

No. 27.

AN ACT extending the time limited to David James for the establishment of a ferry across the Mississippi river.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That the term of one year, by which David James, his heirs and assigns, were limited for the procuring of a boat for the ferry over the Mississippi river, at the town of Burlington, be extended twelve months, so as to allow twenty-four months from the time of the passage of the act granting the privilege.

Approved June 28, 1838.

No. 28.

AN ACT to establish the seat of justice of Scott county.

County seat to be voted for.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That for the purpose of permanently establishing the seat of justice of Scott county, a poll shall be opened at each precinct in said county, at the general election on the first Monday of August next, for the purpose of deciding whether the town of Davenport or the town of Rockingham, shall be the seat of justice for said county, and the ballots received for the seat of justice shall be upon a separate paper, and deposited in a separate box from the other ballots received at said election, and a separate poll list shall be kept.

Qualification of voters.

SECTION 2. Any person shall be entitled to vote for the seat of justice for said county, at said election, who is a free white male citizen, of lawful age, and a resident of the county, and who shall have resided in the county at least sixty days preceding the said election.

Returns.

SECTION 3. Returns of said election for county seat, together with the ballots and poll list, shall be made within twenty days after the said election, to the sheriff of the county of Du Buque, who shall, in company with the county commissioners or any two of them, proceed to examine said returns, and on

being satisfied that any one of the places named has a greater number of votes than the other, the town having the greatest number of votes polled, shall be thenceforward the seat of justice of Scott county, and minute thereof shall be made in the proceedings of said board of county commissioners for Du Buque county.

SECTION 4. In case of a tie in the election aforesaid, it shall be the duty of the sheriff of Du Buque county to notify the sheriff of Scott county of the same, who shall thereupon give ten days' notice to the qualified electors aforesaid, that another election shall be had, stating the time and place of such election, and the same proceedings shall be had as in the foregoing section of this act. In case of a tie.

SECTION 5. Until the seat of justice of Scott county shall be established as hereif provided, all writs and process, which by law are to be returned to the district courts of said county, shall be valid if made returnable to said court on the first day of the next term without specifying the place, and all parties, witnesses, jurors, and other persons required to appear before the said court at the said term shall appear at the place where the seat of justice of said county may be established according to the provisions hereof. Return of process, &c.

SECTION 6. Any person voting at said election who is not a qualified elector according to the provisions of this act, and the general election laws of this territory, shall on conviction thereof before any tribunal having jurisdiction, be fined in a sum not less than one hundred nor more than five hundred dollars. All acts and parts of acts contravening the provisions of this act are hereby repealed. Penalty for illegal voting.

Approved June 23, 1838.

No. 29.

AN ACT to locate a territorial road in Grant and Iowa counties.

SECTION 1. *Be it enacted by the council and house of representatives of Wisconsin territory,* That Jonathan Craig, William Davidson and Stewart McKee, are hereby appointed commissioners to locate and establish a territorial road from Oceola, in the county of Grant, to Belmont in the county of Iowa, by the Road from Oceola to Belmont.