

No. 9.

AN ACT to locate and establish a territorial road from the town of Milwaukee to Janesville.

SECTION 1. *Be it enacted by the council and house of* Commissioners. *representatives of the territory of Wisconsin,* That Samuel Sanburn, Jesse Meachum and George S. West are hereby appointed and constituted a board of commissioners, to locate and establish a territorial road from the town of Milwaukee, on Lake Michigan, to Janesville on Rock river.

SECTION 2. *And be it further enacted,* That the commissioners aforesaid, or a majority of them, shall meet *Where to meet.* at Milwaukee on the first Monday in March next, for the purpose of proceeding to the discharge of their duties as commissioners aforesaid, and they are hereby authorized to adjourn from time to time and from place to place, as a majority of them may agree and determine.

SECTION 3. *Be it further enacted,* That one of said *Their duties.* commissioners shall act as surveyor, and further, that they do and they are hereby required to employ such number of chain carriers, and other hands as to them may appear necessary for the location of said road; that the said commissioners mark, or cause to be marked, the said road by them located, by stakes in the prairie, at a reasonable distance apart, and by blazing trees in the timber; that at the end of each mile the said commissioners do cause a large and prominent stake to be set, marking thereon the number of miles from the point hereinbefore named, from which they have last departed.

SECTION 4. *And be it further enacted,* That the commissioners aforesaid, be and they are hereby required to commence and complete the survey and location of said road, as soon as may be practicable after their first meeting.

SECTION 5. *And be it further enacted,* That said surveyor be authorized and he is hereby required to make out a true and correct plat and field notes by him kept in locating said road, within one month from the completion of the survey thereof; and that he make out and file one copy thereof in the office of the clerk of the district court of each county, through which the

contemplated road shall pass; and the clerks of said courts, in whose office said plats shall be filed, shall record the same; and said road, when laid out and established, shall be forever a highway.

SECTION 6. *And be it further enacted,* That the said commissioners be allowed the sum of two and a half dollars per day each, and the other hands such sums as the said commissioners shall contract for, 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 copy of their own, as well as of the services of the 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, shall audit and settle the same: *provided,* the before named supervisors or commissioners shall not audit the accounts unless they are deemed to be correct by the said officers.

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.

SECTION 8. *And be it further enacted,* That the said 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 their necessary work, with any other remarks by them deemed pertinent; and that 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; and shall also make out and forward to the secretary of the territory a plat of the said road, signed by a majority of the commissioners before the next regular session of the legislative assembly.

Approved, Dec. 20, 1837.