

## CHAPTER 269.

[Published March 16, 1864.]

AN ACT to prohibit obstructions in the Fox river.

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

SECTION 1. If any person or persons whomsoever shall at any time or in any manner whatever, negligently or with design, put or cause to be put into the Fox river at Depere, in Brown county, in this state, any refuse lumber, slabs, saw dust or other waste materials, to an extent that shall materially hinder or obstruct navigation, every such person or persons so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty dollars and not more than one hundred dollars, for each and every such offense, and the costs of prosecution.

Penalty for obstructing navigation.

SECTION 2. Any justice of the peace of said county of Brown, shall have jurisdiction of any offense mentioned in the first section of this act, and in all prosecutions therefor the proceedings therein shall be in accordance with the provisions of chapter 121 of the revised statutes of 1858 of the state of Wisconsin.

Jurisdiction.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 31, 1864.

## CHAPTER 270.

[Published April 16, 1864.]

AN ACT relating to homesteads.

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

SECTION 1. Any homestead which shall have been heretofore disposed of by the last will and testament of the owner thereof, or which shall hereafter be disposed of by the last will and testament of the owner thereof,

Homestead shall descend free from incumbrance, except mortgage.

shall descend to the legatee or legatees in said will named, and they shall take and hold the same according to the terms of said will, free from the incumbrance of all judgments and claims against the testator or his estate, except mortgages lawfully executed thereon.

To whom it shall descend.

SECTION 2. In case the owner of any homestead shall die intestate, leaving a widow and no children, such homestead shall descend to his widow; and in case such owner die intestate, leaving a widow and children, such homestead shall descend to his widow during her widowhood, and in case of her marriage or death, the same shall descend to his legal heirs; and in case such owner die intestate, leaving any child or children, or lineal descendants, but no widow, such homestead shall descend to his legal heirs; and in all cases mentioned in this section, such homestead shall descend freed from the incumbrances of all judgments and claims against the intestate or his estate, except mortgages lawfully executed thereon: *provided*, that nothing in this act shall affect laborers' or mechanics' liens.

Repealed.

SECTION 3. Section two of chapter 187 of acts of a general nature of 1858, and all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed; and this act shall be in force from and after its passage and publication.

Approved March 31, 1864.

## CHAPTER 271.

[Published April 16, 1864.]

AN ACT to legalize a public highway in the town of Liberty, in the county of Manitowoc.

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

Regulated.

SECTION 1. The acts of the supervisors of the town of Liberty, in the county of Manitowoc, on the fifteenth day of April, A. D. 1862, in laying out a highway in said town, described as follows: Commencing at the center of section fifteen, town eighteen, range twenty-