

CHAPTER 31.

AN ACT requiring the West Wisconsin Railway Company to relay, maintain and operate its road from Tomah to Warren's Mills in Monroe county.

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

SECTION 1. The West Wisconsin Railway Company shall relay is hereby required and directed to relay the track of track. said railway company from Warren's Mills, in the county of Monroe, along and upon the line heretofore used by said company to the point of connection with the Milwaukee and St. Paul Railway in the village of Tomah in said county, and equip the same in as good and substantial manner as the road of the said West Wisconsin Railway Company has been constructed and equipped and maintained from Warren's Mills, and complete the same and put it in operation, and run daily passenger and freight trains on the same on or before the first day of June, A. D. 1873, and thereafter to maintain and operate its said line of road from Tomah to Warren's Mills aforesaid, and run such daily trains thereon: *provided*, that nothing herein shall be construed so as in any manner to interfere with the operation and use of the road of said West Wisconsin Railway Company, as the same has been constructed and established, and is now operated by said West Wisconsin Railway Company, from Warren's Mills, through Camp Douglas to Elroy in the county of Juneau, but nothing in this proviso contained shall be construed as a waiver, either by the state of Wisconsin, or by any citizen or citizens thereof, of any rights or cause or causes of action now existing against said company for the enforcement of its or their rights in the premises.

Not to be construed to interfere with vested rights.

SECTION 2. In case the said West Wisconsin Railway Company shall fail, neglect or refuse to relay its said track upon that part of the line of its said road described in the first section of this act, within the time and in the manner in said first section of this act required, or shall fail and neglect to maintain and operate the same as in this act prescribed, the said West Wisconsin Railway Company shall, by such failure, neglect or refusal, forfeit all the rights, franchises, powers, privileges and grants conferred upon said company

Penalty for failure to comply with the provisions of this act.

by chapter two hundred and forty-three of the private and local laws of 1863, entitled "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," or by any act amendatory thereof or explanatory thereto.

Attorney general authorized to institute suit.

SECTION 3. In case the said West Wisconsin Railway Company shall fail, neglect or refuse to relay its said track, or to maintain and operate its said road within the time as and in the manner in this act prescribed, or shall violate or fail to conform to any or all the provisions of this act, it shall be the duty of the attorney general and he is hereby authorized and required to institute a suit in the supreme court, by or in the nature of *quo warranto*, in the name of the state of Wisconsin, against the said West Wisconsin Railway Company, to enforce the forfeitures in this act provided, which said suit, when so instituted, shall be prosecuted to final judgment with all convenient speed, and the governor is hereby authorized to employ such counsel as he may deem necessary to assist the attorney general in the prosecution of said suit.

SECTION 4. This act shall take effect and be in force from after its passage.

Approved February 13, 1873.

CHAPTER 32.

[Published February 18, 1873.]

AN ACT to authorize the appointment of phonographic reporters for the circuit court of the counties of Washington and Ozaukee, in the third judicial circuit.

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

May appoint phonographic reporter.

SECTION 1. It shall be lawful for the judge of the circuit court for the third judicial circuit of this state, to appoint one more phonographic reporters for the circuit court in and for the counties of Washington and Ozaukee.

Shall be sworn officers.

SECTION 2. Said reporters shall be sworn officers of said court, and shall be skilled in the art of short hand