

grounds belonging to said village as may be deemed necessary to raise money to fence and improve the remainder of said grounds.

SECTION 2. The said board of supervisors are hereby authorized, with the consent of the owners or occupants of lots in said grounds, to sell and convey the whole of said grounds; the proceeds of such sale to be used in the purchase of lots in the cemetery grounds belonging to the Elkhorn Cemetery Association, called "Hazel Ridge Cemetery," and in removing the bodies of deceased persons from the old cemetery to Hazel Ridge Cemetery, or to such other places of burial as the friends of such deceased persons may require.

Consent of owners of cemetery lots to be obtained.

SECTION 3. The consent required by section two of this act, of all persons residing in the county of Walworth, if known, shall be in writing, and filed in the office of the village clerk, in said village of Elkhorn; and all other persons whose consent is required, and whose places of residence are unknown, and those who may reside beyond the limits of said county, shall be deemed to have given their consent unless within sixty days from the passage of this act, they shall, in writing, express their dissent.

Consent of owners to be in writing, etc.

SECTION 4. The conveyance of said grounds, or any part thereof, shall be executed in the name of the village of Elkhorn, and signed by the chairman of the village board of supervisors, and attested by the clerk of said village.

Conveyance of title, etc.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved February 15, 1878.

[No. 26, S.]

[Published February 19, 1878.]

CHAPTER 19.

AN ACT to provide for the election of two associate justices of the supreme court of the state of Wisconsin.

WHEREAS, The legislature of this state, at the annual session for the year 1876, proposed and adopted, by a vote of a majority of the members elected to each of the two houses, an amendment to the constitution of this state, in the following language:

Preamble.

"Resolved by the senate, the assembly concurring, That section four of article seven of the constitution be amended so as to read: 'Section 4. The supreme

Resolution of 1876.

court shall consist of one chief justice and four associate justices, to be elected by the qualified electors of the state. The legislature shall, at its first session after the adoption of this amendment, provide by law for the election of two associate justices of said court, to hold their offices respectively for terms ending two and four years respectively, after the end of the term of the justices of the court then last to expire. And thereafter the chief justice and associate justices of said court shall be elected and hold their offices respectively for the term of ten years;’ and,

Preamble.

WHEREAS, the foregoing proposed amendment to the constitution of the state was duly ratified and agreed to by the legislature of 1877, and duly submitted to the people of the state of Wisconsin for approval and ratification at the general election, held in said state, November, 1877, and was, by the majority of the electors of said state voting thereon at said election, approved and ratified; and

WHEREAS, Said amendment has now become a part of the constitution of the state of Wisconsin; therefore:

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

Associate Justices: when to be elected.

SECTION 1 There shall be chosen by the qualified electors of this state, at an election to be held at the several cities, villages, towns and elections precincts of the state of Wisconsin, on the first Tuesday of April, 1878, two associate justices of the supreme court of the state of Wisconsin, to hold their offices respectively for terms ending two and four years, on and after the first Monday of January, 1884; and thereafter the chief justice and associate justices of said court, shall be elected to hold their offices respectively for the term of ten years.

Form of ballot.

SECTION 2. The ballot to be used or cast at such election for associate justices may be written or printed, and shall contain the names of two persons legally qualified to hold judicial office in this state. Over the name of the first person on such ballot shall be written or printed the words: “For associate justice of supreme court for the term ending on the first Monday of January, 1888.” Over the name of the second person on said ballot, the words, written or printed: “For associate justice of supreme court for the term ending on the first Monday in January, 1886. “Said ballots for associate justices shall be cast in a separate box, to be provided at each election precinct for that purpose.

SECTION 3. The persons duly elected at such election may qualify as soon as the result of such election is officially declared, and shall enter upon the discharge of the duties of their respective offices, upon their election and qualification, pursuant to law. The secretary of state shall give the substance of the preamble to this act, together with the act itself, in the notice of said judicial election, such notice to be given in the same way and manner as now provided by law for notice of election of judges of the supreme court.

Person elected may qualify.

Duty of secretary of state.

SECTION 4. The votes cast for said justices shall be counted and returned by the inspectors of the election in all respects as votes for state officers are counted and returned, and the officers in counties now designated by law to canvass the returns of votes for state officers shall canvass the returns in their respective counties on said election, and certify and return the result to the state canvassers at the same time and places, and under the same regulations and restrictions now provided by law for canvassing and declaring the returns for elections of state officers, and the state canvassers shall canvass said returns certified to them as provided by law in case of elections for state judicial officers. The provisions of any election registry act of this state shall not apply to said judicial election.

Votes to be counted, etc.

SECTION 5. This act shall take effect from and after its passage and publication.

Approved February 15, 1878.

[No. 39, A.]

[Published February 20, 1878.]

CHAPTER 20.

AN ACT to constitute the clerk of the circuit court of Eau Claire county, Wisconsin, clerk of the county court of said county, in probate and all other proceedings therein.

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

SECTION 1. The clerk of the circuit court of the county of Eau Claire shall hereafter be clerk of the county court of said county of Eau Claire, in matters pertaining to the probate of wills, administration and settlements of estates, guardianship of minors and others, and all matters and proceedings of which said county court, or the judge thereof, has lawful jurisdiction. And in relation to all such matters and proceedings, shall have and exercise the powers and perform all the

Clerk of circuit court to act as clerk of county court.