

commissioners, or death, or being unable or unwilling to act, the county board of supervisors where such vacancy occurs, may appoint some suitable person to fill such vacancy: *provided*, that before such commissioner enters upon the duties of his office, he shall execute a proper bond, as aforesaid.

Trespasses.

SECTION 6. Said commissioners shall have power to prevent trespasses upon such lands, and when necessary may sue in the name of the county within which a trespass has been committed, or take such other measures as the board of supervisors may direct, to protect such lands; and section eight of chapter twenty-nine of the revised statutes, and all other laws for the preservation of such lands, shall extend to the same.

Sec'y of state to make out lists of patented lands, &c.

Sec. 7. Immediately after the passage of this act, the secretary of state shall forward a complete list of all lands granted by this act, now patented to this state, to the clerks of the boards of supervisors of said counties.

Disposition of lands.

SECTION 8. The lands hereby granted shall constitute a common fund for the purposes herein declared, and shall be disposed of only as fast as the road progresses, and after the same is completed and in good traveling order above high water mark, the residue, if any, of such lands shall revert to the state.

SECTION 9. This act shall be in force and take effect from and after its passage.

Approved April 4, 1864.

CHAPTER 487.

[Published May 2, 1864.]

AN ACT to appropriate swamp and overflowed lands to certain towns therein named.

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

Donation of swamp lands, in aid of construction of certain road.

SECTION 1. For the purpose of enabling the towns of Lindina, Clearfield, Germantown, Necedah and Armenia, in the county of Juneau, and the town of Dexterville, in the county of Wood, to open up and con-

struct a state road from the village of Mauston, in the county of Juneau, to the village of Dexterville, in the county of Wood, as provided in an act entitled “an act to lay out a road from Mauston, in Juneau county, to Dexter, in Wood county,” approved March 15th, 1864, there is hereby appropriated to each of said towns the full amount of two sections of swamp and overflowed lands lying in said towns, respectively, now belonging to this state; but if there shall not be a sufficient quantity of said lands in either of said towns lying contiguous to the line of said road, then said commissioners are hereby empowered to enter into either of the other towns herein mentioned, and select a sufficient quantity to make up such deficiency; and Commissioners. F. Windsor and Tho’s Weston, of the county of Juneau, and Edwin Bently, of the town of Dexterville, in the county of Wood, are hereby appointed commissioners to act in trust for the said towns for the faithful expenditure of the proceeds of said lands, as hereinafter mentioned.

SECTION 2. The said commissioners shall, within Their duties. three months after the passage of this act, proceed to select from the swamp and overflowed lands in the respective towns hereinbefore named, the amount of said lands to which each of said towns may be entitled under this act, and shall as soon thereafter as possible, make out and forward to the school land commissioners a full and correct list of all the lands so selected by them; and said school land commissioners shall there- Patents to lands. upon, without unnecessary delay, execute and deliver to said commissioners good and sufficient deeds for all the lands furnished in said lists, and to which the said towns may be entitled under this act, which said deeds shall vest in said commissioners the right to sell, convey and dispose of said lands in the manner herein provided.

SECTION 3. The said commissioners are hereby em- Sale of lands, &c. powered to sell and convey said lands, or any part or parcel thereof, for the purpose of opening up and constructing said road, and to execute to the purchasers of the same, sufficient and ample deeds of conveyance, in fee simple, and to apply the proceeds to the opening up said road: *provided*, no part or parcel of said lands Minimum price. shall be sold for a less price than seventy-five cents per acre.

Further duties
of commission-
ers.

Commissioners
to give bonds.

State not liable
for compensa-
tion of commis-
sioners.

SECTION 4. The said commissioners shall render to the several towns herein named, whenever they shall demand the same, a strict and accurate account of all moneys by them received in consequence of the sale of the lands aforesaid, or any part or parcel thereof, and in what manner the same has been expended by them; and all moneys arising from the sale of the lands as aforesaid which shall not be used for the opening up and constructing said road, and all moneys which may remain in the hands of said commissioners after the completion of said road, shall be paid by said commissioners into the state treasury; and the said commissioners shall before any of the rights and powers herein granted shall vest in them, severally give bonds to the state of Wisconsin, with sureties to be approved by the governor, in an amount not less than five thousand dollars each, 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 the lands aforesaid, in accordance with the provisions of this act, which bonds shall be filed within ten days after their execution, in the office of the secretary of state.

SECTION 5. 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 this state be liable for any expenses incurred in carrying out the provisions of this act.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved April 4, 1864.