

Jurors' fees.  
Docket fee.

jurors upon each issue, shall be paid into the county treasury, and in addition thereto, a docket fee shall be paid to the clerk at the time of issuing writ, of three dollars, to be paid into the county treasury, which docket fee shall be charged in the bill of costs against the unsuccessful party or parties.

For recording mortgages.

SECTION 18. Hereafter the fees for recording any deed, mortgage or other instrument required to be recorded, shall be paid at the time of presentment for record, if required by the register.

When prosecutor to pay costs.

SECTION 19.. When any prosecution instituted in the name of the United States, or of individuals for breaking any laws of this territory shall fail, the judge shall determine from the circumstances of the case whether the prosecutor, the county or the territory shall pay the costs.

Repeal.

SECTION 20. So much of any act as provides for the payment to the clerks of the district court by the county commissioners for the books to be used in their offices, is hereby repealed and all other acts and parts of acts regulating the fees of officers whose fees are herein prescribed, be and the same are hereby repealed.

Approved Jan. 19, 1838.

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## No. 82.

AN ACT to establish the ferries herein named.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That Joseph Webster, his heirs and assigns, be and they are hereby authorized to establish and keep a ferry across the Mississippi river at the town of Fort Madison, within the following limits, viz. : commencing on the west side of Broadway street and with the course of said river, two miles down the same; and that the said Webster, his heirs and assigns, have the exclusive privilege of ferrying within the above limits for the term of ten years.

SECTION 2. That Aaron White, his heirs and assigns, be and they are hereby authorized to establish

and keep a ferry across the Mississippi river at the town of Fort Madison, commencing at the west line of Broadway street, and extending along the western shore of said river two miles northward; and that said White, his heirs and assigns have the exclusive privilege of ferrying within said limits for the term of ten years.

SECTION 3. *Provided always*, that said ferries when so established shall be subject to the same regulations and restrictions, as other ferries are or may hereafter be by law in this territory, fixing the rates of tolls and prescribing the manner in which ferries shall be kept and attended to; *and provided further*, that said Webster and White shall put in full and complete operation at each of said ferries a good steam or horse ferry boat, within the term of twelve months from and after the passage of this act.

SECTION 4. This act to take effect from and after its passage.

Approved January 19, 1838.

### No. 83.

AN ACT to authorize the appointment of public administrators, in the several counties of this territory and prescribe their duties.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That the governor of this territory shall appoint in each county of this territory, a suitable person, to be known and named the public administrator for such counties, respectively, whose office and duties shall be prescribed as follows. Mode of appointment.

SECTION 2. That when any person shall die intestate in any county in this territory, or when any person, a non-resident, shall die intestate, having goods and chattels, rights and credits, or either, in this territory, and no widow or next of kin, or creditor or creditors shall be living within this territory, administration of the goods and chattels rights and credits of such intestate shall be granted to the public administrator of the county in which such intestate died, or in which the goods and chattels, rights and credits Duties.