

house, and published at least ten days prior to the holding of the same, in some newspaper, published in the county where such term is proposed to be held. And in case any special adjourned term, of any circuit court in this state, shall be held after the passage of this act, without giving the notice provided for in this section, as herein required, all orders, judgments and decrees, made or rendered thereat, shall be null and void.

Notice to be filed with the clerk.

SEC. 2. When due notice of the holding of a special term of any circuit court, shall be given in pursuance of the provisions of this act, affidavits of the publication and posting of such notice shall be made and filed with the clerk, and entered of record on the journals of the proceedings of said court, at or before the commencement of such special term.

Approved, March 25, 1853.

Chap. 46.

An Act to amend Chapter 88, of the Revised Statutes.

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

Actions of replevin.

SECTION 1. In actions of replevin, the value of the property, adjudged to either party, as found by the court or jury, shall be taken and considered as the amount of the judgment, in determining the right of appeal.

Garnishee.

SEC. 2. In all actions and proceedings against the garnishee, when a judgment shall be rendered against the garnishee for fifteen dollars or over, exclusive of costs, either party may appeal therefrom.

Approved March 25, 1853.

Chap. 47.

An Act providing for the Geological Survey of the State.

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

Governor may appoint geologist.

SECTION 1. The governor of this state is hereby authorized, as soon as may be after this act shall take effect, to appoint a state geologist, who shall be a person of competent scientific and practical knowledge of the science of geology and mineralogy: And the said state geologist, shall, by and with the consent of the governor, appoint one suitable person, to assist him in the discharge of his duties, who shall be a skilful, analytical, and experimental chemist.

SEC. 2. It shall be the duty of the said state geologist and his assistant, as soon as may be practicable after their appointment, to commence and carry on with as much expedition and despatch, as may be consistent with minuteness and accuracy, a thorough geological and mineralogical survey of this state, with a view to determine the order, succession, arrangement, relative position, dip or inclination, and comparative magnitude, of the several strata, or geological formations within this state, and to discover and examine all beds or deposits of ore, coal, clay and such mineral and earthy substances as may be useful or valuable, and to perform such other duties as may be necessary to make a full and complete geological and mineralogical survey of the state: *Provided*, That it shall be the duty of said state geologist, to complete his survey of that portion of the state, known as the "Lead Mines," before commencing the survey of the remainder of the state.

Duties of geologist.

Proviso.

SEC. 3. It shall be the duty of the said assistant, to make full and complete examinations, assays, analyses, of all such rocks, ores, soils or other substances, as may be submitted to him by the state geologist for that purpose, and to furnish him with a detailed and complete account of the results so obtained.

Duties of assistant geologist.

SEC. 4. It shall be the duty of the state geologist, on or before the first Monday of January, in each and every year, during the time necessarily occupied by said survey, to make an annual report of said survey, and the progress thereof, accompanied with such maps, drawings and specimens, as may be necessary and proper, to exemplify and elucidate the same, to the governor of this state, who shall lay a copy of such report before the legislature.

Geologist to make annual report.

SEC. 5. It shall be the duty of the said state geologist to cause to be represented on the map of the state, by colors and other appropriate means, the various areas occupied by the different geological formations in the state, and to mark thereon the localities of the respective beds or deposits, of the various mineral substances discovered, and on the completion of the survey, to compile a memoir of the geology and mineralogy of the state, comprising a complete account of the leading subjects and discoveries, which have been embraced in the survey.

Shall compile memoir, &c.

SEC. 6. It shall be the duty of the said state geologist to forward to the Governor of this state, from time to time during the progress of said survey, such specimens of the rocks, ores, coals, soils, fossils, and other mineral sub-

Specimens to be deposited, &c.

stances, discovered and examined, properly labeled, as may be proper and necessary to form a complete cabinet collection of specimens, of geology and mineralogy of the state: and the said governor shall cause the same to be deposited in the cabinet of the university, there to be preserved for public inspection.

Amount appropriated.

SEC. 7. For the purpose of carrying into effect the provisions of this act, the sum of two thousand and five hundred dollars is hereby annually appropriated, to be drawn quarterly, for the term of four years, to be expended under the direction of the governor. The salaries of the said state geologist and his assistant, shall not however, commence until they have respectively entered upon the execution of their duties: and upon the completion of said survey, and of the duties connected therewith, the same shall wholly cease and determine.

SEC. 8. This act shall be printed immediately after the passage thereof, and when so printed shall be in full force.

Approved, March 25, 1853.

Chap. 48. An Act to appropriate a sum of money to defray the expenses of compiling the Documentary History of the State of Wisconsin.

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

SECTION 1. There is hereby appropriated to the governor of this state, the sum of four hundred dollars, out of any money in the state treasury not otherwise appropriated, out of which the governor is hereby authorized and empowered to pay to William R. Smith, from time to time, such sums as in his discretion he may think necessary and proper to defray the expenses of compiling the documentary history of Wisconsin.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved, March 29, 1853.

Chap. 49. An Act to locate the County Seat of Chippewa County, and organize the same for judicial and county purposes.

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

SECTION 1. From and after the next annual election in