

brought by or against every county. The inhabitants of the county so suing, or being sued, may be jurors or witnesses if otherwise competent or qualified according to law. The inhabitants may be jurors.

SECTION 6. *And be it further enacted,* That from and after the first organization of the board of commissioners in the several counties in this territory, all acts and parts of acts contravening any of the provisions of this act are hereby repealed: *provided,* that this act shall not affect any contract or right which may have accrued to, or against any county before the passage of this act. And all actions and suits shall be conducted in the same manner to final judgment on the said rights and contracts, as if this act had not been passed. Repealing clause.

Approved Jan. 8, 1838.

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### No. 27.

AN ACT to make valid the location of a road from Racine to Janesville, Rock county.

SECTION 1. WHEREAS, At the last session of the legislative assembly convened at Belmont, a bill was introduced and passed the council and house of representatives, for locating and establishing a territorial road from Racine on lake Michigan, to the Mississippi river, passing through Mount Pleasant, Rochester on Fox river, and Janesville on Rock river, Elisha Smith, Bushnell B. Cary, and Palmer Gardner, being appointed commissioners in part for laying out said road, and the said commissioners believing that the said bill had received the signature of the executive and had become a law, proceeded to lay out, survey, make and establish said road from Racine to Janesville agreeable to the foregoing specification,

*Therefore, be it enacted by the council and house of representatives of the territory of Wisconsin,* That the said road be and the same is hereby established, agreeable to the route as laid out by said commissioners: *provided,* that nothing herein contained shall be so construed, as to prevent a second survey and location of

said road or any part thereof on a different route, if in the opinion of the said commissioners, a more favorable location can thereby be made; *and provided*, the said survey and location shall be made previous to the first of July next.

Copy of plat to  
be filed.

SECTION 2. *Be it further enacted*, That the said commissioners, are hereby required to make out a true and correct plat and field notes by them kept, in locating said road by the first of July next of the survey thereof; and that they make out and file one copy thereof in the office of the clerk of the board of county commissioners in each county through which said road may pass; and the clerk of said board of county commissioners in whose office said plat shall be filed, shall record the same.

Compensation.

SECTION 3. *And be it further enacted*, That the said commissioners be allowed two dollars and fifty cents per day, each, and all other hands necessarily employed for chain bearing, marking, &c., on said road be allowed any sum not exceeding one dollar and fifty cents each, per day, at the discretion of said commissioners; and that each of the counties through which said road may pass, shall pay an equal proportion of the expense of establishing the said road; agreeable to the distance that the said road may pass through the several counties.

Approved Jan. 8, 1838.

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No. 28.

AN ACT to divorce Mary Williams, from her husband, Thomas Williams.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That the marriage contract heretofore existing between Mary Williams and her husband, Thomas Williams, be, and the same is hereby annulled and made void; and that all obligations arising from the said marriage contract, be, and the same are hereby made of no more force or effect than if the said contract had never existed.

Approved Jan. 8, 1838.