

the purpose of building and constructing a wall on the northeast side of Washington avenue, at Blue river, and the tax so authorized to be levied and collected as aforesaid, shall be used and expended only for the purposes hereinbefore mentioned.

May levy tax to prevent encroachment of Lake Michigan.

SECTION 9. In addition to any and all special taxes heretofore authorized to be levied and collected for ward purposes in the second ward of the city of Racine, the city council of said city of Racine are hereby authorized and required, at the time of the next regular annual levy of taxes for city and ward purposes in said city, to levy a special tax of five hundred dollars upon the taxable property in the second ward of said city, which shall be used and disbursed under the direction of the aldermen of the second ward of said city, for the purpose of protecting the streets in said ward from the encroachments of Lake Michigan.

How to be assessed, levied and collected.

SECTION 10. The special tax authorized by the ninth section of this act to be levied and collected, shall be assessed, levied and collected in all respects as taxes for other ward and city purposes, are assessed, levied and collected; and said sum of five hundred dollars shall be used and expended only for the purposes mentioned in section nine of this act.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1873.

CHAPTER 176.

[Published March 24, 1873.]

AN ACT to grant certain lands to the Milwaukee and St. Paul Railway Company, and to execute the trust assumed by the state of Wisconsin by its acceptance of the grants of land made by congress, by acts approved June 3, 1856, and May 3, 1864.

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

Lands granted to Milwaukee and St. Paul Railway Company.

SECTION 1. There is hereby granted to the Milwaukee and St. Paul Railway Company, all the right, title and interest which the state of Wisconsin now has or may hereafter acquire in or to the lands granted to said state, by two certain acts of congress, one approved

June 3, 1856, entitled "an act granting public lands to the state of Wisconsin to aid in the construction of railroads in that state," and the other approved May 5, 1864, entitled "an act granting lands to aid in the construction of certain railroads in the state of Wisconsin," so far as said lands are granted to aid in the construction of a railroad from St. Croix river or lake, between townships twenty-five and thirty-one, to the west end of lake Superior and to Bayfield; and this grant is made upon the condition that said Milwaukee and St. Paul Railway Company shall construct a railroad from some point on St. Croix river or lake, at or near Prescott, by the way of River Falls to the city of Hudson, and along through the city of Hudson, west of the bluff, to the valley of Willow river, and thence up said valley to the west end of lake Superior and to Bayfield, and is upon the condition that said Milwaukee and St. Paul Railway Company shall proceed immediately with the construction of said railroad, and shall construct the same at the rate of forty miles each year until the same is completed, and that sixty miles thereof shall be completed and in operation within one year from and after the passage of this act, and also upon the further express condition that said company shall within two years also build and complete a railroad from some point on the Mississippi river, from a point below the mouth of the Chippewa river, in Buffalo county, Wisconsin, in town twenty-two (22), range thirteen (13), by the way of the village of Durand or Mondovia to Eau Claire, Chippewa Falls and to Menominee, and that so much of said road from the Mississippi river to Durand or Mondovia, or from Eau Claire to Chippewa Falls, shall be completed one year from the passage of this act.

Conditions of the grant.

Rate of construction and points and termini of the road.

SECTION 2. The Milwaukee and St. Paul Railway Company shall, in consideration of the granting of the right, title and interest of the state of Wisconsin in and to the before named grants of land, erect and maintain passenger and freight depots within the city limits of the city of Hudson, and shall also, within two years from the passage of this act, construct, complete and put in operation a railroad from Monroe, in Green county, to Shullsburg, in the county of La Fayette.

Further conditions of the grant.

SECTION 3. The governor is hereby authorized and directed, upon the presentation to him of satisfactory proof that the first sixty continuous miles of said railroad from St. Croix river or lake, at or near Prescott, to the west end of lake Superior, and to Bayfield, have

When the governor is authorized to issue patents for the land, and for what amount.

been completed in accordance with said acts of congress and with this act, and that the said road is also completed from the Mississippi river as far as Durand or Mondovia, or from Eau Claire to Chippewa Falls, to issue and deliver, or cause to be issued or delivered to said company, patents in due form from the said state for seven hundred and twenty sections of said land, and thereafter upon the completion of any twenty continuous miles of said road from St. Croix river or lake towards Superior and Bayfield, he shall issue and deliver, or cause to be issued or delivered to said company, patents for two hundred sections of said land, and shall make and deliver to said company all such certificates as are required by the acts of congress granting said lands: *provided*, that certificates for no more than seven hundred and twenty sections of said land shall be issued until the completion of said road from the Mississippi river by way of Durand or Mondovia and Eau Claire to Chippewa Falls and Menominee, and from said Monroe to Shullsburg, in La Fayette county.

Company shall file resolution of acceptance.

Shall give satisfactory security

If the company fail to perform, governor to proclaim forfeiture

SECTION 4. The said company shall, within sixty days from and after the passage of this act, file with the secretary of state a resolution duly adopted by its board of directors, accepting this grant upon the terms and conditions herein contained, and shall also, within said sixty days, give to the state of Wisconsin such security for the completion of said road from St. Croix river or lake to the west end of lake Superior and to Bayfield, in accordance with the provisions of said acts of congress and of this act, as shall be required by the governor, and upon the failure of said company to file said resolution and to give said security within the time hereinbefore limited, this act shall be of no effect so far as it grants to said Milwaukee and St. Paul Railway Company, any interest in or right to said grant.

SECTION 5. If the said Milwaukee and St. Paul Railway Company shall fail to file said resolution and to give said security as provided in the preceding section, it shall be the duty of the governor, as the agent of the state, to proclaim a forfeiture by the said company of all rights and privileges under this act, and thereupon any other railway company that shall first, after said proclamation of forfeiture hereinbefore referred to, file with the secretary of state a resolution of its board of directors accepting said grant upon the terms and conditions of said acts of congress and of this act, and shall deposit with the state treasurer security, approved by the governor, to construct said

road in accordance with the provisions of said act of congress and of this act, shall succeed to the rights and privileges herein conditionally granted to the said Milwaukee and St. Paul Railway Company, as fully as though this act had in the first instance applied to said company.

SECTION 6. Upon the presentation to the state treasurer of satisfactory proof that said Milwaukee and St. Paul Railway Company has completed forty miles of said road from St. Croix river or lake towards the west end of lake Superior and to Bayfield, it shall be the duty of said treasurer, and he is hereby directed to pay over to said company all moneys in the treasury collected from trespassers on said lands embraced in said grants.

State treasurer to pay over trespass money.

SECTION 7. Any person who, prior to the first day of January, 1870, may have settled upon any quarter section or other subdivision less than a quarter section of said lands, and improved the same as a farm, and who has since continued to reside thereon and occupy the same as his home may, on proving such settlement, improvement and continued residence, acquire the title to the same by paying to said Milwaukee and St. Paul Railroad Company the sum of two dollars and fifty cents per acre for said land, such proof and payment to be made within one year from the passage of this act.

Actual settlers on land may purchase of company.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 17, 1873.

CHAPTER 177.

[Published April 8, 1873.]

AN ACT to authorize the town of Mineral Point to settle and compromise its railroad bond indebtedness.

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

SECTION 1. For the purpose of compromising and settling the claims for railroad indebtedness against the town of Mineral Point, based and founded upon bonds heretofore issued by the town of Mineral Point to aid in the construction of the Mineral Point Railroad, by authority of "an act to authorize the counties and

May compromise railroad bond indebtedness.