

keep the same in repair, and upon tender of the rates herein established, to pass any passenger, animal or carriage, without unnecessary delay, at all hours of the day and night, and in default thereof, they shall forfeit to the injured person five times the amount of the toll, with costs to be recovered in an action of debt, before any justice of the peace of the county in which such bridge is situated.

SEC. 8. The privileges secured by this act shall cease and be determined if the said bridge is not completed within the period herein before mentioned, or on the payment of the amount of the costs and ten per cent aforesaid, otherwise shall remain and continue in the grantee herein named for the period of twenty years.

SEC. 9. The Legislature may, at any time, repeal, so alter, or amend this act as to secure the free navigation of the Fox River, if said bridge should create any obstruction therein.

Approved, January 13th, 1840.

No. 37.

AN ACT to provide for holding the District Court within the county of Brown and for other purposes.

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

SECTION 1. That it shall and may be lawful for the Judge of the District Court of the third judicial district, hereafter, to hold the May term of said Court at the town of Green Bay, and the October term thereof at Depere. Provided that the board of commissioners of Brown county shall not expend a sum exceeding one hundred dollars in fitting up and furnishing a suitable building at Green Bay in which to hold said court.

SEC. 2. That all writs, process, and proceedings of said court, shall be returnable at Depere, and be proceeded upon in the same manner and be as valid as if the several courts were held at the court house duly provided by the county.

SEC. 3. That it shall and may be lawful for the Clerk of the District Court, the Clerk of the board of County Commissioners, and Sheriff of Brown County, to hold their respective offices

in the town of Green Bay, any law to the contrary notwithstanding.

Approved, January 13th, 1840.

No. 38.

AN ACT to amend an act of the Statutes of the Territory of Wisconsin entitled "An act concerning costs and fees."

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Wisconsin,* That sections six and nine of an act of the Statutes of the Territory of Wisconsin, entitled "An act concerning costs and fees" be and the same is hereby repealed.

Approved, January 13th, 1840.

No. 39.

AN ACT to amend an act entitled "An act to prescribe the mode of proceeding in chancery and for other purposes."

Injunction by
Supreme Court
Commissioner,
when to issue.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Wisconsin,* That any Supreme Court Commissioner, of the degree of attorney and counsellor at law, shall have power to grant writs of injunction, in vacation, under the same regulations and restrictions, as are now by law required, on application to the Judges of the District Court: provided that no injunction, issued by any Supreme Court Commissioner, shall have any effect out of the county in which it was issued, nor out of the county in which the commissioner, issuing the same, shall reside.

Where to have
effect.

When such writs
returnable.

SEC. 2. All writs of injunction, granted in vacation, shall be made returnable to the next term of the court to which the same is properly returnable, and the court shall proceed therein, according to the course of proceeding in courts of equity.

SEC. 3. This act shall take effect from and after the first day of February, A. D. 1840.

Approved, January 13th, 1840.