

## No. 23.

AN ACT relative to Trunks, Baggage, and other unclaimed personal property.

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

SEC. 1. That the following persons residing within this territory, viz: Forwarding merchants, wharf keepers, warehouse keepers, tavern keepers, the proprietors of steam boats, canal boats and stages, and the keepers of depots for the reception and storage of trunks, baggage, merchandise, or other articles of personal property, consigned to, or left with them, who may at any time have in their possession any such articles or property consigned to, or left with them by the owner thereof, or his agent, or by common carriers of property in transitu, shall enter in a book to be kept for that purpose, the time when the same was left, together with a description thereof.

Lost personal property to be registered.

SEC. 2. If said property shall not be claimed and taken away within one year after the time it shall have been so left, the person with whom it shall be left may at any time thereafter proceed in the manner hereinafter provided, and cause the same to be sold.

SEC. 3. Before such property shall be sold, notice shall be given as follows:

Proceedings in case the same be not claimed within 1 year.

- I. If the name and residence of the owner be known, at least sixty days notice of such sale shall be given to him, either personally, or by mail, or by leaving the same at his residence or place of doing business.
- II. If the name and residence of the owner be not known, the said notice shall be given by publishing the same together with a description of the property, for six weeks successively in a newspaper, if there be one published in the county where the property shall be, the last publication of which notice shall be at least eighteen days previous to such sale; but if there be no newspaper published in that county, then the like notice shall be given in the newspaper published nearest thereto.

SEC. 4. Should the said property not be taken away within the said sixty days, it shall be the duty of the person having possession thereof, to apply to a justice of the peace in the town where said property is retained, in whose presence and under whose direction said property shall be opened and examined and an inventory thereof taken. The said justice shall then cause the said property to be sold, giving notice thereof in the manner provided by law for sales under executions from justices' courts.

Such property  
to be examined

And sold in  
case.

SEC. 5. From the proceeds of such sale, the justice shall pay the costs incurred and all legal charges and expenses that have accrued in relation to such property, and the balance, if any there be, he shall immediately pay over to the treasurer of the county in which the property shall be sold, for the use of the county: *Provided however*, That no part of the proceeds of such sale shall be paid to the person claiming the same, unless it shall be proven that he is legally and justly entitled to the same.

Proceeds; how  
disposed of.

SEC. 6. The said treasurer shall make an entry of the amount received by him, the time when received, and at the same time shall demand and receive from the justice who makes the deposite, a description of the property sold, the gross amount of such sale, the amount of costs, charges, and expenses paid or claimed by each person; which statement shall be registered and filed in his office, in such a manner that the relation between the amount paid in and the property sold and described may always be known.

Duty of coun-  
ty treasurer.

SEC. 7. Such deposite, or the amount thereof, shall be subject, at any time within five years after the same shall be made, to be reclaimed by, and refunded to the owner of such property, his heirs, or assigns.

May be claim-  
ed of treasurer  
by the owner,  
when.

SEC. 8. The same fees shall be allowed for proceedings under this act, as are now allowed by law to sheriffs for sales and proceedings under executions, also twenty-five cents per folio for making the inventory of the property, and twelve and a half per folio to the county treasurer, for the registry thereof.

Fees.

SEC. 9. Property of a perishable nature, consigned or left in the manner specified in the first section of this act, may be

Perishable pro-  
perty, how dis-  
posed of.

sold, if the same be not claimed and taken away within thirty days after it shall be left, by giving ten days' notice in the manner provided in this act.

Approved, February 19th, 1841.

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No. 24.

AN ACT concerning the Supreme and District Courts.

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

**SEC. 1.** That the act passed by the Legislative Assembly of Wisconsin, and approved January 9, 1840, entitled an act to amend an act of the Statutes of 1839, entitled an act concerning the supreme and district courts, shall be and the same is hereby declared to be a law of said territory, notwithstanding the omission therein of the enacting clause.

An act approved Jan. 9th, 1840, confirmed.

Acts done under the provision of said act made valid.

**SEC. 2.** All acts done under and by virtue of the provisions of said act, shall be as valid and binding upon parties in either of said courts as if the said omission of the enacting clause in said act, had not been made; and all causes returnable to any term of the supreme or district courts fixed by said act, shall stand continued, and proceeded in, in the same manner as if returnable to any regular term of either of said courts.

Adjourned session of the supreme court for 1840, when held.

**SEC. 3.** There shall be an adjourned session of the supreme court of the territory held at the seat of government of the territory, on the second Monday of August, in the year of our Lord one thousand eight hundred and forty.

Writs of error may be signed in blank.

**SEC. 4.** Writs of error may be signed by the clerk of the supreme court and sealed with the seal of the said court and delivered in blank to the attorneys of said court, who are hereby authorised to fill up the same as the circumstances of the case may require. All such writs of error shall be as valid and effectual, as if the same had been filled up before they were signed and sealed.