

in their discretion to increase its capital stock three millions of dollars.

When act to
take effect.

SEC. 25. This act shall take effect so soon as the board of directors, by a resolution shall assent to the same, a copy of which resolution certified under the seal of the said company shall be deposited with the secretary of state.

J. McM. SHAFER,

Speaker of the Assembly.

E. B. DEAN, JR.,

President pro tem. of the Senate.

Approved, April 1, 1852.

LEONARD J. FARWELL.

[Published April 7, 1852.]

Chap 197 An Act to authorise town clerks to administer oaths, and to require them to give security for the faithful performance of their official duties.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Clerks author-
ized to administer
oaths.

SECTION 1. Whenever any oath or affidavit is or may be required or authorized by law, (except oaths to jurors and witnesses in the trial of a cause, and such other oaths as are required by law to be taken before particular officers,) the same may be taken before a town clerk, and when certified by said clerk to have been taken before him, may be read and used in any court of law or equity, of record, or not of record in this state, and before any officer of this state.

To give surety
for faithful per-
formance of du-
ty.

SEC. 2. Every person hereafter elected or appointed to the office of town clerk in any of the towns of this state, shall before he enters upon the duties of his office, and within the time prescribed by law for filing his oath of office, execute an instrument in writing with two or more sufficient sureties, to be approved by the town treasurer, which writing shall be in substance as follows: A. B. chosen (or appointed) town clerk in the town of _____ and C. D. and E. F., his sureties, do hereby agree to pay to the said town, or to each and every person who may be entitled thereto, all damages which said town or person or persons may sustain by reason of the loss of any chattel mortgage or other paper required by law to be filed and kept in the office of said clerk or by reason or neglect to perform, or unfaithful performance of official duty by said clerk.

Treasurer to en-
dorse his appro-
val, &c

Sec.
Said.

SEC. 3. The town treasurer shall endorse on such instrument his approval of the sureties therein named, and file the same in his office, and a copy of such instrument certified by the town treasurer, shall be *prima facie* evidence

of the execution thereof by such town clerk and his sureties in any court in this state.

SEC. 4. The said town, or any person or persons sustaining damage by reason of the loss of any paper mentioned in the second section of this act, or the neglect to perform, or unfaithful performance of any duty therein mentioned, may sue for and recover such damage in an action of assumpsit against said clerk and his sureties, in any court having jurisdiction of similar actions between other parties: *Provided*, That all actions against a town clerk and his sureties upon any such instrument, shall be prosecuted within four years after the expiration of the year for which the town clerk named therein shall have been elected.

How damage recovered.

SEC. 5. This act shall not be so construed as to make town clerks liable in case of loss by fire or other unavoidable accident.

Not liable for loss by accident.

J. McM. SHAFER.

Speaker of the Assembly.

E. B. DEAN, JR.,

President pro tem. of the Senate.

Approved, April 1, 1852.

LEONARD J. FARWELL.

[*Published April 10, 1852.*]

An Act to incorporate the LaCrosse and Milwaukee Rail Road Company.

Chap 198

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

SECTION 1. That Timothy Burns, Samuel T. Smith, Benjamin F. Healy, of LaCrosse county, Moses M. Strong, of Iowa county, Thomas J. Moorman, of Portage county, John Lowth, of Dodge county, Henry Weil and Patrick Toland, of Washington county, Hugh McFarlane, of Columbia county, Patrick Rogan, of Jefferson county, Henry Shears, of Waukesha county, Leonard J. Farwell, of Dane county, D. C. Reed, Edwin H. Goodrich, Geo. H. Walker, Levi Blossom and Garriet Vliet, of Milwaukee county, be and they are hereby appointed commissioners, under the direction of any five of whom, subscriptions may be received to the capital stock of the La Crosse and Milwaukee Rail Road Company, hereby incorporated, and they may cause books to be opened, at such times and places as they may direct, for the purpose of receiving subscriptions to the capital stock of said company, first giving thirty days' notice of the times and places of taking such subscriptions, by publishing the same weekly in a public newspaper, printed in the counties of La Crosse, Sauk, Columbia, Jef-

Commissioners.