

to be, or is being held; and the same may be transmitted by mail, or by the hand of either of the attorneys in such cause, action or matter: *provided*, that before any clerk shall be obliged to transmit any such papers or files or orders, all necessary postage therefor shall be paid by the party applying therefor; *and provided, further*, that no clerk shall be required to certify back any papers, files, judgments or orders to any such county where the same were originally pending, until his fees in such cause or matter are paid.

Postage and clerk's fees to be paid.

§ 3. Chapter 126 of the general laws of 1860, entitled "an act to authorize the holding of a special term of the circuit court in and for the county of Jefferson," is hereby repealed.

Repeal.

§ 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 7, 1862.

CHAPTER 260.

[Published April 11, 1862.]

AN ACT to provide for depositing certain papers in the quartermaster general and commissary general's departments, in the office of the secretary of state, and constitute the same legal evidence.

(See supplement to local laws.)

CHAPTER 261.

[Published April 11, 1862.]

AN ACT relating to "Martin's soldiers' record."

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

SECTION 1. The military records of soldiers' names, and time of enlistment, executed by S. W. Martin, and known as "Martin's soldiers' record," having thereto

May be received in evidence.

annexed a certificate of the correctness of such record, signed by the adjutant general of this state, may, in the discretion of the court, be received in any court of this state as evidence of the enlistment and time of enlistment of persons whose names are therein recorded.

Approved April 7, 1862.

CHAPTER 262.

[Published April 11, 1862.]

AN ACT to authorize the governor to appoint surgeons in certain cases.

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

Surgeon may be appointed to each battery, with rank of lieutenant.

SECTION 1. The governor is hereby authorized, with the consent of the war department, to appoint one surgeon, with the rank of lieutenant, for each battery of artillery raised and organized in this state, such surgeon to be subject to all the rules and regulations of similar officers in the service of the United States, and to be paid out of the war fund in the state treasury.

State surgeon may be transferred from any regiment to battery.

SECTION 2. In complying with the provisions of section one of this act, the governor shall transfer any surgeon attached or appointed to serve in any regiment of infantry or cavalry organized within this state, appointed under the provisions of section two of chapter four of the general laws passed at the extra session of 1861, to any battery of artillery, if, in his opinion, the services of such surgeon can be dispensed with by the regiment of infantry or cavalry to which he is now attached, which transfer shall be held to be an appointment within the meaning of this act.

Application.

SECTION 3. The proviso in section two (2) of chapter four (4) of the general laws passed at the extra session of the legislature in the year 1861, which authorizes the appointment of two assistant surgeons to each regiment, shall be held to apply to regiments of cavalry raised and organized in this state, equally as to regiments of infantry; and second assistant or

Payment of surgeons.