

shall not refer to the term of the present incumbent of that office.

Approved March 13, 1876.

CHAPTER 365.

[Published April 6, 1876.]

AN ACT declaring certain portions of Spring street road, in the town of Wauwatosa, a county highway, and providing for the improvement thereof.

The people of the State of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That certain portions of the Milwaukee and Blue Mound road, commonly called Spring street road, in the town of Wauwatosa, between bridge across the Menomonee river and the northern entrance of the "National Home for Disabled Volunteer Soldiers," is hereby declared and henceforth made a county highway and as such shall cease to be under the charge and superintendence of the officers of the town of Wauwatosa.

Portions of town road declared a county highway.

SECTION 2. The Chicago, Milwaukee and St. Paul Railway Company is hereby required to erect and maintain an iron bridge at such crossing over its tracks, forty feet in width, thirty feet of which shall be for a roadway in the center, and five feet on each side for sidewalks, with suitable stone abutments sufficient to maintain, protect and preserve the earth embankments for approaching said bridge, which bridge shall be at least eighteen feet clear of the tracks of said railway.

Chicago, Milwaukee and St. Paul Railway to erect bridge over crossing.

SECTION 3. The county board of supervisors of Milwaukee county are hereby required to cause to be constructed during the year 1876, suitable and convenient approaches to said bridge, which approaches shall not be less than sixty feet in width on the top and shall be sloped one and one-half feet to one foot of elevation, and graded to a convenient grade, not exceeding five feet in one hundred, on the east approach, and not exceeding six feet in one hundred on the west approach to said bridge, which grade on the west approach shall be extended westerly along the line of said Spring street road, on a level with said

Board of supervisors to construct approaches to bridge.

bridge, not less than one hundred feet, and then ascending not exceeding six feet in one hundred, it shall be continued until it shall intersect the present grade of said road, and it shall be continued thence by excavation, ascending not exceeding six feet in one hundred, until it shall again intersect the present grade of said road westerly of the bluff, at or near the residence of H. F. Story, and the said board of supervisors shall cause said highway, within the limits and boundaries above mentioned, to be opened, graded, the roadway to be graveled and the sidewalks to be planked, and thereafter to be repaired and maintained, so as to afford a safe and convenient passage for vehicles and foot travelers.

Plan and estimate of cost of improvement to be made.

SECTION 4. The said county board of supervisors shall forthwith cause to be made a plan of such approaches and an estimate of the cost of said improvements, and prior to the first day of June, 1876, they shall advertise for proposals, in one or more daily newspapers published in the city of Milwaukee, for at least ten days; and before the first day of July, 1876, they shall let such work to the lowest responsible bidder, from whom they shall require bonds for the faithful performance of the contract, and completion of the work on or before the first day of November, 1876, in a penalty equal to the estimated cost of the work.

City surveyor to be overseer of highways.

SECTION 5. The county surveyor of Milwaukee county is hereby constituted the overseer of said highway, and shall receive for his services such compensation as the county board of supervisors may deem proper.

Tax to be levied.

SECTION 6. The county board of supervisors of Milwaukee county shall annually levy a tax sufficient to cover all purposes and objects of this act.

How damages to be estimated and paid.

SECTION 7. If by improving said highway in the manner aforesaid, any damages be sustained by any person or persons owning lands adjoining such highway at the place or portion of such highway being so improved according to the terms of this act, then and in such case the damages so sustained shall be ascertained in the manner provided for by chapter nineteen, of the revised statutes of Wisconsin, and acts amendatory thereto; and it is hereby further provided, that any damages when so determined as aforesaid, shall be levied and collected in the same manner as other town charges; *provided*, that no damages shall be paid to or received by the party aggrieved, until

such improvement shall have been made as provided for by this act.

SECTION 8. In case of any dispute or difference of opinion arising as to the plan or proper mode of constructing such bridge and approaches, or either of them, between the county board of supervisors and said railway company, the same shall be referred to and decided by the city engineer of the city of Milwaukee, whose decision shall be final.

Dispute between railroad company and board to be settled by city engineer.

SECTION 9. It is made the duty of the Chicago, Milwaukee and St. Paul Railway Company, within sixty days from the letting of the contract by the county board of supervisors, to build the stone abutments provided for in section two of this act, and to complete said viaduct and bridge with all reasonable dispatch.

Duty of railway company.

SECTION 10. This act shall take effect and be in force from and after its passage.

Approved March 13, 1876.

CHAPTER 366.

[Published March 31, 1876.]

AN ACT to establish a State Board of Health, to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

The people of the State of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The governor, with the advice and consent of the senate, shall appoint seven persons, who shall constitute the State Board of Health and vital statistics. The persons so appointed shall hold their offices for seven years; *provided*, that the terms of office of the seven first appointed, shall be so arranged that the term of one shall expire on the thirty-first day of January of each year, and the vacancies so created, as well as all vacancies occurring otherwise, shall be filled by the governor, with the advice and consent of the senate; but any one may be re-appointed.

Appointment of state board of health.

SECTION 2. The State Board of Health shall have the general supervision of the interests of the health and life of the citizens of the state. They shall especially study the vital statistics of this state, and

Duties of board of health.