

of felony, and shall be punished by a fine of not less than one thousand dollars, and imprisonment in the State Prison not less than one year nor more than ten years, in the discretion of the court.

§ 2. This act shall be considered a public act, and shall take effect and be in force from and after its passage.

Approved, March 6, 1857.

## Chap. 71.

Published, May 4, 1857.

AN ACT allowing damages in case of death caused by wilfulness or negligence.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

§ 1. That whenever the death of a person shall be caused by a wrongful act, neglect or default, and the act, neglect or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damage in respect thereof; then and in every such case, the person who, or the corporation which would have been liable, if death had not ensued, shall be liable to an action for damages, notwithstanding the death of the person injured, and although the death may have been occasioned under such circumstances as constitute an indictable offence; *Provided*, That such action shall be brought for a death caused in this State, and in some court established by the constitution and laws of the same.

Damages in case of death caused by negligence.

§ 2. Every such action shall be brought by and in the name of the personal representative of such deceased person; and the amount recovered shall belong and be paid over to the husband or widow of such deceased person, if such relative survive him or her; but if no husband or widow survive the deceased, the amount recovered shall be paid over to his or her lineal descendants, and to his or her lineal ancestors in default of such descendants; and in every such action the jury

Who may.

Proviso. may give such damages, not exceeding \$5,000, as they shall deem fair and just in reference to the pecuniary injury resulting from such death to the relatives of the deceased specified in this section; *Provided*, Every such action shall be commenced within two years after the death of such deceased person.

Approved, March 6, 1857.

### Chap. 72.

Published, May 4, 1857.

AN ACT to change the time of holding the December Term of the Supreme Court.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

Time of holding Supreme Court changed to January.

§ 1. A term of the Supreme Court shall hereafter be held, commencing on the Tuesday next preceding the second Wednesday of January in each year, and shall be called the January term.

§ 2. So much of any act or acts as requires a term of the Supreme Court to be held in the month of December of each year, is hereby repealed.

Approved, March 6, 1857.

### Chap. 73.

Published, May 4, 1857.

AN ACT to authorize Hannah Jane Dutcher, a minor, to convey and devise real and personal property.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

Power granted H. J. Dutcher to devise and convey real estate.

§ 1. Hannah Jane Dutcher, a minor, now a resident of Williamstown, Dodge county, State of Wisconsin,