

An Act to appropriate to S. O. Bennett the sum therein named.

Chap 394

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

SECTION 1. There is hereby appropriated to S. O. Bennett, out of any money in the state treasury not otherwise appropriated, the sum of twenty-five dollars in full for territorial script numbers 186, 616, and 713, issued February 19th, 1842, to meet the current expenses of the legislative assembly of said year.

J. McM. SHAFER,
Speaker of the Assembly.

E. B. DEAN, JR.
President pro tem. of the Senate.

Approved, April 17, 1852.

LEONARD J. FARWELL.

An Act to provide for the organization of a separate Supreme Court, and for the election of Justices thereof.

Chap 395

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

SECTION 1. On the last Monday of September next after the passage of this act there shall be held in the several towns and wards of this state, an election for one chief justice and two associate justices of the supreme court of this state, hereby established. Such election shall be notified and conducted, and the votes shall be canvassed and the result determined and certified by the officers or persons, and in the same manner provided by law for the holding of elections, canvassing the votes, and determining and certifying the result of elections for state officers of this state, and all laws of this state to provide for and prescribing the manner of holding and conducting elections for state officers and the qualifications of electors, and all laws designed to preserve the purity of elections in this state, shall be deemed and held in force and applicable to the election provided for by this act.

Judicial election

SEC. 2. Each of the persons who shall, at the election provided for by this act, be elected to the office of chief justice or to the office of associate justice of the supreme court shall, before entering upon the discharge of his official duties, subscribe and take the official oath prescribed by the constitution, before some officer authorized by law to administer oaths, which oath, so taken, subscribed and certified by the officer administering the same, shall be filed in the office of the secretary of state.

Oath of office.

Terms of office.

SEC. 3. The term of office of the chief justice and associate justices who shall be elected in pursuance of the provisions of this act, shall commence on the first day of June, in the year of our Lord one thousand eight hundred and fifty-three, and the term of office of the chief justice shall expire with the last day of May, one thousand eight hundred and fifty-seven; the term of office of one of the associate justices shall expire with the last day of May, one thousand eight hundred and fifty-five; that of the other associate justice shall expire with the last day of May, one thousand eight hundred and fifty-nine; and it shall be decided by lot between the two associate justices whose term of office shall first expire, such lot to be drawn or cast in the presence of the chief justice, who shall prescribe the manner thereof, superintend the same, and make and file in the office of the secretary of state a certificate of the result.

When present
supreme court
to terminate.

SEC. 4. From and after the first day of June, 1853, the present supreme court of this state shall be discontinued, and on that day, and thenceforward, the supreme court provided for and established by this act shall have, possess, and exercise, and is hereby invested with all the powers, privileges, and jurisdiction now possessed, held, and exercised by the present supreme court of this state, and the said supreme court hereby established, and the chief justice and associate justices thereof shall, on and from that day, be subject to all the duties and liabilities to which the present supreme court and the judges thereof as such, are subject by the constitution and laws of this state, and the said chief justice and associate justices of the supreme court hereby established, shall hold the terms of the supreme court, after the said first day of June, 1853, at the times and places provided by law for holding the terms of the supreme court of this state, and all causes, suits, and proceedings at law or in equity, which may be pending and undetermined in the present supreme court on the said first day of June, 1853, shall be and hereby are transferred therefrom into the supreme court established by this act, to be there proceeded in the same as if originally commenced in the supreme court hereby established; and the rules and practice in the present supreme court, as the same shall exist on the first day of June, 1853, shall be the rules and practice of the supreme court hereby established, until the same shall be lawfully changed, modified, or abrogated.

Clerk.

SEC. 5. It shall be the duty of the said chief justice and associate justices, or a majority thereof, to appoint a

clerk of the supreme court hereby established, on or before the first day of June, 1853, and such clerk shall, on the said first day of June, 1853, qualify and enter upon the discharge of his duties, and the clerk of the present supreme court shall immediately thereafter surrender up and deliver over to the clerk of the supreme court hereby established all books, records, pleadings, writs, and papers whatsoever, and also, all moneys, evidences of debt, and other property whatsoever, which he may then, in his official capacity as such clerk, have in his possession, or under his control, and any books, records, processes, pleadings, or other papers, which may then be in the possession of either of the judges of the present supreme court, as such shall be by the judge having the possession thereof, delivered over to the clerk of the supreme court hereby established, and if the clerk or either of the judges of the present supreme court shall refuse or unreasonably neglect to so surrender up or deliver over any such book, record, pleading, proceeding, process, or other paper, or any money, evidence of debt, or other property, to the clerk of the supreme court hereby established, the person so refusing or neglecting, shall be deemed guilty of a misdemeanor; and the clerk of the supreme court hereby established, for the purpose of recovering the possession of any such books, records, processes, pleadings, papers, or money, evidence of debt, or property of either the clerk or any judge of the present supreme court, may institute and maintain proceedings under chapter 123 of the revised statutes. The clerk of the present supreme court shall be and remain the clerk of said supreme court until another is appointed.

SEC. 6. The chief justice and each of the associate justices of the supreme court hereby established, shall be entitled to receive a salary of two thousand dollars per annum, payable in quarterly installments, and the clerk of the said supreme court shall be entitled to receive for his services such fees as may, on the said first day of June, 1853, and thereafter be prescribed by law for the clerk of the supreme court. Salary.

SEC. 7. On the last Monday of September next preceding the time at which the term of the chief justice or of either of the associate justice of the supreme court will expire, an election shall be held in the several towns and wards of this state, for a chief justice or associate justice, as the case may be, whose term of office shall commence on the first day of June next thereafter. The election and the canvas and return of votes cast shall be sub- Election.

ject to all the provisions above made in reference to elections and the canvassing and return of votes.

SEC. 8. This act shall be published and take effect immediately after the passage thereof.

J. McM. SHAFER,
Speaker of the Assembly.

E. B. DEAN, JR.,
President pro tem. of the Senate.

Approved, April 17, 1852.

LEONARD J. FARWELL.

[*Published May 26, 1852.*]

Chap 396

An Act to appropriate to Bunner & Harrison the sum therein named.

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

SECTION 1. There is hereby appropriated to Bunner & Harrison, out of any money in the treasury not otherwise appropriated, the sum of twenty-five dollars in full for printing five hundred copies of the governor's message in the Welsh language.

J. McM. SHAFER,
Speaker of the Assembly.

E. B. DEAN, JR.,
President pro tem. of the Senate.

Approved, April 17, 1852.

LEONARD J. FARWELL.

Chap 397

An Act to appropriate money to pay the per diem of Members and of the Officers of the Legislature.

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

Lt Governor. SECTION 1. There is hereby appropriated to the lieutenant governor the sum of one hundred and eighty-five dollars, to be paid out of any money in the treasury not otherwise appropriated, in full for his per diem as president of the senate up to and including the 19th day of April, A. D. 1852; to the speaker of the assembly, the sum of ninety-two dollars and fifty cents as per diem speaker, and ninety-two dollars and fifty cents as per diem pay, as member of the assembly; to each member of the senate and assembly, the sum of ninety-two dollars and fifty cents, for their per diem pay up to and including the 19th day of April, A. D. 1852.