

action is brought and the balance shall be paid into the county treasury for the benefit of the school fund, as provided in the constitution.

In case of loss of life or property.

SEC. 3. In case of the destruction of life or property by a violation of this act, the offending party or parties shall be liable to the injured party in double the amount of property destroyed, and for every life destroyed the offending party shall be liable in a sum not exceeding fifty-thousand dollars, nor less than ten thousand dollars, to be recovered by the representatives of such deceased person, to be collected by an action of debt or assumpsit as in other cases provided.

Money recovered under this act—how disposed of.

SEC. 4. All sums of money recovered under the provisions of this act, for the destruction of the life of any person, shall be for the exclusive use and benefit of the widow and child or children of the person whose life shall have been so destroyed; if there be a widow and child or children surviving the deceased, one half for the widow and one half for the child or children; in case there be no widow and there be a child or children, then for the exclusive benefit of the child or children, and if there be no child or children surviving and there be a widow, then for the exclusive benefit of the widow, and in all other cases the money recovered shall be distributed as other personal assets in the hands of the personal representatives of the deceased.

Public act.

SEC. 5. This act shall be a public act and shall take effect upon its passage and publication.

Approved March 20, 1856.

## CHAPTER 27.

*Published March 29.*

An Act to annex a part of the county of Dodge to the county of Jefferson.

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

District proposed to be

SECTION 1. All of that district of country lying and being within the county of Dodge, and known and described

as township number nine (9) north, of range number thirteen (13), fourteen (14), fifteen (15), sixteen (16), and seventeen (17) east, and comprising the towns of Portland, Shields, Emmet, Lebanon and Ashippun, and the fifth and sixth wards of the city of Watertown, is hereby detached and set off from said county of Dodge, and attached and annexed to the county of Jefferson.

SEC. 2. On and after the first Tuesday in July, in the year one thousand eight hundred and fifty six, the said towns of Portland, Shields, Emmet, Lebanon and Ashippun, and the said fifth and sixth wards of the city of Watertown, shall be attached and annexed to and form a part of said county of Jefferson to all intents and for all purposes whatever.

SEC. 3. All suits, writs, process, appeals, recognizances or other legal proceedings commenced in any court in said county of Dodge, prior to the first Tuesday in July, in the year one thousand eight hundred and fifty six, shall be prosecuted to final judgment and execution thereon, and all proceedings and doings therein or thereupon, shall be in the same manner they might or could have been, had this act not passed, and all suits, writs, process, appeals, recognizances or other legal proceedings pending undetermined, or not returned within said county of Dodge, at the time of the passage of this act, shall be prosecuted to final judgment and execution thereon and returns made, and all other things in relation thereto, shall be done in the same way and manner the same might or could have been done, had this act not passed, any thing in this act contained to the contrary notwithstanding.

SEC. 4. The board of supervisors of said county of Jefferson, on or before, or as soon as may be after the first Tuesday in July, in the year one thousand eight hundred and fifty-six, shall procure a copy of so much of the records of said county of Dodge, as may or shall relate to or in anywise affect the title of any lands, or any estate, or interest in any lands within the said towns of Portland, Shields, Emmet, Lebanon and Ashippun, and said fifth and sixth wards of said city of Watertown, and the register of deeds, the clerk of the circuit court, county treasurer, and the clerk of the board of supervisors of said county of Dodge, are hereby severally required to permit such person or persons as the said board of supervisors of said county of Jefferson may and shall employ and authorize to copy said records as aforesaid, to have free

annexed to  
Jefferson co.

When to be  
attached.

Suits, writs,  
&c. commenc-  
ed in Dodge  
county.

