

CHAPTER 104.

[Published April 16, 1867.]

AN ACT to attach the county of Burnett to the county of Polk for judicial purposes, and to repeal chapter 480 of the private and local laws of 1866, entitled "an act to attach the county of Burnett to the county of Polk for judicial purposes."

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

Attached for judicial purposes.

SECTION 1. The county of Burnett is hereby attached to the county of Polk for judicial purposes, and from and after the time when this act shall take effect, shall be deemed and treated as not organized for judicial purposes.

Powers of judge of circuit court and officers of Polk county.

SECTION 2. The circuit court of the circuit which includes the aforesaid counties, and the judge thereof, and the following officers of Polk county, to wit: the clerk of the circuit court, sheriff, coroner and district attorney, shall respectively, as to the county of Burnett, for all judicial purposes have, exercise and perform the same powers, jurisdiction and duties as if the territory of the said county of Burnett were part of the county of Polk.

List of grand and petit jurors.

SECTION 3. A list of persons, for the use of the board of supervisors of Polk county in selecting persons qualified to serve as grand and petit jurors, shall be by the proper officer or officers of each town of Burnett county made and returned annually to the clerk of the board of supervisors of Polk county, in the manner and at the times as provided by law for the making and return of like lists from the several towns of Polk county.

Part of salaries of officers of Polk co. to be paid by Burnett co.

SECTION 4. In each year after this act shall take effect, the board of supervisors of Polk county, at their annual meeting on the Tuesday next succeeding the general election, shall cause a statement in items to be made of all expenses which within the next preceding year the said county of Polk shall have paid or incurred on account of circuit courts in said county, exclusive of all costs and expenses incurred in prosecuting crimes and misdemeanors perpetrated in said Polk county proper, and other county proceedings and actions effecting said county, and also exclusive of all

costs and expenses for which the said county of Burnett shall be liable under the provisions of section 173 of chapter 18 of the revised statutes. The said statement shall be certified by the clerk of said board, who shall also at the same time make and certify a statement of the amount of state tax apportioned in the same year to the said county of Polk, and thereupon shall transmit both of said certified statements to the clerk of the board of supervisors of Burnett county, who on receiving the same shall file them in his office; and thereupon it shall be the duty of the board of supervisors of Burnett county to provide for the payment as soon as practicable by their county to Polk county, of such proportion of the expenses so paid or incurred and stated in the first above mentioned certified statement, as shall be in the ratio which the state tax apportioned to Burnett county in the year as aforesaid, shall bear to the state tax so apportioned to Polk county; and for that purpose the board of supervisors of Burnett county shall appropriate annually a sufficient sum, and cause the same to be paid into the treasury of Polk county.

SECTION 5. The records of all suits, proceedings and actions heretofore commenced, had or determined in the circuit court of Burnett county, which records shall be in the office of the clerk of said court for said county at the time this act shall take effect, shall, as soon as may be after this act shall take effect, be transferred to the office of the clerk of the circuit court for Polk county, and from the time of such transfer shall be deemed proper records of said last above mentioned office, with their legal force and effect, however, in nowise impaired so far as lands, property or persons theretofore affected by the same may be concerned; and it shall be the duty of the clerk of said court for Polk county forthwith [to] demand and receive from the clerk of said court for Burnett county, and the duty of the latter to deliver accordingly, all said records; and all judgments heretofore docketed in the office of the clerk of the circuit court for Burnett county, and remaining unsatisfied, shall upon the transfer of said records as aforesaid, be docketed in the office of the clerk of the circuit court for Polk county, and thereupon become a lien upon the real property of the judgment debtor in said county, as in the case of a judgment duly rendered and docketed

Transfer of the records of suits, &c. from Burnett co. to Polk co.

Transfer of judgments.

therein originally. Nevertheless the lien of any such judgment, so far as real property in Burnett county theretofore affected with the same shall be concerned, may be enforced as from the date of the inception of such lien in Burnett county, and to that purpose the execution issued on any such judgment may in phrase and tenor conform. Liens of judgments heretofore docketed in Polk county and remaining unsatisfied, shall in each case attach to the real property of the judgment debtor in Burnett county, only from the time when chapter 480 of the private and local laws of 1866, (for which act is a substitute,) took effect; and the execution issued on any such judgment may be in such form as will be adapted to the enforcement of such lien from that time. All suits and proceedings that shall be pending in the circuit court of Burnett county at the time this act shall take effect, shall thereafter be prosecuted and carried on in Polk county, in the same manner and with like effect as if they had been commenced in Polk county.

Prosecution of suits.

Repealed.

SECTION 6. So much of any law as provides for holding terms of circuit court in Burnett county, is hereby repealed. Chapter 480 of the private and local laws of 1866, entitled "an act to attach the county of Burnett to the county of Polk for judicial purposes," is hereby repealed.

County court not affected.

SECTION 7. Nothing in this act contained shall be construed to abolish or affect the jurisdiction of the county court or county judge of Burnett county.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1867.