

No. 15.

AN ACT relating to the time when the laws passed at the session of 1840 and 1841 of the Legislative Assembly of Wisconsin Territory, shall take effect.

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

SEC. 1. That all acts passed at the session of the Legislative Assembly, begun on the first Monday in December, A.D. 1840, shall not take effect until from and after the first day of May, A.D. 1841, unless such acts contain an express provision to take effect at a different time.

Approved, January 9th, 1841.

No. 16.

AN ACT relating to Sheriffs.

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

SEC. 1. That when any new sheriff shall be appointed in the place of any other, or upon the expiration of the term of any sheriff's office, and shall have qualified and given the security required by law, the clerk of the board of county commissioners shall grant a certificate under his official seal, that the person so appointed has qualified and given such security.

SEC. 2. Upon the service of such certificate on the former sheriff, his powers as such sheriff, except when otherwise expressly provided by law, shall cease.

SEC. 3. Within ten days after the service of such certificate upon such former sheriff, he shall deliver to his successor:

I. The jail of the county, with all its appurtenances, and the property of the county therein;

Certificate of having qualified, how obtained by new sheriff.

Service of certificate on former sheriff.

Former sheriff to deliver to his successor: The jail.

- II. All the prisoners then confined in such jail;
- III. All process, orders, rules, commitments, and all other papers or documents in his custody, authorising or relating to the confinement of such prisoners; All processes.
- IV. All writs of *capias ad respondendum*, summons, declaration, and other mesne process, and all precepts and other documents for the summoning of a grand or petit jury then in his hands, which shall not have been fully executed by him; Writs.
- V. All executions, attachments and final process then in his hands, except such as the said former sheriff shall have executed, or shall have begun to execute, by the collection of money thereon, or by a levy on property in pursuance thereof; Executions.
- VI. At the time of such delivery, the said former sheriff shall execute an instrument reciting the property, process, documents and prisoners delivered, specifying particularly the process or other authority by which each prisoner was committed, and is detained, and whether the same be returned or delivered, to such sheriff; which instrument shall be delivered to such new sheriff, who shall acknowledge, in writing, upon a duplicate thereof, the receipt of the property, process, documents and prisoners therein specified, and shall deliver such duplicate and acknowledgement to the said former sheriff; New sheriff to give receipt.
- VII. Notwithstanding the appointment of a new sheriff, the former sheriff shall return in his own name all writs of *capias ad respondendum*, summons declaration, all other mesne process, all attachments, and all executions which he shall have fully executed; and shall proceed and complete the execution of all final process and attachments which he shall have begun to execute, by a collection of money thereon, or by a levy on property in pursuance thereof. Unfinished business of former sheriff; how completed.

Approved, February 9th, 1841.