

SEC. 5. It shall be the duty of the secretary of state to cause this act to be published forthwith, and it shall take effect from and after its passage.

Approved, March 19, 1853.

Chap. 40.

An Act to organize a Seventh Judicial Circuit, and to provide for the election of a Judge thereof.

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

Seventh judicial circuit.

SECTION 1. From and after the first Tuesday in April, in the year one thousand eight hundred and fifty-four, the counties of Adams, Waushara, Waupacca, Portage and Marathon, shall be organized into, and constitute a judicial circuit, to be known and designated as the seventh judicial circuit.

Times and places of holding courts.

SEC. 2. The circuit courts of the said seventh judicial circuit, shall be holden at the times and places following, to wit:

In the county of Marathon, on the last Monday in February, and last Monday in August of each year.

In the county of Portage, on the second Monday in March, and second Monday in September in each year.

In the county of Adams, on the fourth Monday in March, and fourth Monday in September in each year.

In the county of Waushara, on the fourth Monday in April, and the first Monday in October in each year.

In the county of Waupacca, on the second Monday in April, and second Monday in October in each year. And the judge of the said seventh judicial circuit shall hold at

Special term.

least one special term in each of the above named counties in each year, at such time as he shall designate, notice thereof to be published in some newspaper printed in said circuit, for four successive weeks previous to the time appointed for the holding of such special term: *Provided*, That no jury shall be summoned at such special terms: *Provided further*, That each of the circuit judges in this state shall hold a special term in his circuit, as provided in this section for the judge of the seventh circuit.

Proviso.

Election for judge.

SEC. 3. An election for judge of the said seventh judicial circuit shall be held on the first Tuesday in the month of April, 1854; the election shall be conducted and the votes canvassed in the same manner as at general elections for state and county officers; the inspectors or

judges of said election shall make returns to the clerk of the board of supervisors of their respective counties, immediately after the same are canvassed, and the said clerks of the board of supervisors shall file the same in the offices, and forthwith transmit a certified copy thereof to the governor of this state.

SEC. 4. On the first Monday in June following said election, or as soon as the returns from all the counties of said circuit are received by the governor, he, together with the secretary of state and treasurer, shall proceed to canvass the same; and the person having the highest number of votes cast in said circuit, at said election, shall be the judge of the said seventh judicial circuit, and the governor shall transmit to the person so elected, a certificate of his election, under the seal of the state, and in case there shall be a tie, the governor shall forthwith proclaim that fact, and order a new election in said circuit.

SEC. 5. The judge so elected shall, before he enters upon the duties of his office, take and subscribe the following oath or affirmation, viz: "I, _____, do solemnly swear (or affirm as the case may be,) that I will support the constitution of the United States, and of the state of Wisconsin, and that I will administer justice without respect to persons, and will faithfully and impartially discharge the duties of the office of judge of the circuit court of the state of Wisconsin, according to the best of my ability;" which said oath or affirmation shall be duly certified by the officer administering the same, and by said judge filed in the office of the secretary of state.

SEC. 6. Said judge shall enter upon the duties of his office as soon as elected and qualified, and shall have all the rights, privileges, powers and jurisdiction of other judges of the circuit court, in all respects whatever, and shall perform like duties, and receive like compensation, and shall hold his office for six years from the time of his election and until his successor shall be elected and qualified.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved, March 19, 1853.