

Where com-
pany may con-
struct road.

road in this state, shall have power, and they are hereby authorized to erect and construct their road or roads, across, along or upon any stream of water, water-course, road, highway, street or canal, which the railroad of any company, being constructed, or to be constructed in this state, may touch or interest, [intersect,] but in every instance, the said stream of water, water-course, road, highway, street or canal, which shall be so touched or intersected as aforesaid, shall be finally restored to its former usefulness. And whenever the track of any railroad shall touch, intersect or cross any road, highway or street, such road, highway or street may be carried over or under the said railroad, as may be found most expedient, for the public good. And in case any embankment or cut, in the construction of any railroad, shall make it necessary to change the course and direction of any highway, road or street, it shall be lawful for any company, constructing its road, to so change the course or direction of such road, highway, or street: *Provided*, That the distance of any road, highway or street, shall not be lengthened more than five rods, nor changed from its original course more than six rods, by such change of course or direction.

Proviso.

Dimensions of
passage-way.

Sec. 2. Whenever it shall be necessary by means of an embankment, in the construction of any railroad, in this state, it shall be necessary to erect a bridge or arched culvert, over any highway, road or street, it shall be lawful for any railroad company to construct the same, so as to give a clear passage-way along the said highway, road or street so bridged or arched, of twenty-feet.

Sec. 3. This act shall take effect from and after its passage.

Approved, March 17, 1853.

Chap. 39. An Act providing for the election of certain officers in the Counties of Washington and Ozaukee, and for transcribing records of Washington County.

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

Election of of-
ficers.

SECTION 1. That all officers elected for the county of Washington, residing in the county of Ozaukee, at the time of the passage of this act, shall be and remain officers of the county of Ozaukee, with the powers and jurisdiction which of right appertains to officers of other

counties of this state, for the term for which they were respectively elected; and to fill all such offices as the county of Ozaukee, by virtue of its organization shall be entitled to, the legal voters thereof shall hold a special election on the first Tuesday of May next, at the usual place of holding elections in the respective towns of said county of Ozaukee, and then and there elect all necessary officers to fill all such vacancies, whose time of service shall commence on the first day of June next, and continue until the time now provided by law for the election of their successors. The said election shall be conducted in all respects in the manner now prescribed by the law regulating general elections, and the votes cast at said election shall be returned and canvassed as therein provided.

SEC. 2. That all officers residing in the county of Washington, at the time of the passage of this act, who were elected for Washington county, at the last general election, and who do not reside in the county of Ozaukee, as defined in the first section of "an act for the division of the county of Washington and the erection of the county of Ozaukee," shall be and remain officers of Washington county during the term for which they were respectively elected; and to fill the vacancies in all such offices in the county of Washington, as by virtue of this act shall become vacant, the legal voters of the said county of Washington shall hold a special election on the first Tuesday of May next, at the usual place of holding elections in the respective towns of said county of Washington; and the term of office of such officers as may be chosen at such election shall commence on the first day of June next and continue until the time now provided by law for the election of their successors.

SEC. 3. The register of deeds of the county of Washington shall have the privilege of transcribing from the records of said county in suitable books to be provided by him for that purpose, any record of conveyance of land or personal property, or any charge or mortgage concerning the same, lying and being in the county of Ozaukee; and such records shall be as good evidence in all courts as the original records of Washington county; and the said register of deeds of the county of Washington shall be paid a sum not to exceed five cents per folio, by the county of Ozaukee.

SEC. 4. All acts and parts of acts contravening the provisions of this act are hereby repealed.

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