

this territory, shall, within his proper county, be and hereby is empowered to take the deposition of such witness and transmit the same to the commissioners aforesaid: *provided*, that notice by the party requiring such deposition, be first made out and published for five successive weeks, before the time of taking such deposition, in some newspaper published in the county where the half breed lands lie, if there be any paper published in said county, if not, then in some paper published in the nearest county thereto in the territory, in which notice shall be specified, the name or names of such witness or witnesses, and the time, place of taking such deposition, so that other parties interested may attend at the taking of the same, and cross examine such witness or witnesses if they think proper. Proviso.

SECTION 4. That the figures 1824 in the eighth line of the ninth section of the act of which this is a supplement, be stricken out, and the figures 1827 inserted in lieu thereof.

Approved June 22, 1838.

No. 10.

AN ACT organizing the county of Johnson and establishing the seat of justice of said county.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That the county of Johnson be, and the same is hereby organized from and after the fourth day of July next, and the inhabitants of said county be entitled to all the rights and privileges to which by law the inhabitants of other organized counties of this territory are entitled to. And the said county shall continue to be a part of the second judicial district, and a district court shall be held at the town of Napoleon the seat of justice, at the court house, or such other place as may be provided. Two terms of the said district shall be held annually after the organization of said county, to wit: on the second Monday of August, and December; and the several acts concerning the district When organized.
Seat of justice.
Terms of court.

courts of said Wisconsin territory shall be and they are hereby made applicable to the district court of Johnson county. And the county of Keokuk shall be and is hereby attached to the said county of Johnson for judicial purposes.

Approved June 22, 1838.

No. 11.

AN ACT to amend an act entitled an act, to incorporate the Root river railroad company.

Time of commencement postponed.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That so much of the third section of an act, entitled an act to incorporate the Root river railroad company, as makes it necessary to commence said work by the fourth day of July next, is hereby repealed, and the term for commencing said railroad shall be extended one year from and after the fourth day of July next.

Approved June 22, 1838.

No. 12.

AN ACT to provide for taking the official bonds of auctioneers and for other purposes.

Bonds, how given, &c.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That so much of the act passed by the legislative council of the territory of Michigan, entitled "an act to prescribe the tenure of office of auctioneers, and to levy a duty upon sales at auction in certain cases," approved April 23, 1833, as relates to the manner in which auctioneers shall enter into their official bonds, is hereby repealed. Such bonds shall be given to the county commissioners of the respective counties, who shall decide as to the sufficiency of the securities thereon; they shall then be filed with the clerk of the board of county commissioners. In case of a breach of the conditions