

ter crafts on said river, between the places before mentioned, and shall be free of toll; and if any person shall wilfully obstruct the navigation of the river along said towing path, or shall place any obstruction on said towing path, or do any injury or damage thereto, the person or persons so offending, shall forfeit and pay a fine of not more than twenty-five, nor less than ten dollars, over and above the expense of removing such obstructions; to be paid into the treasury of the county of Jefferson, to be sued for and recovered, before any court of competent jurisdiction, on complaint of either of the commissioners hereby appointed, or the commissioners of said county.

Penalty for obstructing it.

SEC. 5. No part of the expense of constructing said work shall be paid out of the territorial treasury or that of the county of Jefferson. Expenses.

SEC. 6. This act may be altered, amended, or repealed, by any future legislature of the territory or state of Wisconsin, and shall take effect from and after its passage.

Approved, February 19th, 1841.

No. 37.

AN ACT to provide for the completion of the Capitol at Madison.

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

SEC. 1. The treasurer of the territory is hereby authorised to issue, in the name of the territory, and under his hand and seal, countersigned by the commissioner of public buildings, seventy bonds of one hundred dollars each, bearing an interest of seven per cent per annum, from the first day of April, A. D. 1841, redeemable and payable from any moneys in the territorial or state treasury, as the case may be, not otherwise appropriated, in two years from the date aforesaid; which bonds may be transferable by endorsement.

Treasurer to issue bonds for \$7,000 in the name of the territory.

SEC. 2. The treasurer aforesaid, on or before the first day

Same shall be sold April 1st, 1841, at par value—not otherwise.

of April aforesaid, shall cause the said bonds to be sold for the notes of specie paying banks, or specie or its equivalent; notice of which sale shall be given in a newspaper printed at Madison:

Provided, That the said bonds shall not be sold for less than their par value of one hundred dollars each.

On sale of half of the bonds, a contract for completing a capitol to be entered into.

SEC. 3. When one half of the said bonds shall be sold, the treasurer aforesaid shall cause notice to be given of such sale to the commissioner of public buildings; whose duty it shall be, immediately thereafter, to advertise and let the contract for the completion of the capitol at Madison, to the lowest and best bidder; who shall give ample security to the territory for the faithful execution of his contract, to the satisfaction of the said commissioner. The said capitol shall be finished upon the original plan, and according to the specification in the contract with James Morrison, on or before the next annual meeting of the Legislature of this territory.

Monthly payment to contractor, half in money, half in bonds.

SEC. 4. The contractor who shall take the contract, shall be paid monthly as the work progresses, upon an examination and acceptance of the work by the commissioner, one half in the money arising from the sale of the said bonds, and the remainder in said bonds, if not previously sold, to be drawn from the treasurer by the contractor, on the order of the said commissioner.

Bonds, how re-deemed.

SEC. 5. The money heretofore donated by Congress for the purpose of erecting a capitol in the territory, and not expended, shall be paid into the territorial treasury when the same shall be received or collected, which shall be applied to the extinguishment of the said bonds; and should the same be insufficient, or not received when the said bonds shall become due, such further provision shall be made for the redemption thereof, as may be deemed expedient.

Treasurer to give additional bond.

SEC. 6. The treasurer of the territory shall, on or before the first day of April aforesaid, in addition to the bond heretofore given by him, execute a bond to the territory, in a penalty of ten thousand dollars, with two or more sureties, conditioned for the faithful performance of his duties under this act; which bond shall be approved by the governor, and filed in the office of the secretary of the territory.

SEC. 7. The commissioner of public buildings and the treasurer of the territory, shall each receive one hundred and fifty dollars upon the completion of the capitol, for performing the duties required of them by this act. Compensation of treasurer & commissioner.

SEC. 8. The provisions of any law now in force in this territory, inconsistent with this act, are hereby repealed.

SEC. 9. In case the provisions of this act shall not be carried into effect, and it shall appear to the satisfaction of the governor, that the capitol will not be completed agreeably to its provisions, then, and in that case, the governor is authorised to issue his proclamation, thirty days at least previous to the commencement of the next regular annual session, convening the Legislative Assembly at Milwaukee: *Provided*, Suitable rooms are furnished in the said town of Milwaukee for the accommodation of the two branches of the Legislative Assembly when holding their sessions, and for committee rooms; also, an office for the executive, and offices for the accommodation of the several territorial officers, free from any charge or expense to the territory or general government. Governor authorised by a proclamation, to convene the next session at Milwaukee, in case.

SEC. 10. This act shall take effect, and be in force from and after its passage.

Approved, February 19th, 1841.

No. 38.

AN ACT to enlarge the Boundaries of Portage County, and for other purposes.

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

SEC. 1. That all that district of country lying immediately north of the counties of Sauk and Portage, and comprised in range two, three, four, five, six, seven, eight and nine, east of the fourth principal meridian, and extending to the northern boundary of the territory north, except fractional townships fourteen District annexed to Portage.