

Repealed.

SEC. 2. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect from and after the first day of July, 1858.

Approved May 11th, 1858.

## Chapter 85.

*Published May 14th, 1858.*

AN ACT to divide the County of Marquette and erect the County of Green Lake.

*The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :*

Boundaries of new county.

SECTION 1. All of that portion of the county of Marquette lying east of the range line between ranges ten and eleven (10 and 11) east, excepting the west four tier of sections of the towns of Neshkoro and Mecon, in said county, is hereby detached and set off from the said county of Marquette, and shall hereafter constitute a separate county under the title of Green Lake.

Erected with like power and privileges as other counties.

SEC. 2. That the said county of Green Lake is hereby erected and established with all the rights, powers and privileges by law granted to other counties of this State, and subject to the general laws established for county governments, and shall be attached to the third

Terms of court.

judicial circuit. The terms of the circuit court for the county of Green Lake shall be held on the second Monday of March and the first Monday of September of each year. The several supervisors and alder-

County board.

men in the several towns or wards of said county of Green Lake, now entitled by law to become members of the county Board of Supervisors of Marquette county, shall constitute the county Board of Supervisors of Green Lake county.

Annexed to town of Senica.

SEC. 3. That part of the town of Neshkoro, set off by this act from the county of Marquette, shall hereafter constitute and form a part of the town of Senica in said county of Green Lake. That part of the county of Marquette, which according to the established boundaries of said county at the time of the adoption of the Constitution of this State, lay south of Fox river,

From part of town of Bertha.

in town eighteen (18), north of range number thirteen (13) east, and by this act set off from said county, shall hereafter constitute and form a part of the town of Berlin, in the county of Green Lake. That part of the town of Mecan set off by this act from the county of Marquette, shall hereafter constitute and form a part of the town of Marquette, in the county of Green Lake.

Form part of town of Marquette.

SEC. 4. All the records, books and papers in the office of the Register of Deeds for the county of Marquette, or in the office of the county court for said county, which now or may on the second Tuesday of June next, belong or appertain to either of said offices, shall from and after the said second Tuesday of June next, be the property and records of the county of Green Lake, and shall respectively belong and appertain to the office of the Register of Deeds and county court for said county of Green Lake, with the like effect for all purposes as if originally entered in said county.

Records, books &c.

SEC. 5. The county Board of Supervisors of Marquette county are hereby authorized, at any time they may deem it necessary, to employ some person to transcribe such portion of the records mentioned in the next preceding section, as may relate to the title of all lands then lying and being situate in the said county; and the person thus employed shall have access to the proper offices in the county of Green Lake for that purpose. The copies of the records thus obtained shall be of like form and effect as if originally entered of record in said county. The county of Green Lake shall be liable to pay to the county of Marquette, one half of the expense thus incurred in transcribing the said records: *Provided*, That the whole amount for which the county of Green Lake shall be liable to pay to the county of Marquette, shall not exceed two and one half cents per folio of the records transcribed.

Employ some person to transcribe records.

Expense—how defrayed.

Proviso.

SEC. 6. All officers elected for the county of Marquette, residing in the county of Green Lake, as defined in the first section of this act, at the time of the passage of this act, shall be and remain officers of the county of Green Lake, until the powers and jurisdiction which by law appertain to the officers of other counties of this State, for the time for which they were respectively elected; and the Governor is hereby authorized and empowered to fill by appointment all such

Officers elected for Marquette county, residing in Green Lake county, to be officers of Green Lake county—Governor to fill vacancies.

offices as by virtue of the provisions of this act, shall be vacant in said counties of Marquette or Green Lake, which officers thus appointed shall hold their offices respectively until the time now provided by law for the election and qualification of their successors. The county officers of Green Lake county shall hold their offices in the rooms now occupied by the county officers of Marquette county, until otherwise provided by the county Board.

Term of office.

County seat of Marquette county—location.

SEC. 7. The county seat of the county of Marquette is hereby located on the south-east quarter of section number twenty-five (25), town number sixteen, (16), north of range number nine (9) east. The county Board of Supervisors of said county of Marquette shall meet on the fourth Tuesday of June next, at the county seat of said county as herein established, or at such other place in said county as a majority of the said county board shall sign a call to meet at, and at said meeting shall designate some place in said county for holding courts and county offices; and at the place thus designated, the courts and county offices of said county shall be held until suitable and proper county buildings are erected at the county seat.

