

Subsisting leases  
&c. relating to  
school lands,  
how enforced.

SEC. 16. All contracts and leases heretofore made, by and with the commissioners of common schools, or inspectors of common schools, in relation to any school lands, shall be prosecuted in the name of the school commissioners of the proper towns.

Former act re-  
pealed.

SEC. 17. An act, entitled "an act to establish common schools now in force in this territory, is hereby repealed."

SEC. 18. This act shall take effect from and after the tenth day of April, eighteen hundred and forty.

Approved, January 13th, 1840.

No. 58.

AN ACT relating to Strays.

May be taken up  
where, by whom

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Wisconsin,* That no person shall take up any stray, unless such person shall be at the time, a resident of the same township, wherein such stray shall be found, nor unless such stray shall be found upon the land owned or occupied by the taker up.

Notice to owner,  
if known.

SEC. 2. Any person taking up any stray, shall within seven days thereafter, notify the owner thereof, if to him known, and request such owner to pay all reasonable damages and charges, and take such stray away.

If unknown, how

SEC. 3. If the owner of any stray be unknown, the taker up shall give notice thereof by publication in some newspaper of the county, for four weeks successively, if one be printed therein, if not by posting up written notices in three of the most public places in the county, said notices to contain a brief description of such stray, the name and residence of the taker up, and as near as may be, the time at which it was taken up.

May work the  
stray.

SEC. 4. Any person may use or work a stray, legally taken up by him, if he do so with care and moderation, and not abuse or injure it.

Damages, &c.,  
to be a lien on  
stray.

SEC. 5. If the owner and taker up of any stray cannot agree upon the amount of damages, charges, or for the use of such stray, the matter shall be settled by some justice of the peace, in the same county, upon the application of either party, with notice to the other, the cost of which adjudication shall abide the

decision of the justice, and such sum as said justice shall find due the taker up, over and above the use of such stray, shall be a lien on said stray until paid by the owner.

SEC. 6. If the owner of any stray shall fail to appear and claim the same, or to pay the damages, costs, and charges, as aforesaid, for the space of one year, from and after the first publication of notice, as provided in this act, the taker up shall have a complete and perfect title to the same.

Title of the taker up, when perfected.

SEC. 7. This act shall take effect on the first day of February next.

SEC. 8. All laws now in force in this Territory, relating to strays, are hereby repealed.

Approved, January 13, 1840.

#### No. 59.

AN ACT concerning the duties of Clerks of the boards of County Commissioners.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Wisconsin,* That at the expiration of the time limited by law for the redemption of any land sold, or to be sold, for county taxes, it shall be the duty of the clerk of the board of County Commissioners of the county, wherein such land has been sold, to execute to the purchaser, under such sale, or to his assignee, or legal representative, a conveyance of such land, in the manner directed in the twenty-third section of an act in the Revised Statutes of this Territory, entitled "An Act for assessing and collecting county revenue" which conveyance shall have the same validity, force and effect, as if given by the collector, as provided in said section.

To execute deeds of land sold for taxes.

SEC. 2. Six months previous to the expiration of the time limited for redeeming lands sold as aforesaid, it shall be the duty of the said clerk to publish, in some newspaper of the same county, if one be printed therein, and if not, in some newspaper printed at Madison, in this Territory, for twelve weeks successively, a list of all unredeemed lands, describing each lot, tract, or portion, as the same was assessed and sold, with the amount of taxes, interest, and charges due on each, together with a notice to

List of, previously to be published.

Where.

What to contain.