

said officer; and in case judgment shall be rendered against the defendant, the forfeiture recovered shall be applied in the first place to pay the necessary expenses of prosecution, and the balance, if any, shall be paid into the district treasury."

Repeal.

SECTION 11. All laws and parts of laws inconsistent or conflicting with the provisions of this act, are hereby repealed.

SECTION 12. This act shall take effect and be in force from and after its passage and due publication.

Approved April 12, 1866.

## CHAPTER 112.

[Published April 24, 1866.]

AN ACT to regulate the mode of selecting jurors.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Town boards of supervisors, trustees of villages and aldermen of wards to make out lists of persons to serve as jurors, and forward same to clerks of boards.

SECTION 1. The board of supervisors in the several towns, the trustees of the several villages in which, at general elections, a poll separate and distinct from that of the town in which said village is located, shall be held according to law, and the aldermen in each ward of the several cities in this state, shall, within thirty days after the first Monday in May, in each year, make out from the last poll list of such town, village or ward, a list containing the names of not less than ten nor more than twenty persons, such as they shall believe to be qualified to act as jurors under the laws of this state, which list of names, when completed, shall be certified to by such town board, trustees or aldermen, as the case may be, making the same, and immediately forwarded, by mail or otherwise, to the clerk of the board of supervisors of the county within which such town, village or ward is situated, and upon the reception thereof, such clerk shall file and preserve the same in his office.

County boards to select jurors from such lists.

SECTION 2. Hereafter the board of supervisors in each county in this state, to which this act shall be applicable, in making up the jury list for such county,

shall select the names of the persons chosen as jurors from the several lists returned to the clerk of the board of supervisors in compliance with this act, and from none other; such selection to embrace as nearly as practicable an equal number of names from the several lists returned.

SECTION 3. The failure or omission of any town, board of trustees or aldermen, to make out and return to the clerk of the county board of supervisors a list of names in compliance with this act, shall not render irregular or invalid any list of jurors otherwise regularly selected by the county board of supervisors, from the list properly returned in compliance with this act.

In case of failure to make out lists.

SECTION 4. This act shall not apply to any county or city in this state, wherein special provision is made by law for the selection of jurors.

Application.

SECTION 5. This act shall be in force from and after its passage and publication.

Approved April 12, 1866.

## CHAPTER 113.

[Published April 25, 1866.]

AN ACT to amend chapter 398 of the general laws of 1862, entitled "an act to authorize the county supervisors to construct drains in certain cases."

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Section one (1) of chapter 398 of the general laws of 1862, is hereby amended, by striking out the word "regular," where it occurs in said section; also, by striking out the word "conductive," where it occurs in said section, and inserting in lieu thereof the word "conducive," so that it will read as follows: "That the county board of supervisors of any county shall have power, at any session, whenever in their opinion the same is demanded by or will be conducive to the public health, convenience or welfare, to cause to be established, located and constructed, as

Boards of supervisors may cause to be constructed ditches, &c.