

road as shall be laid out and established in said county, to be there recorded as aforesaid.

Expenses to be paid by the counties.

SECTION 5. The said commissioners shall, after the completion of the survey of any road, as aforesaid, make out a certified account of all services rendered, as well by the surveyor and other hands, as by themselves, charging to each county, through which said road may have been laid, a proportion of the expense, agreeably to the number of days employed therein, and the board of commissioners of said county shall audit and settle the same.

Width of roads.

SECTION 6. All territorial roads, authorized to be laid out by any law of this territory, and not yet commenced, shall be laid out in the manner prescribed in this act; and the commissioners shall comply with all the regulations herein contained; and further, the established width of all territorial roads shall be sixty-six feet.

SECTION 7. When any road shall have been located and established, agreeably to the provisions of this act, the same shall be, and forever remain, a public highway, and shall be opened, and worked, by the counties through which it shall be laid, as county roads are; and no part of the expense of laying out and establishing any territorial road, or of the damages sustained by any person or persons, in consequence of laying out any territorial road, shall be paid out of the territorial treasury.

Approved January 3, 1838.

No. 21.

AN ACT concerning town and county officers, in the several counties of Brown, Milwaukee and Racine, and the counties attached to them for judicial purposes.

Number of constables to be elected and justices to be appointed.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That the people of each town, as provided for in the act establishing and setting off towns in the several counties of Racine, Milwaukee and Brown, may elect, at the time and place of holding elections for county commissioners, any number of constables, not exceeding

three in each town; and there may be appointed three justices of the peace; and in those towns where the seats of justice are placed, there may be four constables elected, and four justices of the peace appointed.

SECTION 2. That there may be elected, in each of the towns in the several counties, as many supervisors as are necessary, for superintending, and keeping in repair the public roads, to be determined by the board of commissioners, of the respective counties after their first organization.

Supervisors of roads.

SECTION 3. That the county commissioners shall order an election of supervisors, in their respective counties, as soon after their first session as they can district the several towns, in their respective counties, into road districts; the election of supervisors shall be conducted as the board of county commissioners may direct.

When elected.

SECTION 4. That the board of county commissioners, are hereby authorized and empowered to alter, amend, or set off any new towns, or locate any of the towns established before the board of commissioners, acting for the time being, came into office, on petition being presented, signed by a majority of the qualified voters of such town or towns, applying for the same; and in all cases where application is made as aforesaid, public notice shall be given in one or more newspapers, published in such county, or by posting up three or more notices in the most public places, in the town or towns, so applying, at least thirty days previous to the action of the commissioners on the petition aforesaid.

How towns may be altered, &c.

SECTION 5. After making such new town or towns, as aforesaid, the board of commissioners, shall establish polls, and order an election to be holden in such new towns, for the election of constables, and supervisors as aforesaid; and the officers so elected under the provisions of this section, shall hold their office until the next annual election, and until others are duly elected and qualified.

Elections in new towns.

SECTION 6. *Be it further enacted,* That the first elected treasurer, constables, and supervisors respectively, shall continue in office until the close of the annual session of the board of county commissioners in January, A. D. 1839, and until their successors in office are duly elected and qualified, and thereafter

Term of office.

the term of office of the several officers shall expire annually as aforesaid; and the term of office of the county commissioners elected to serve for one year, shall expire at the close of the session aforesaid; the term of office of the one elected to serve for two years, shall expire at the close of the session in January, 1840; and the term of office of the one elected to serve for three years, shall expire at the close of the session in January, A. D. 1841, any other law contravening any of the provisions of this section to the contrary notwithstanding.

Approved Jan. 3, 1838.

. No. 22

AN ACT for the relief of the poor.

County commissioners to take charge of paupers.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That the board of county commissioners, of the several counties of this territory, shall be, and they are hereby vested, with entire and exclusive superintendence of the poor in their respective counties.

What relatives bound to support.

SECTION 2. Every poor person, who shall be unable to earn a livelihood, in consequence of bodily infirmity, idiocy, lunacy, or other unavoidable cause, shall be supported by the father, grandfather, mother, grandmother, children, grandchildren, brothers or sisters, of such poor person, if they or either of them be of sufficient ability; and every person who shall fail or refuse to support his or her father, grandfather, mother, grandmother, child, or grandchild, sister or brother, when directed by the board of county commissioners of the county where such poor person shall be found, whether such relation reside in the county or not, shall forfeit and pay to the county commissioners, for the use of the poor of their county, the sum of fifteen dollars per month; for which if they or either of them shall fail or refuse so to do, to be recovered in the name of the county commissioners, for the use of the poor as aforesaid, before any justice of the peace, or any court having jurisdiction: *provided,* that when any

Under what penalty.