Indebtedness of Marquette county—defrayed by both counties, &c.

SEC. 8. The indebtedness of the present county of Marquette shall be paid by the counties of Marquette and Green Lake. The proportion to be paid by each county shall be determined by the county Board of Supervisors of said counties in such manner as they shall agree upon. The real or personal property now owned by the county of Marquette shall be divided equally between the said counties of Marquette and Green Lake.

Process, appeals, &c., commenced to be prosecuted to final judgment; those pending to be taken to Green Lake county.

SEC. 9. All process, appeals and other proceedings commenced in the circuit court of Marquette county, prior to the second Tuesday of June next, shall be prosecuted to final judgment therein, in the same manner, and with the like effect as before the division of said county. All proceedings, or matters now pending or unsettled in the county court of said county, shall be finally determined and settled by the county court of Green Lake county, in the same manner and with the like effect as if originally commenced in said county.

To vote upon division of county.

SEC. 10. It shall be lawful for the legal voters of the county of Marquette, on the first Tuesday of June next, at an election which is hereby authorized to be held at

that time for that purpose, in the several towns and wards of said county to vote upon the question of division of said county of Marquette, as provided in section 1st of this act. Said election shall be held at the places and conducted in the same manner now provided by law for conducting elections for county officers. Those electors wishing to vote at said election in favor of said division, shall deposit a ballot upon which shall be written or printed the words "For Division," and those electors wishing to vote at said election against said division, shall deposit a ballot upon which shall be written or printed the words "Against Division." And if a majority of all the legal votes cast at said election upon the question of division be "For Division," then the said county of Marquette shall be divided and the said county of Green Lake be erected and established as hereinbefore provided, from and after the second Tuesday of June next. But if a majority of all the legal votes cast at said election upon the question of division, be against division, then the boundaries of said county of Marquette shall remain unchanged.

Election—  
where held.

To be by bal-  
lot.

Sec. 11. The votes cast at said election upon the question of division shall be returned to the clerk of the board of supervisors of Marquette county within one week from said election. On the Tuesday next succeeding said election, the said clerk of the board, the county Judge and the Register of Deeds of said county, who are hereby created and declared to be a county board of canvassers for that purpose, shall proceed to canvass and determine the result of said election in the same manner as the county canvassers are required to canvass the votes cast for county officers—which canvass shall be recorded by the said clerk in his office, and a certified copy thereof be forwarded by said clerk to the Secretary of State, to be filed in his office.

Votes—how  
returned and  
canvassed.

Sec. 12. The question of the location of the county seat of Green Lake county shall be submitted to the legal voters of said county on the fifth Tuesday of June next, at an election hereby authorized to be held at that time for that purpose in the several towns and wards of said county; at which election each elector wishing to vote upon the question of the location of the county seat, shall deposit a ballot upon which shall be written or printed the words "For the location of the county seat at \_\_\_\_\_, (filling the blank with the name or de-

The question  
of county seat  
of Green Lake  
county to be  
submitted to  
the people—  
election by  
ballot.

In case of a tie  
to vote on in  
November.

scription of such place in said county as such elector may wish to become the county seat of said county); and the place in said county which shall receive at said election a majority of all the legal votes cast upon the question of the location of the county seat, shall be the permanent county seat of said county. If at said election no place shall receive a majority of all the legal votes cast upon the question of the location of the county seat, then the question of the location of the county seat shall again be submitted to the legal voters of said county, at the general election to be held in November next, in the several towns and wards of said county, at which election the legal voters of said county may vote for the location of the county seat at either of the two places having received the highest number of votes for the location of the county seat at said first election, and each elector voting at said election shall deposit a ballot upon which shall be written or printed the words "For the location of the county seat at —, (filling the blank with the name or description of one of the two places in said county having received the greatest number of votes for the location of the county seat at said first election); and that one of said two places in said county receiving at said election the greatest number of votes cast upon the question of the location of the county seat, shall be the permanent county seat of the county of Green Lake. Each of the elections authorized to be held in this section, shall be held at the places, and be conducted in the same manner as provided by law in the election of county officers, and the votes cast at said election upon the question of the location of the county seat shall be returned to the clerk of the board of supervisors of said county at his office on or before the first Tuesday next succeeding each of said elections respectively, at which time and place the county Judge, register of deeds and clerk of the board of supervisors of said county, who are hereby created and declared to be a county board of canvassers for that purpose, shall proceed to canvass the said votes and determine the result of said elections respectively, in the same manner as county canvassers are required by law to canvass votes cast for county officers. After the canvass of said first election, the board of canvassers shall immediately make out and publish in some newspaper published in

