

more damages than were awarded by the supervisors, the costs and expenses of both appeals shall be paid by the party or parties first appealing.

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

Approved March 13, 1876.

CHAPTER 335.

[Published April 1, 1876.]

AN ACT to amend chapter forty-six (46), general laws of 1869, entitled, "An act to protect the lands and timber thereon, granted to the St. Croix and Lake Superior Railroad Company."

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

SECTION 1. Section one (1), of chapter forty-six (46), Amended. of the general laws of 1869, entitled, "An act to protect the lands and timber thereon, granted to the St. Croix and Lake Superior Railroad Company," is hereby amended so as to read as follows: The governor of the State of Wisconsin is hereby authorized and empowered to appoint one or more competent persons as agents of the state, who shall hold office during the pleasure of the governor, whose duty it shall be to preserve and protect the timber growing or being upon any of the lands heretofore granted by Congress to the State of Wisconsin, to aid in the construction of railroads, by acts approved, respectively, June 3, 1856, and May 5, 1864, for the purpose of aiding in the construction of a railroad from the river or lake St. Croix, between townships twenty-five (25) and thirty-one (31), to the west end of Lake Superior, and to Bayfield, and upon any and all lands now reserved from market under the said grants, in aid of said road; *provided*, that said agent or agents shall hold or have his or their office or offices and general place or places of business within this state, and no such agent or agents shall hold or have an office or place of business outside of this state; *provided, further*, that each of said agents shall, before entering upon the duties of his office, give a bond to the State of Wisconsin, in such sum as the governor may determine, with not less than two sureties, who shall be

Appointment of timber agents and duties of same.

Agents to give bonds.

resident freeholders of the state, conditioned that said agent shall faithfully discharge the duties of his office, that all persons employed by him shall faithfully perform their duties and trusts, that he will deliver over to his successor in office, or to any other person authorized by law to receive the same, all timber, logs, moneys, books, records, maps, papers, and other articles and effects, belonging to his office or to the state, in his charge or under his control, and to secure any and all sums of money which shall come into his possession by virtue of his said office, which bond shall be approved by the governor, and shall be deposited in the executive office.

Amended.

Protection of
meadow lands.

SECTION 2. Section two (2), of said act, is hereby amended by striking out all after the words, "is made." where they occur in the twenty-first line of said section, and adding thereto the following: "It is also made the duty of said agent or agents to preserve and protect all meadow-lands embraced in said grants, and prior to the fifteenth day of June, in each year, to sell at public or private sale the right to cut, use, or dispose of the grass growing or being on said meadow-lands."

Amended.

Governor to
secure collec-
tion of damag-
es for trespass.

SECTION 3. Section four (4), of said chapter forty six (46), is hereby amended so as to read as follows: The governor is hereby authorized and empowered to take such steps and make such arrangements to secure the collection of damages for trespasses heretofore committed upon said lands and for the conversion of logs and timber heretofore cut upon and taken from said lands, or any of them, by any person or persons, for which trespasses and logs and timber no compensation has ever been paid to the state, as will in his judgment best subserve the public interests. And also to cause to be instituted proceedings such as he may be advised are adequate for the purpose to secure the collection and payment into the state treasury of any sum or sums of money heretofore collected by any person or persons on account of trespasses upon any of said lands, or which may have been received from the sale of any logs or timber cut upon or taken from said lands, or any of them, and not reported and paid over to the state; *provided*, that nothing herein contained shall affect any right of the receiver heretofore appointed by the circuit court for western district of Wisconsin, to the lands, logs, timber or damages for trespasses committed or to be committed

upon said lands, so long as said receiver shall be continued.

SECTION 4. Nothing in this act shall be construed to effect [affect] in any manner proceedings now pending and commenced previous to the passage of this act, or of the rights of parties in such proceedings; and actions commenced before the passage of this act shall be conducted and prosecuted in the same manner as they would have been conducted and prosecuted previous to the passage of this act.

Act not to affect pending proceedings.

SECTION 5. Section five (5), of said chapter forty-six (46), is hereby amended so as to read as follows: Section 5. Each of said agents, appointed by virtue of this act, shall make a full and complete verified report to the governor, on the last days of June and December in each year, of all actions commenced and moneys collected, specifying the amounts collected for trespass on each forty (40) acre tract; also of all moneys paid out or expended in carrying out the provisions of this chapter, and shall receive such compensation as shall be fixed by the governor, and his necessary expenses; *provided*, that the costs and expenses aforesaid incurred after the passage of this act shall not be paid until vouchers and bills for the same shall have been approved by the governor. And it shall be the duty of the secretary of state on the presentation of such bills so approved, to file the same in his office, and draw his warrants on the state treasurer for the amounts thereof. And all expenses hereafter incurred by any state officer under direction from the governor in relation to the protection of said lands or securing such protection, shall first be approved by the governor and shall be paid by the state treasurer, and a sum sufficient to pay the same, to be audited as aforesaid, is hereby annually appropriated out of any money in the state treasury received from collections made by said agent or agents in pursuance of this act.

Amended.

Agents to make semi-annual report to governor.

Payment of costs and expenses.

SECTION 6. All acts or parts of acts conflicting with this act, are hereby repealed, so far as they effect [affect] this act.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 13, 1876.