

lands or town lots so donated and disposed of by the said county, shall execute, and have in readiness to deliver to the donors thereof, or their representatives, county orders bearing interest until paid, for the amount of the sale of such lands or town lots by the said county.

SEC. 2. That the county commissioners of said county shall certify under the seal of their board, to the Governor of this Territory, the place or point having received a majority of the votes given at said election, and also at the same time certify in like manner that the said county has complied with all the provisions contained in the first section of this act. And the Governor shall, thereupon issue his proclamation declaring the point having received a majority of votes, as the seat of justice of said county.

SEC. 3. That until the seat of justice of said county is permanently located as contemplated by the provisions of this act, and suitable buildings provided thereat for the accommodation of the sessions of the district court and the offices which are now by law required to be kept at the county seat, the said court and offices shall remain at its present location, and for that purpose the use of the said court house shall be reserved by the county.

SEC. 4. The election to be held in pursuance of the provisions of this act shall be conducted in the manner now provided by law for holding general elections in said county.

SEC. 5. All laws contravening the provisions of this act be, and the same are hereby repealed, and this act shall take effect and be in force from and after its passage.

APPROVED January 27, 1846.

AN ACT to authorize persons having a lien upon land to pay the taxes upon the same.

BE IT ENACTED by the Council and House of Representatives of the Territory of Wisconsin:

SECTION 1. When any person having a lien or claim upon

Lien how
made.

real estate, either by a lien obtained in pursuance of the act which gives mechanics a lien in certain cases, attachment, judgment, mortgage, purchase at a sheriff's sale on execution, purchase at a sale where a mortgage is foreclosed by advertisement, or in any other manner, shall have paid any taxes on such real estate, or interest and charges arising from such taxes, or shall have redeemed such real estate, when the same has been sold on account of the taxes upon it not having been paid, such person shall have a lien upon such real estate to the amount of the money thus paid, with interest on the same at ten per cent. per annum from the time of recording the notice hereinafter specified.

SEC. 2. Any person paying money as aforesaid, shall cause to be recorded in the office of register of deeds of the county where the real estate is situated, a notice signed by him, stating the land upon which the tax or redemption money was paid, and the amount of the money thus paid.

Lien not to be
discharged
until money is
paid, &c.

SEC. 3. The original lien or claim, by virtue of which any one shall obtain a second lien by virtue of this act shall not be discharged in any manner, until the money thus paid for taxes, charges, interest or redemption shall be first repaid; and if the original lien was obtained under the provisions of the act which gives mechanics a lien in certain cases, or by attachment, then the amount of the second lien may be included in any judgment rendered in the suit by which such original lien shall be defined; and if the original lien is by judgment or mortgage, then upon the sale of the real estate upon which money has thus been paid, the amount of such second lien shall be paid to the owner thereof, before any surplus shall be paid to the owner of such real estate, or any subsequent incumbrance; and if the original lien or claim was by a sheriff's certificate of sale on execution, or by purchase at a sale where a mortgage is foreclosed by advertisement, then such real estate shall not be redeemed or re-purchased from such sale or purchase, until such second lien has been paid.

APPROVED January 20, 1846.