

veyor, and not exceeding the sum of one and a half dollars each per day to the laborers; that the said commissioners do, after the completion of the survey of said road, make out, under oath, a true and correct account of their own as well as of the services of the surveyor and hands, charging each county through which the said road may be located, their proportion of the expenses, agreeable to the number of days employed therein; and the board of supervisors (or commissioners as the case may be) of the several counties against whom said accounts may be made, shall audit and settle the same.

SECTION 7. *And be it further enacted*, That the commissioners aforesaid, before they enter upon their duties as commissioners under this act, shall take an oath before some judge or justice of the peace, well and truly, and without partiality, to discharge the duties assigned them by this act. Oath of commissioners.

SECTION 8. *And be it further enacted*, That the commissioners, within thirty days after the completion of the survey of said road, shall make out a report of the manner in which they have discharged their duties, including in the said report an estimate of the probable cost of constructing the necessary bridges, and doing all the other necessary work, with any other remarks by them deemed pertinent; and that the said commissioners file one copy of said report in the office of the clerk of the district court for the counties through which the road shall pass, to be by said clerk recorded and preserved. Commissioners' report, how made and filed.

P. H. ENGLE,

Speaker of the house of representatives.

HENRY S. BAIRD,

President of the council.

Approved, Dec. 8, 1836.

H. DODGE.

No. 31.

AN ACT to divide the county of Iowa.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That all that part of the county of Iowa lying west of the fourth Iowa county divided.

TER. LAWS—7.

principal meridian, be and the same is hereby constituted a separate county, to be called Grant.

Green county.

SECTION 2. Townships one, two, three and four north, of ranges six, seven, eight and nine, east of the fourth principal meridian, shall be and the same are hereby constituted a separate county, to be called Green, and the seat of justice is hereby established at the town of New Mexico, in said county.

Seat of justice.

Iowa county.

SECTION 3. The remaining part of the county of Iowa, as it existed before the passage of this act, except towns five, six, seven, eight and nine, of ranges six, seven and eight included in the county of Dane, shall be called Iowa, and the county seat of said county is hereby established at the town of Mineral Point.

Seat of justice.

Grant county,
when organized.

SECTION 4. And from and after the fourth day of March next, the said county of Grant shall, to all intents and purposes, be and remain an organized county, and be invested with full power and authority to do and transact all county business which any regularly organized county may of right do.

Commissioners
to fix the seat of
justice, their
duties.

SECTION 5. That Henry W. Hodges, James Gilmore, E. E. Brock, Orris McCartney and Francis C. Kirkpatrick, are hereby appointed commissioners to fix the seat of justice of said county of Grant, and they are hereby required to perform the said duty on or before the first day of February next ensuing, at such place within said county of Grant, as to them may seem best calculated to promote the public interest, being first sworn to the faithful discharge of that trust; and so soon as they shall have come to a determination, the same shall be reduced to writing and signed by the commissioners, and filed with the clerk of the present county of Iowa, whose duty it shall be to record the same and deliver over the same to the clerk of said Grant county, whenever he shall be appointed, whose duty it shall be to record the same and forever keep it on file in his office; and the place thus designated, shall be considered the seat of justice of said county: *provided*, that in the event of said commissioners being prevented, from any cause whatsoever, from performing the duty required of them, or if a majority of said commissioners should not be able to agree upon any place for the establishment of said seat of justice, then the seat of justice is tem-

Proviso.

porarily established at Cassville, in said county of Grant.

SECTION 6. That there shall be two terms of the district court held annually at the seat of justice for said county of Grant, by one of the judges of the supreme court, to wit: one upon the first Monday in June, and the other upon the fourth Monday of October; and the said district court for said county of Grant, shall have and enjoy all the powers, rights and duties, which courts in the other counties of this territory have and enjoy, and shall be subject to all the restrictions imposed upon said courts by the act, entitled "an act for establishing judicial districts, and for other purposes," passed at the present session of this legislative assembly, and that the courts hereby authorized to be held in the county of Grant, shall be held at the town of Cassville, in the county of Grant, until the necessary public buildings are erected at the seat of justice of said county.

Terms of district courts, when and where held.

SECTION 7. That all suits, prosecutions, and other matters which are now, or shall on or before the fourth day of March next, be commenced or pending in the district courts of the United States for the county of Brown, Iowa, Crawford, Milwaukee, or in the county court for either of the said counties, or in the supreme court of the territory of Wisconsin, or in the district courts in any of said counties, or in any judicial district in said territory, or before any justice of the peace in any of said counties, shall be prosecuted to final judgment and execution, before the same courts, and in the same county, as they would have been, if this act had not been passed; and the same proceedings shall be had in all such suits, prosecutions, and other matters as would have been had if this act had not been passed.

Causes now pending, how disposed of.

SECTION 8. That the said commissioners shall receive as a compensation for performing the duties required of them by this act, the sum of three dollars per day, to be paid out of the first monies that may come into the treasury of said county of Grant.

Compensation of commissioners.

SECTION 9. That this act shall be in force from and after the 4th day of March next.

When this act in force.

P. H. ENGLE,

Speaker of the house of representatives.

HENRY S. BAIRD,

President of the council.

Approved, Dec. 8, 1836.

H. DODGE.