

CHAPTER 480.

[Published April 30, 1864.]

AN ACT to incorporate the Janesville and Afton railroad company.

(See supplement to local laws.)

CHAPTER 481.

[Published May 2, 1864.]

AN ACT to aid the counties of Marathon and Clark in opening and improving a certain state road.

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

SECTION 1. To aid the counties of Marathon and Clark to open and improve so much of the state road from Stevens Point to Eau Claire, laid out in pursuance of chapter 162 of the general laws of 1860, and to aid in draining the swamp and overflowed lands through which the same may pass, there is hereby granted to each of the said counties of Marathon and Clark, the swamp and overflowed lands which may be selected, as hereinafter provided, by the board of supervisors of each of the said counties of Marathon and Clark; one section of said land per mile for each and every mile of said road that may be built in each of the aforesaid counties, the number of miles of said road in each of said counties to be ascertained and computed by the plats and notes of survey of the commissioners who laid out said road: *provided*, that the supervisors of each of the said counties shall select the said lands granted to the said counties by the provisions of this act, from the swamp and overflowed lands now belonging to the state, lying nearest to the line of said road on either side of the same; *and provided, further*, that that portion of said lands which the said county of Marathon may be entitled to under the provisions of this act, shall be under the sole management and control of said county, and such of said

One section of swamp land donated for every mile of certain road built.

Proviso.

Lands to be under control of the counties.

lands as the said county of Clark may be so entitled to, shall be under the separate control of the said county of Clark.

Selection and patenting of lands.

SECTION 2. Immediately after the passage and publication of this act, the supervisors of the counties of Marathon and Clark shall proceed to select the lands donated for the purposes provided for in this act, and shall furnish the commissioners of the school and university lands a list of the lands selected by them, together with a copy of the survey and map or plat of the said road; and when such selections are made, as required by this act, the said commissioners shall convey by patent to each of said counties, such portion of the said lands as they may severally be entitled to under the provisions of this act.

Public sale of lands.

SECTION 3. Each of the said counties of Marathon and Clark, under and by the direction of its county board of supervisors, is hereby authorized and empowered to sell and convey said lands so granted to it, or any part thereof, at public or private sale, and give to the purchaser or purchasers a good and sufficient deed or deeds therefor, executed by the clerk of the board of supervisors of said county so conveying said land, sealed with the seal of said board: *provided*, that the said land, nor any part thereof, shall not be sold except upon previous notice of such sale, stating the description of said lands offered for sale, the time when and the place where the same will be so offered for sale, which notice shall be published for six successive weeks previously to such sale in some newspaper published in said county, if there be one, and if there be none published in said county, then in some newspaper published in an adjoining county; and the expense of such publication shall be charged to said lands and paid out of the purchase money of the same; *and provided, further*, that no part of said land shall be sold for less than seventy-five cents per acre, nor in a less quantity than forty acres.

Notice of sale to be published.

Minimum price.

Balance may be sold at private sale.

SECTION 4. At any time after such lands shall have been so offered for sale, as provided in the preceding section of this act, and shall remain unsold, the same may thereafter be sold at private sale, at the rate above mentioned.

When subject to taxation.

SECTION 5. All lands conveyed to each of the counties of Marathon and Clark, by this act, shall be sub-

ject to taxation from and after the issuing of the patent from the state to said counties.

SECTION 6. All moneys arising from the sale of the said lands shall be used and appropriated for the purposes mentioned in section one of this act, and shall be expended under the direction and control of the supervisors of the counties of Marathon and Clark, as aforesaid, who are hereby authorized to contract for the cutting out and opening so much of said road as is in their respective counties, bridging and draining such marshes as may be necessary, and for the building of all other necessary bridges, in such manner as they shall direct; and the said supervisors may let the contract or contracts for doing all such work to one or more persons, and in such sections as they may deem necessary. All such contracts shall be reduced to writing and signed by the chairman of the board, and by the person or persons contracted with, and shall particularly specify the length of road to be cut out and opened, the number of bridges to be built, and all material facts relating thereto: *provided*, that there shall not be expended on any five miles of said road more than shall be received from the sale of any ten sections of said lands: *provided*, that on receiving the list of swamp lands, as provided for in this act, the school land commissioners shall make a selection from the plats of an equal amount of swamp land on the line of said road, and make a list of the same; and all of the proceeds of the sale of the lands so selected by the school land commissioners, shall go to the school fund and to the normal school fund, as now provided by law.

Application of moneys arising from sales.

Contracts for work.

Ten sections to each five miles.

Equal amount to be reserved by commissioners, &c.

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

Approved April 4, 1864.