

ments from the County Treasury of said county, the amount of any judgment recovered, or to be recovered against the Collector for or on account of the collection of said tax. Amount of judgments against, to be assessed and collected again.

SEC. 3. It shall not be necessary for the county commissioners to make a separate tax roll, or assessment, for the collection of the tax, authorized by law, to pay the expense of constructing said bridge, but the same may be included in the tax for county purposes which may be levied in each year, until the same shall be paid; and this act shall take effect on the twentieth day of January, 1840. How assessed.

Approved, January 9th, 1840.

No. 19.

AN ACT to establish the town of Bristol in the county of Racine.

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

SECTION. 1. That all that part of the town of Pleasant Prairie, comprising township one north of range twenty-one east, be, and the same is hereby set off into a separate town, by the name of Bristol, which town shall be entitled to all the rights and privileges which the other towns in said county have by law, and the elections hereafter to be holden shall be held at such place in said town of Bristol, as shall be designated by the board of county commissioners of said county. Set off from Pleasant Prairie.

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

Approved, January 9th, 1840.

No. 20.

AN ACT to organize the county of St. Croix.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Wisconsin, That, from and after the first Monday in August, in the year one thousand eight hundred and forty, all that portion of the Territory of Wisconsin which lies north and west of a line commencing at the mouth of* Boundary lines of

Porcupine river on Lake Pepin, thence up said river to its first forks, thence on a direct line to the Meadow fork of Red Cedar river, thence up said river to Long Lake, thence along the Canoe route to Lae Courterville, thence to the nearest point on the west fork of Montreal river, thence down said river to Lake Superior, thence north to the United States boundary line, be and the same is hereby established a separate and distinct county, which shall be named and styled the county of St. Croix.

County commissioners may borrow money to secure a pre-emption to land for the county seat.

SEC. 2. It shall be the duty of the county commissioners to carry into effect the law of Congress of the United States, entitled "An act granting to the counties or parishes of each State and Territory of the United States, in which the public lands are situated, the rights of pre-emptions to quarter sections of land for seats of justice within the same," and approved the 26th May, 1824; and it shall be the duty of said county commissioners to apply for the said land, at any time after the lands in said county may be brought into market, and, for the purpose of said entry, the said commissioners are authorized to borrow a sum of money, not exceeding two hundred and fifty dollars, on the credit and in the name of said county, and on such time as they may think proper.

First election of officers.

SEC. 3. That, for the purpose of electing first county officers in said county, polls of election shall be opened, on the said first Monday in August, A. D. 1840, at Chauwakau Falls of St. Croix and La Point in said county, and be conducted, in all respects, in such manner as is prescribed by law; the returns of said election shall be made to the clerk of the board of county commissioners of Crawford county, who shall proceed to canvass the votes and issue certificates to the several persons who may be elected to office, at said election, in the manner provided by law.

Courts.

SEC. 4. The county of St. Croix shall be a part of the second judicial district, and the district court shall be holden at the seat of justice of said county on the second Monday of June in each and every year.

Of processes now pending.

SEC. 5. All cases, which may have been removed, by appeal or certiorari, from the judgment of any justice of the peace of said county, or which may be pending in said court, before the taking effect of this act, shall be prosecuted to final judgment, in said court, in the same manner, as if this act had not been passed.

SEC. 6. The inhabitants of said county may at the places

for holding the first election for county and other officers, vote for the location of the county seat, and the county commissioners are authorized and required to prepare a court house for holding the district court in said county, and all other necessary public buildings, at such place as shall receive the greatest number of votes, which shall be the permanent seat of justice of said county.

Location of county seat.

SEC. 7. The county commissioners shall not locate the county seat on any land occupied, without consent of the occupant, nor unless said occupant shall pay into the county treasury, not less than eight hundred dollars for the right of said county to the land.

Not on land occupied unless, &c.

SEC. 8. It shall and may be lawful for the county commissioners of the county of St. Croix to lay a tax upon all personal property within the county, except such as may be exempt from execution, for the purpose of defraying the necessary expenses of said county.

County expenses how defrayed.

Approved, January 9, 1840.

No. 21.

AN ACT to amend an act of the Statutes of 1839, entitled "An act concerning the Supreme and District Courts."

[Be it enacted by the Council and House of Representatives of the Territory of Wisconsin.]

SECTION 1. *[That]* writs of error, in civil and criminal cases, may issue, of course, out of the Supreme Court of the Territory, in vacation, as well as in term time, and shall be returnable to the same court.

Writs of error when to issue.

SEC. 2. No writ of error shall operate to stay or to supersede the execution, in any civil actions, unless the plaintiff in error, or some person in his behalf, shall give bond to the defendant, with one or more sufficient sureties, with condition that the plaintiff shall prosecute his suit to effect, and shall pay and satisfy such judgment as shall be rendered thereon.

Bond required for stay of execution.

SEC. 3. The sufficiency of the sureties, and the sum for which the bond shall be given, shall be determined, in each case, by any judge of the Supreme Court, or by the Clerk from whose office the writ of error is issued, according to such general rules as the court may, from time to time establish.

Sum and sureties how determined.