

## CHAPTER 190.

AN ACT to appropriate certain islands (of unsurveyed swamp and overflowed lands) in Fox river, in Marquette county, for bridge purposes.

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

SECTION 1. That the islands (of unsurveyed swamp and overflowed lands) in the Fox river, situate, lying and being in the county of Marquette, be and the same are hereby appropriated to Edward McCaffrey, S. A. Phoenix and John Smith, as commissioners in trust for the town of Packwaukee in said county of Marquette : *provided*, that this act shall not divest or in any way affect whatever estate, right, title and interest, legal or equitable, (if any,) the Fox and Wisconsin Improvement Company or the trustees of said company, (so called,) or their grantees, may have in and to the same; *and provided*, said commissioners shall, within two years from the passage of this act, cause said islands to be measured and surveyed by the county surveyor of said county of Marquette, or by the county surveyor of some adjoining county, and also within the same period of time, cause a certificate, signed by the surveyor, to be filed in the office of the secretary of state, describing such lands as parts of contiguous sections, showing the number of acres and parts of acres therein contained.

Islands appropriated for bridge purposes

SECTION 2. The said commissioners are hereby empowered to lease, rent, sell and convey said islands, for the purpose of aiding in the erection and construction or repairing of a bridge in said Marquette county, located and described as follows to wit: A bridge over Buffalo lake, in the village of Packwaukee; and to execute to the purchaser or purchasers of said lands appropriated as aforesaid, sufficient and ample deeds of conveyance, in fee simple, and to apply the proceeds of such sale or sales, or the rents or profits thereof, in the aid of the bridge aforesaid : *provided*, no part of said islands shall be sold for a less amount than one dollar and twenty-five cents per acre.

May lease or sell said islands

SECTION 3. Upon the presentation of the certificate of said commissioners, accompanied with the certificate of the said surveyor, that said islands have been duly and correctly surveyed as aforesaid, the governor of the state shall, in his official capacity, and in behalf of the

Governor to execute trust deed to commissioners.

state, and under the great seal thereof, execute and deliver to said commissioners a trust deed of the lands comprising the islands aforesaid, describing said islands in said deed, the same as shall be described in said certificate of survey; which said deed shall vest in said commissioners the right to sell, convey and dispose of the same, in the manner provided in this act: *provided*, that no deed shall be executed by the governor and delivered to said commissioners as aforesaid, until said commissioners shall severally give bonds to the state of Wisconsin, in an amount of not less than five hundred dollars each, with sureties to be approved by the governor, conditioned for the faithful performance of their duties, as said commissioners, and the faithful application and disposition of all moneys arising out of any sale by them of said islands, or any rents or profits of the same, which said bonds shall be filed in the office of the secretary of state.

May fill vacancy.

SECTION 4. When a vacancy shall occur by the death, resignation or removal of either of said commissioners, the two remaining commissioners shall have power to fill said vacancy by appointment.

How proceeds appropriated.

SECTION 5. The proceeds and all moneys arising from the sales of the said islands, or any part or parcel thereof, or from the rents and profits of the same, shall be appropriated to the said bridge mentioned and described in section two of this act.

Shall give notice of sale of lands.

SECTION 6. Whenever said commissioners shall desire or think proper to sell the said islands, or any part or parcel thereof, they shall advertise the same in some newspaper published in said county of Marquette, at least four weeks prior to the time fixed for the sale as aforesaid, and at the time and place fixed in said notice, shall proceed to sell the same to the highest bidder complying with the terms required by said commissioners.

State not liable for commissioners' fees.

SECTION 7. The commissioners named in this act shall not be entitled to receive from this state any compensation for services performed under this act, nor shall the state be liable for any expenses incurred in carrying out the provisions of this act.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 17, 1878.