

damages caused by such offense, which may be recovered in the name of said company in any court having competent jurisdiction. Such person or persons shall also be subject to indictment, and on conviction of any such offense, shall be punished by fine and imprisonment in the state prison, or either, at the discretion of the court; and in case any accident shall occur in consequence of any such obstruction or damages to said road or machinery, whereby the death of any person shall be caused, the person so offending shall, on conviction, be adjudged guilty of murder in the first degree and punished accordingly, in such manner as shall be prescribed by law for the punishment of murder in the first degree.

SECTION 14. It is hereby declared that in the judgment of the legislature the objects of this corporation cannot be obtained by or under general laws. Objects not otherwise attainable.

SECTION 15. This act is hereby declared to be a public act, and its provisions shall be liberally and favorably construed in all courts of this state; and copies of the same printed by authority of the legislature, shall be received as evidence thereof in all cases. Public act, &c.

SECTION 16. This act shall take effect and be in force from and after its passage.

Approved April 1, 1863.

## CHAPTER 212.

[Published April 17, 1863.]

AN ACT to amend chapter 112 of the general laws of 1856, being an act entitled "an act to secure the enlargement and immediate completion of the improvement of the navigation of the Fox and Wisconsin rivers, and the payment of the scrip and other evidences of indebtedness issued by the state on account of the same, and for the protection of the settlers on the even sections, etc.," approved October 3, 1856, and the act amendatory thereof, approved March 23, 1860.

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

SECTION 1. Section eight of chapter one hundred and twelve of the general laws of this state for the year Trustees to be appointed by the governor.

1856, to wit: of the act to which this act is amendatory, approved October 3, 1856, is hereby amended, by striking out the words, "One of the said trustees shall always be a resident of this state," and by inserting in lieu thereof the words, "Two of said trustees shall always be residents of this state," so that the section, as amended, will read as follows, to wit: "Section 8. The trustees contemplated in this act shall be appointed by the governor of this state, with the approval and assent of said company, expressed as aforesaid. In case of a vacancy caused by the death, resignation, removal or refusal to serve, or other disability of any trustee, such vacancy shall be filled by appointment, in like manner as above. Two of said trustees shall always be residents of this state. The acts of a majority of said trustees shall have the same effect as if done by all of them, and they shall have power to appoint such agents, to make contracts and conveyances, and do other acts in their stead, as may be necessary to carry out the objects of this act."

Two to be residents of this state.

Time to complete improvement extended.

Provisos.

SECTION 2. The time allowed to the Fox and Wisconsin improvement company for the performance of the duties and obligations imposed on said company by the aforesaid act, approved October 3, 1856, to wit: chapter 112 of the general laws of this state for the year 1856, and by the act amendatory thereof, approved March 23, 1860, to wit: chapter 180 of the general laws of this state for the year 1860, is hereby extended to the first day of May, 1864: *provided*, that this act shall not be so construed as to extend the time of payment of warrants, certificates or scrip issued on account of said river improvement; but said company shall be bound in all respects for the payment of such warrants, certificates and scrip, or other evidence of indebtedness, and interest thereon as the same may become due, the same as though this act was not passed; *and provided*, that nothing herein contained shall be held or construed so as to prevent or delay the bringing by any holders of any scrip issued by the board of public works, prior to 1853, or any creditors of said company, any suit to enforce their claim or lien on the lands belonging to the improvement grant, which they could bring if this act had not been passed.

Claim upon lands sold waived.

SECTION 3. In case any one or more of the holders of the scrip, warrants or certificates issued in the matter

of the Fox and Wisconsin rivers improvement, by the board of public works, or other officers or agents of the state of Wisconsin, or they and other creditors of the Fox and Wisconsin improvement company, uniting with them, shall procure any part of the lands granted by congress in aid of said improvement, to be sold under or by virtue of the order or judgment of any court of competent jurisdiction, the state will waive and does hereby waive and release any and all claim upon or right of redemption in the land so sold, if it has any such claim or right: *provided*, that this act shall not be construed to deprive the said trustees or the said company, or the creditors of said company, of such right of redemption, if any, as is now by law given to them.

SECTION 4. All acts and parts of acts of the legislature of this state, in so far as they contravene the provisions of this act, are hereby repealed.

Approved April 1, 1863.

## CHAPTER 243.

[Published April 21, 1863.]

AN ACT to incorporate the Tomah and Lake St. Croix railroad company, and to repeal and annul a portion of a grant of land heretofore made to the La Crosse and Milwaukee railroad company.

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

SECTION 1. William Wilson and William Carson, of Corporators. Dunn county, Joseph G. Thorp and Richard F. Wilson, of Eau Claire county, Andrew K. Gregg, sen. and Hiram S. Allen, of Chippewa county, Augustus Gaylord, of Polk county, N. S. Dunbar and Charles B. Cox, of Pierce county, Herman L. Humphrey, of St. Croix county, Miles D. Prindle, of Pepin county, George M. Gilkey, of Buffalo county, R. C. Field, of Trempealeau county, Carl C. Pope and William T. Price, of Jackson county, Richard Dewhurst, of Clark county, and C. D. Spaulding, of Monroe county, and such other persons as shall become stockholders in the corporation hereby created