

continued twenty years, and the future state of Wisconsin through its Legislature may at any time alter or repeal this act.

SEC. 19. Said corporation may pass and enforce by penalties therein prescribed all needful rules and regulations in reference to travel on said road, to regulate the manner by which teams and vehicles of every description shall pass each other thereon, to provide and regulate the duties of all officers and agents of said company: *Provided*, that the penalty for any one offence shall not exceed fifty dollars over and above all damages which may be done by any person violating such rules and regulations.

SEC. 20. Said company shall not issue any certificates of deposit or any other evidences of debt to circulate as money under the penalty of forfeiting their charter.

APPROVED February 2, 1846.

AN ACT to provide for the improvement of Grant River at Potosi, in Grant county.

BE IT ENACTED by the Council and House of Representatives of the Territory of Wisconsin:

SECTION 1. That James F. Chapman be, and he is hereby appointed a commissioner to superintend the work of cutting a canal from the main channel of the Mississippi River to the Grant River, at Potosi, in Grant county, and the said commissioner shall cause the said work to be commenced and prosecuted as far as the money appropriated for that purpose will enable him to do, on the line of said canal, as surveyed and marked out by Joshua Barney, the engineer employed for that purpose, by the commissioners appointed by an act entitled "an act to provide for carrying into effect an act of Congress entitled 'an act granting a section of land for the improvement of Grant river at the town of Potosi, in Wisconsin Territory, approved June 15th, 1844,'" approved

February 18th, 1845, and designated on the plot and report of the said engineer made by him to the said commissioners.

How to qualify. Sec. 2. The said commissioner appointed by this act, shall, before entering upon his duties as such, execute a bond to the Governor of the Territory, and his successors in office, for the use of the Territory, in the sum of five thousand dollars, with good and sufficient security to be approved by the Judge of the first judicial district, conditioned that he will in all things well and faithfully perform all the duties required of him by this act, or which may hereafter be required of him by law; and he shall also take and subscribe an oath before some proper officer that he will in all things faithfully perform all his duties as such commissioner, according to the best of his skill and understanding; which oath shall be endorsed upon the said bond, and the said bond shall be filed with the Governor of the Territory.

Duty of commissioners. Sec. 3. The said commissioner shall, as soon as practicable, after he shall have qualified as such, in the manner provided in the preceding section, proceed to lay off the line of the said canal into sections of not more than one hundred yards each, and numbering them from one, on; commencing at the Grant River, and shall let out the clearing and grubbing of the said line, by sections so numbered to the lowest bidder, for each section; and he shall take from each contractor bond and security for the fulfilment of the work contracted for, within the period of time agreed for the completion of the work let; and the commissioner shall cause public notice of the letting of such contracts to be published in a newspaper printed in Grant county for three weeks prior to any such letting, which notice shall specify the work to be done, and the time within which the work shall be completed.

Excavation to be let. Sec. 4. As soon as the line of said canal shall be cleared and grubbed, the said commissioner shall let the first course of the excavation of said canal in sections as provided in the preceding section, to the lowest bidder; and shall give such notice and take such bond from the contractors as is specified in the said preceding section: *Provided*, That the said commissioner shall not in any case pay, or contract to pay to any contractor any money for work done on said canal until his contract shall be fully completed. And if any contractor shall fail to fulfil his contract, he

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shall forfeit all the work that he may have done, and shall moreover be liable on his bond: *And provided further*, That the said commissioner shall not, under any pretence, exceed in his expenditures for the said work, the sum in the hands of the receiver of the money arising from the sales of the said section of land granted by the said act of Congress.

SEC. 5. The said commissioner shall pay for all contracts authorized by this act, and all expenses about the work herein directed to be done, by drafts on the receiver of the proceeds of the sales of the said section of land, and all such drafts shall specify the purposes for which they are drawn, and the said receiver shall pay all such drafts when duly presented, taking a receipt for the money, which drafts and receipts shall be vouchers for him in his disbursements; and the sum of two thousand seven hundred and twenty-five dollars and forty-three cents, now in the hands of the said receiver, is hereby appropriated for the purposes contemplated by this act and no other. Expenses how paid.

SEC. 6. The said commissioner shall receive for his services under the provisions of this act, the sum of one dollar and fifty cents per day for each day that he may be actually engaged in the performance of his duties, and no more; which shall be paid out of the fund hereby appropriated for the work on the said canal, and in the same manner of other disbursements for the work; and the said commissioner and the said receiver shall each make a full report of their proceedings under this act, to the next Legislative Assembly, and the said commissioner shall cause the work on the said canal to be made conformably to the plan designated in the report of the said engineer; and if the said commissioner shall misapply the money hereby appropriated, for the said work, or any part thereof, he shall be guilty of a misdemeanor and liable to be proceeded against by indictment, and upon conviction, shall be punished by fine or imprisonment, or both, at the discretion of the court. Compensation of commissioners.

SEC. 7. The commissioner appointed by this act, shall have power and authority, at the letting of any contract, or contracts, under the provisions of this act, to reject any bid or bids, for work on the said canal, that may be in his opinion extravagantly high, or more than the work is worth, and in case of any such rejection the contract shall be re-let, according to the provisions of this act, Power of commissioners.

and the said commissioner, in his notice of letting contracts for excavation on the said canal, shall specify the breadth and depth of the excavation, which specification shall be embraced in the contracts; and all the timber, grubs and earth taken off or out of the said canal, shall be removed to the eastern or lower side of the canal, to the distance of at least twenty feet clear from the line of the canal.

APPROVED January 31, 1846.

AN ACT to authorize certain counties to levy a special tax.

BE IT ENACTED by the Council and House of Representatives of the Territory of Wisconsin:

Special tax to be levied.

SECTION 1. That the board of supervisors of the county of Calumet, Fond du Lac, and Winnebago, and the board of county commissioners of the county of Marquette, shall have power, and they are hereby required to levy a tax not exceeding one per cent. per annum, annually, for the purpose of constructing a Mc-Adam, plank, rail or turnpike road from the foot of Grand Kakalin to Winnebago Lake, as may be deemed most expedient.

SEC. 2. The said tax shall be levied and collected at the same time and in the same manner that taxes are by law required to be levied for the support of county government in said counties respectively, [respectively] and said tax shall be a lien on real estate on which the same is or may be assessed, until paid.

How appropriated.

SEC. 3. The said board of supervisors and board of county commissioners respectively are hereby authorized and required to appropriate all the money raised in pursuance of this act, to the purposes herein expressed, and no other.

SEC. 4. The chairman of the board of supervisors or of the board of county commissioners, as the case may be, of said coun-