election to be held in said county, as herein before provided, every white male inhabitant, who, at the time of the passage of this act, was a resident of the county, and is of the age of twenty-one years, shall be entitled to cast his vote for such place or point as he may choose, for the seat of justice.

SEC. 8. At said election the polls shall be opened, the election conducted, and the votes returned to the clerk of the board of county commissioners of the county of Milwaukee, in all respects as prescribed by law regulating general elections.

SEC. 9. The clerk aforesaid shall, within ten days after Returns made to governor. returns made to him, certify the result to the governor of the territory; and if, upon examination, the governor shall find that any one point voted for has a majority over all other points or

places, he shall issue his proclamation of that fact, and the place or point so having the greatest number of votes, shall, from the date of such proclamation, be the seat of justice of said county of Washington.

Sec. 10. If, upon examination of the returns so certified New election. as aforesaid, the governor shall find that no one point has a majority of all the votes polled, he shall issue his proclamation for a new election.

Sec. 11. The governor shall issue his proclamation fixing When held & how conducted. the time of holding said second election; and it shall be conducted, and the returns thereof made, in the same manner as the first election; and, if there be no choice or decision at the second election, the governor shall issue his proclamation for a third election, and so on, from time to time, until the question is settled.

Sec. 12. At the first election for county officers, as herein What officers to be elected at first election. before provided, three county commissioners, a collector, and all other necessary officers, shall be elected, to serve for the time aforesaid.

Sec. 13. So much of any act as provides for the organization Calumet county disorganized. of Calumet county, is hereby repealed: *Provided*, That the tax list, levied for the year 1840, shall remain as valid as if this act had not been passed; and all engagements entered into by said county of Calumet, shall be binding and obligatory upon the county to which the same is attached.

Sec. 14. The district of country composing said county of Attached to Calumet, is hereby attached to, and made a part of, the county Brown. of Brown; and the several county officers of the county of Calumet are hereby directed and required to deliver to the county officers respectively of Brown county, all moneys, books Officers to deliver up papers and moneys. and papers, of every description, relating to, or on file in, their several offices, who shall receive the same; and the said books and papers, when so delivered, shall become a part of the records of said county of Brown.

Sec. 15. The several officers of Brown county are hereby Officers of the city of Brown, their duties. authorised and required to perfect any record, and do every act or thing necessary for perfecting any such record, pertaining to their offices respectively, as the several county officers of Ca-

lumet might or could have done in the premises; and unpaid taxes in said county of Calumet, for the year 1840, shall remain as valid, and shall be collected and paid into the treasury of Brown county, in the same manner as if levied in the said county of Brown.

SEC. 16. It shall be lawful for the clerks of the several boards of county commissioners in this territory to make out and deliver, at any time within twenty days previous to the next general election, the notices required by the third section of "an act to provide for and regulate general elections."

SEC. 17. This act to take effect and be in force on and after the first day of September, 1840.

Approved, August 13th, 1840.

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No. 41.

AN ACT relating to the Board of County Commissioners of the County of Washington.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:

Sec. 1. That the county commissioners of Washington county may hold their sessions at the house of William T. Bonniwell in said county, any law of this territory to the contrary notwithstanding.

SEC. 2. This act shall take effect from and after its passage.

Approved, February 19th, 1841.