

act shall not have force or effect; but it shall be the duty of the governor of the territory to apportion the members of the house of representatives for that portion of the territory which may remain and not be stricken off among the several counties thereof, according to the last census taken and filed in the office of the secretary of the territory.

SECTION 4. Should any vacancies in the council be occasioned by such act of congress as is referred to, in the foregoing section, then in that case the governor of the territory shall apportion the vacancies so occasioned among the several counties of the territory, which may belong to the territory of Wisconsin, after the passage and taking effect of any such act of congress according to population, as ascertained by the said recited census, having reference however in making such apportionment to the present representation in the council which may not be vacated, so as to give the thirteen members of the council among that portion of the territory which may be left as aforesaid, as nearly as may be according to the population. And the members of the council so to be elected, shall hold their office for a term sufficient to make up the term of four years for which the members whose seats are thus vacated were originally elected.

SECTION 5. The governor of the territory shall proclaim the apportionment so to be made and the sheriffs of the different counties shall give notices of said elections accordingly. Notice, by whom given.

SECTION 6. *And be it further enacted,* That the election in each of the aforesaid districts shall be conducted in all respects in conformity to the general election law, passed at the last session of this legislative assembly.

Approved June 23, 1838.

No. 19.

AN ACT supplementary to an act to locate and establish a territorial road from the town of White Oak Springs, in Iowa county, to the Blue Mounds in Dane county.

SECTION 1. *Be it enacted by the council and house of representatives of Wisconsin territory,* That so much of the second section of the act to which this is supple- Postponement of the time of commencement.

mentary, as requires the commissioners therein named to commence their duties on the first Monday of April, after the passage of said act, be and is hereby repealed, and that the said commissioners or a majority of them shall meet and commence their duties on the first Monday of August next. That so much of the fourth section of the above recited act as requires the commissioners therein named to commence their duties on the second Monday of April next after the passage of said act be and is hereby repealed, and that the said commissioners or a majority of them shall meet and commence their duties on the second Monday of August next.

SECTION 2. That all the proceedings of said commissioners or a majority of them shall be as good and legal as if they or a majority of them had met and commenced their duties on the times required by the second and fourth sections of the above recited act.

Approved June 23, 1838.

No. 20.

AN ACT to amend an act regulating marriages, approved April 23, 1838.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That the duties required to be performed by the clerk of the county or township in reference to marriage licenses, shall be performed by the clerks of the district courts of the respective counties and the clerk of the supreme court for the county of Dane and all returns of marriages shall be made to the clerks aforesaid.

Approved June 23, 1838.

No. 21.

AN ACT to locate a territorial road on the east side of the Mississippi river.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That John Nichols, Henry F. Janes, and William Ritterhouse, be