Board of su-  
pervisors of  
Jefferson co.  
to appoint per-  
son to take  
copy of certain  
records, c.

access to all the records in their respective offices at all reasonable times, for the purpose of making a copy of said records. And the copy of said records so made being certified under the hand of the person or persons making the same, to be a true copy of all the records relating to or in anywise affecting the title of any lands or any estate or interest in any lands within said towns of Portland, Shields, Emmet, Lebanon and Ashippun, and said fifth and sixth wards of said city of Watertown, to be found in the office of the register of deeds or clerk of the circuit court, county treasurer, clerk of the board of supervisors, (as the case may be) of said county of Dodge, and the said certificate verified by the affidavit of the person or persons making the same, and the said certificate and affidavit being annexed to or endorsed on said copy of said records, and together with said copy deposited in the office of the register of deeds, clerk of the circuit court, county treasurer, or clerk of the board of supervisors (as the case may be) of said county of Jefferson, shall be to all intents and purposes a part of the records of said county of Jefferson, and all matters and things therein contained, shall be received in all courts and places, and shall have the same force and effect as if originally entered of record in said county of Jefferson.

Commissioners to make survey of co. of Dodge.

SEC. 5. On application of the board of supervisors of Dodge county, the supreme court shall appoint three commissioners, who shall severally be practical surveyors, whose duty it shall be to proceed and make an actual and accurate survey and admeasurement of the area of said county of Dodge, and shall complete such survey and admeasurement, and shall file their determination and finding in writing to the office of the secretary of state, on or before the first day of July, in which they shall state specifically the number of acres and fractions of an acre contained in such area, and in case they find and determine that said county has not an area in the aggregate greater than nine hundred square miles, then this act shall not take effect, until a majority of the voters voting on the question of division, as hereinafter provided shall have voted for division.

Vote on division.

SEC. 6. If it shall appear by the finding and determination of such commissioners, that the area of said county of Dodge does not in the aggregate exceed nine hundred square miles, then the secretary of state shall forthwith after the filing such report and determination, order and

give notice of an election to be held in the several wards and towns in said county of Dodge, at which election any qualified voter of said county may vote "for division," or "against division," on a written or printed ballot, or on a ballot partly written and partly printed. Such election shall be not more than seventy days, nor less than forty days from such first days of July, and notice thereof shall be published not less than thirty days in the state paper, and in all papers published in Dodge county, and in the city of Watertown, which order and notice shall state distinctly the question to be presented to such voters, and shall be severally signed by the secretary of state: *Provided*, The refusal or omission to publish for any part of the time aforesaid in any of said newspapers, shall not invalidate such election, if a copy of such notice shall have been duly served (by mailing) on such papers for publication. Such election shall be held and conducted in the several wards and towns in the same manner, and during the same hours of the day, and the votes of the towns and wards severally, and of the whole county canvassed, in the same manner as at general elections.

SEC. 7. If a majority of all the votes cast at such election, shall be for division, then this act shall be in full force and effect from and after the fifteenth day of September next. If a majority vote in its favor.

SEC. 8. Such commissioners shall, before proceeding to make such measurement, severally take and subscribe an oath, substantially in the following form:

STATE OF WISCONSIN, }  
County of Dodge, } ss.

—, Being duly sworn, do severally say, each for Form of oath. himself, that he will faithfully and honestly measure, ascertain and determine, the number of square miles, and numbers of acres and fractions of miles and acres, within said county, and make true returns of such measurement and determination as by law required.

Subscribed, &c.

Which oath shall be filed with their finding and determination in the office of secretary of state, and may be sworn to before any officer of this state authorized to administer oaths: any two of said commissioners may make such measurement, finding and determination, and shall return the same under their hands. To file oath and finding.

**Chainmen.** Such commissioners may employ not more than two chainmen at any one time, and in such case, all chainmen so employed, shall take and subscribe an oath in all respects like the one above mentioned, (except so far as relates to making returns of proceedings) before proceeding to act.

**Public act.** SEC. 9. This act is hereby declared a public act, and shall be favorably construed to effect the purpose hereby intended, and copies thereof printed by authority of the state, shall be received as evidence thereof in all cases, and this act shall take effect and be in force from and after its passage.

Approved March 20, 1856.

## CHAPTER 28.

*Published April 28.*

An Act to amend an act entitled "an act to fix the times for holding the terms of the circuit court in the counties of Brown and Outagamie, in the tenth judicial circuit," Approved March 6, 1856.

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

**Amendment.** SECTION 1. Section three of chapter thirteen, of the general laws of Wisconsin for the year 1856, is hereby amended by striking out the word "grand" in the first line of said section, and inserting the word "petit."

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

Approved March 21, 1856.