

be obliged to pay, is not equal to the amount of such surety's liability, the amount thereof shall be allowed to such defendant, in estimating the extent of his liability in any such action.

SEC. 4. Whenever several judgments shall be obtained, at the same time, upon any official bond of a sheriff, and the amounts for which executions thereon may be issued, shall, in the aggregate, exceed the sum for which the sureties in such bond shall be liable, the circuit court shall order the moneys levied upon such judgments, from the property of the sureties, to be distributed ratably to the plaintiffs, in proportion to the amounts of their respective executions; and if executions be issued upon several judgments obtained at the same time, upon any such official bond, and sufficient moneys shall not be raised to satisfy all of said executions, the circuit court shall distribute the moneys collected on such executions from the property of the sureties, to the plaintiffs, respectively, in such judgments, in proportion to the amount for which execution was awarded on such judgments, respectively.

Proceedings when several judgments are obtained at the same time.

When several executions are issued.

SEC. 5. This act shall be published immediately, and shall take effect upon its passage and publication.

Approved March 24, 1860.

CHAPTER 197.

[Published March 27, 1860.]

AN ACT to repeal chapter 124, of the General Laws of 1858, entitled "An act conferring jurisdiction on the county court of Columbia county."

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter one hundred and twenty-four, of the General Laws of eighteen hundred and fifty-eight, entitled "An act conferring jurisdiction on the county court of Columbia county," approved May 17th, 1858, is hereby repealed.

SEC. 2. All suits and proceedings, pending in the said county court, at the time when this act takes effect (except probate matters) are hereby transferred to the circuit court for the county of Columbia, and shall be heard,

Suits transferred.

tried and determined by said circuit court, in the same manner, and with like effect, as if said suits and proceedings had been originally commenced in said circuit court.

SEC. 3. This act shall be published immediately after its passage, and shall take effect and be in force from and after the 31st of March, 1860.

Approved March 24, 1860.

CHAPTER 198.

[Published April 10, 1860.]

AN ACT to amend chapter eighteen, of the Revised Statutes, entitled
 "Of the assessment and collection of taxes."

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec. 82, of
 chap. 18 of R.
 S. amended.

Duty of jus-
 tice.

SECTION 1. Section eighty-two, of chapter eighteen, of the Revised Statutes, entitled "Of the assessment and collection of taxes," is hereby amended so as to read as follows: "The justice, before whom such person shall appear, or is brought, shall have jurisdiction of the subject matter, to the full amount of the tax against such person, and shall proceed to hear and determine the same, though the tax shall exceed in amount the sum of one hundred dollars; and the said justice shall enter the cause on his docket, as in other actions, wherein the town, or city, in which the tax on personal property is assessed, shall be plaintiff, and the person so appearing, or brought before the justice, shall be defendant, and the affidavit of the treasurer shall be deemed the complaint, and the said justice shall cause the defendant to be examined on oath, and any witness that may be produced by him, or by the treasurer, as to the fact whether the defendant had any personal property, liable to taxation, at the time the assessment was made, and as to the ability of the defendant to pay such tax. And if he shall refuse to answer all questions put to him touching his ability to pay such tax, or if it shall appear to the satisfaction of the justice, from such examination, that he had personal property subject to taxation, at the time the assessment was made, and that he has money or property, real or personal, of any description, which is not exempt from sale for taxes, sufficient to pay said tax, or such