Elections—  
where held;  
votes—how  
canvassed.

Canvass to be  
published.

said county, a statement giving the names or description of the two places having received the greatest number of votes for the location of the county seat at said election, which statement shall determine the two places to be voted for at said second election in November. Each of said canvasses shall be recorded as soon as they are respectively made, and a certified copy thereof be forwarded by the said clerk to the Secretary of State, to be filed in his office.

To be recorded.

SEC. 13. On the second Tuesday of July next, the county Board of Supervisors of Green Lake county shall meet at the county seat of said county, as established in this act, or if the county seat is not established at that time, then at such place in said county as a majority of said board shall sign a call to meet at. It shall be the duty of said board at such meeting to designate some place in said county for holding courts and county offices, until the county seat is established, and at the place thus established the courts and county offices shall be held until the county seat is established as provided in this act. If at the time of meeting of said board the county seat of said county is established by the first election, as provided in section 12 of this act, then it shall be the duty of said county board at said meeting to provide for the erection of suitable county buildings at the county seat and for the completion of the same at as early a day as practicable. Said board shall also provide at said meeting for grand and petit jurors as required by law in other counties, so that a term of the circuit court for said county can be properly and legally held in said county at the September term thereof, A. D. 1858, and shall transact such other business at said meeting as may be necessary to perfect the organization of the said county of Green Lake.

First meeting of the county board of supervisors of Green Lake county, where held; duty of board.

To provide for grand and petit jurors.

SEC. 14. The county board of Green Lake county shall have power to provide for transcribing such part of the records of Marquette county as may be necessary to perfect the records and organization of Green Lake county, and the person employed to transcribe the same shall have access to the proper offices of Marquette county for that purpose. The county of Marquette shall pay to the county of Green Lake one half of the expense thus incurred; *Provided*, That the whole amount which the county of Marquette shall pay to the county of Green Lake for transcribing said

Power to transcribe records of Marquette county—expense of same, how defrayed.

Proviso.

records, shall not exceed two and one half cents per folio of the records transcribed.

In case county seat is not established till June election, county board to provide for erection of buildings.

SEC. 15. In the event that the county seat of Green Lake county is not established until the November election, as provided in section 12 of this act, then it shall be the duty of the county board of said county to provide for the erection of suitable county buildings at the county seat at their first meeting after the said November election.

Senate district Assembly districts.

SEC. 16. The counties of Marquette and Green Lake shall constitute the 29th Senate district. The towns of Mackford, Manchester, Dayton, Green Lake, Brooklyn, Princeton, St. Marie, Senica, and the town and city of Berlin, in the county of Green Lake, shall constitute an Assembly district. The county of Marquette and the towns of Marquette and Kingston, in the county of Green Lake, shall constitute an Assembly district.

When act takes effect.

SEC. 17. This act shall take effect and be in force from and after its passage, and shall be published in the newspapers published in Marquette county. All acts or parts of acts contravening the provisions of this act are hereby repealed.

Repealed.

Approved May 12th, 1858.

Chapter 86.

Published May 13th, 1858.

AN ACT to authorize the Secretary of State to audit certain accounts for Newspapers.

*The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :*

Authorized to audit accounts for newspapers of Legislature.

SECTION 1. The Secretary of State is hereby authorized and required to audit the accounts of the several newspaper publishers, for papers furnished to the Legislature, during the present session, and to settle such accounts, allowing said publishers at the rates at which said newspapers are furnished to subscribers, at the places of publication.

Accounts to be verified by

SEC. 2. Such accounts shall be verified by the oath of the publishers, that the papers were ordered either