

the following words: "*Provided, further*, that the governor may authorize reports of such Wisconsin soldiers as may be in hospitals, away from their regiments, to be made by suitable persons other than their regimental officers."

Widow receiving pension, entitled to extra pay after husband's death.

SECTION 2. Section six of said chapter 117 is hereby amended, by adding at the end of said section the following: "*Provided, further*, that this act shall not be so construed as to exclude from the benefits of this chapter, the widows of soldiers who died in the military service of the United States prior to the second day of April, 1863, although any such widow may have commenced receiving a pension before the passage of this act."

If child deserted by mother, person having charge may draw extra pay.

SECTION 3. Section two of said chapter 117 is hereby amended, by adding at the end of said section the following: "In cases where the child or children of the soldier, under fourteen years of age, have been deserted by the mother, or the mother has died, the extra pay shall be audited in favor of the persons having such child or children in charge."

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

Approved April 4, 1864.

CHAPTER 486.

[Published May 2, 1864.]

AN ACT to grant certain swamp and overflowed lands to the counties of Crawford, Vernon and La Crosse, to aid in the construction of a public highway.

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

Swamp lands donated.

SECTION 1. There is hereby granted to the counties of Crawford, Vernon and La Crosse, all the swamp and overflowed lands granted to this state by act of congress of September twenty-eight, eighteen hundred and fifty, not heretofore disposed of, lying within the limits of said counties, respectively, along the banks of the Mississippi river, and including all islands on the east side

of the thread of the main channel: *provided*, no subdivision greater than a quarter section in width, from east to west, from high water mark, shall be included; and any title or recognition under said act of congress to this state, shall inure to said counties, respectively, or their assigns.

Proviso.

SECTION 2. The lands hereby granted shall be applied exclusively to the construction of a public highway between Prairie du Chien and La Crosse, along the bank of the Mississippi river, and unless such road shall be completed and in good order for the traveling public, within five years from and after the passage of this act, then all aforesaid lands remaining in the possession of the several counties aforesaid, shall revert to the state.

To aid in construction of certain highway.

SECTION 3. S. A. Clark, of Crawford county, H. H. Ferguson, of Vernon county, and Allen Overbaugh, of La Crosse county, are hereby appointed commissioners, and shall have the care and control of said lands, and shall see that the proceeds of the sale of them are applied as directed in this act. Such commissioners may make such contracts as may be necessary to carry into effect the purposes of this grant. Each commissioner, before entering upon the discharge of the duties of his office, shall execute to the supervisors of his county a bond in sufficient sum and sureties for the proper discharge of his duties and a proper application of all moneys arising from the sale of said lands in such counties, as herein directed.

Commissioners—their duties.

To give bonds.

SECTION 4. Such commissioners shall have the management of such road and the care of such lands, and may sell the same at such prices as they or a majority of them shall deem just. They shall cause an accurate survey and location of said road, and file a report with the clerk of the board of supervisors of each of said counties. They shall receive for their services one dollar and fifty cents for each day actually and necessarily employed in the discharge of their duties, to be audited by the board of county supervisors, and be paid out of the treasury of the county in which such commissioner resides, respectively. Such commissioners shall account annually to the board of supervisors of each of said counties for all the moneys received for the sale of such lands and for all moneys expended.

Further duties of commissioners.

Per diem—how payable.

SECTION 5. In case of malfeasance in either of said

Vacancy.

commissioners, or death, or being unable or unwilling to act, the county board of supervisors where such vacancy occurs, may appoint some suitable person to fill such vacancy: *provided*, that before such commissioner enters upon the duties of his office, he shall execute a proper bond, as aforesaid.

Trespasses.

SECTION 6. Said commissioners shall have power to prevent trespasses upon such lands, and when necessary may sue in the name of the county within which a trespass has been committed, or take such other measures as the board of supervisors may direct, to protect such lands; and section eight of chapter twenty-nine of the revised statutes, and all other laws for the preservation of such lands, shall extend to the same.

Sec'y of state to make out lists of patented lands, &c.

Sec. 7. Immediately after the passage of this act, the secretary of state shall forward a complete list of all lands granted by this act, now patented to this state, to the clerks of the boards of supervisors of said counties.

Disposition of lands.

SECTION 8. The lands hereby granted shall constitute a common fund for the purposes herein declared, and shall be disposed of only as fast as the road progresses, and after the same is completed and in good traveling order above high water mark, the residue, if any, of such lands shall revert to the state.

SECTION 9. This act shall be in force and take effect from and after its passage.

Approved April 4, 1864.

CHAPTER 487.

[Published May 2, 1864.]

AN ACT to appropriate swamp and overflowed lands to certain towns therein named.

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

Donation of swamp lands, in aid of construction of certain road.

SECTION 1. For the purpose of enabling the towns of Lindina, Clearfield, Germantown, Necedah and Armenia, in the county of Juneau, and the town of Dexterville, in the county of Wood, to open up and con-