

the third Monday in September; in the county of Wood on the second Monday in May and the first Monday in * * * December.

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

Approved June 5, 1909.

No. 510, S.]

[Published June 7, 1909.

CHAPTER 302.

AN ACT to amend section 2238a of the statutes, relating to record evidence of titles to real estate.

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

SECTION 1. There is added to the statutes a new section to read: Section 2238a. Affidavits stating facts touching the identity of a party to any conveyance of record may be recorded in the office of the register of deeds in any county where such conveyance is recorded, and the record of any such affidavit, or a certified copy thereof, shall be prima facie evidence of the facts touching the identity of such party, which are therein stated.

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

Approved June 5, 1909.

No. 922, A.]

[Published June 7, 1909.

CHAPTER 303.

AN ACT to amend section 3 of chapter 72 of the laws of 1897 entitled "An act to establish a municipal court at the city of Racine in and for the county of Racine," as amended by section 1 of chapter 117 of the laws of 1899.

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

SECTION 1. Section 3 of chapter 72 of the laws of 1897 as amended by section 1 of chapter 117 of the laws of 1899 is hereby amended to read as follows: Section 3. The municipal court of Racine county shall have and exercise powers and jurisdiction concurrent with and equal to the circuit court of Racine county in bastardy cases and in all cases of crimes and misdemeanors arising in said county, except charges of murder.

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

Approved June 5, 1909.

No. 220, A.]

[Published June 8, 1909.

CHAPTER 304.

AN ACT to create section 1363n of the statutes, relating to town drains.

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

SECTION 1. There is added to the statutes a new section to read: Section 1363n. 1. Whenever any proposed ditch or drain shall cross the right of way of any railway company, street car company or interurban railway company, the notice required by section 1360, of the statutes, shall be served within the time therein prescribed upon any agent of any such company upon whom service of summons in a civil action might be made.

2. All such ditches or drains shall use wherever possible the existing bridges or culverts across the right of way of such companies. If such existing bridge or culverts are not of sufficient depth or capacity to correspond with the proposed ditch, drain or enlargement of water course to carry and properly drain the water, the supervisors shall notify such company to construct the necessary drain or ditch across its right of way.

3. Such railway company, street car company or interurban railway company shall construct the necessary culverts, bridges and drains to carry and drain the ordinary drainage and surface water at all water courses and no compensation shall be made therefor. If the culverts and bridges required to be constructed are larger and of more expensive character than required to carry and drain the ordinary drainage and surface water at such water courses, such company shall be compensated for the additional cost of constructing the necessary ditch, drain or culvert across its right of way over and above the cost of constructing culverts, ditches and drains necessary and sufficient to carry and drain the ordinary drainage and surface water.

4. The cost of construction and damages sustained by such company may be ascertained by agreement between the supervisors and such company, and an agreement or release in writing shall be then made and given by the company, which shall thereafter preclude it, and all parties claiming under it, from all further claim for damages and cost of construction.