

Chapter 79.

Published May 8th, 1858.

AN ACT to repeal Chapter ninety-two of Session Laws of 1856, entitled "An Act to amend Chapter seventy-one of the Revised Statutes being an act in relation to divorces."

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

Repealed.

SECTION 1. Chapter ninety-two of the session laws of 1856, entitled "an act to amend chapter seventy-nine of the Revised Statutes," shall be, and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved May 8th, 1858.

Chapter 80.

Published May 10th, 1858.

AN ACT relating to injunctions in certain cases.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows ;

In case where railroad companies have appropriated lands, &c., to their use, without remuneration, persons may by writ of injunction, stop running of cars, &c.

SECTION 1. In all cases where, at the time of the passage of this act, any railroad company in this State shall have taken or appropriated, or where any such company shall take and appropriate for right of way, depot grounds or for the use of such company in any manner whatever, any lands or real estate owned by or belonging to any person resident in this State, and for which such person is or may be entitled to compensation from such railroad company, and such company shall have failed, neglected or refused for the space of six months after having taken or appropriated the same, by making and the laying of its track thereon, to make and pay such compensation to the person entitled thereto, the person so entitled may, by writ of injunction or

injunctional order, injoin and restrain such railroad company, its officers and agents, and all persons claiming under such company, from running cars or locomotives over the land or real estate so taken or appropriated, and from using such land or real estate for the purposes of said railroad company, in any manner whatever, until compensation, together with the costs and all reasonable charges of the injunction and the proceedings therein, shall be fully paid over to the person entitled thereto.

SEC. 2. Upon the filing in any court of competent jurisdiction, the complaint of any person entitled to such compensation as is mentioned in the preceding section of this act, verified by the oath of such person or his agent, the writ of injunction or injunctional order therein specified, shall be issued, served, returned and enforced in all respects according to the laws and practice of the courts of this State.

Injunctional writ—how issued, served, returned and enforced.

Approved May 10th, 1858.

Chapter 81.

Published May 12th, 1858.

AN Act prescribing the duties of Registers of Deeds in cases of Mortgages to the State.

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

SECTION 1. The Register of Deeds of any county in this State, is hereby required, upon the application of any person or his agent, to enter in the index, prescribed in sections 123 and 124, of chapter 10, of the Revised Statutes, any mortgage given by such person to the State of Wisconsin; such entry shall be made in the manner prescribed in said sections, with the addition of the sum for which such mortgage is given, and after the making of such entries, shall deliver the same up to such person or his agent, with his certificate of such entry, if demanded; and such mortgage shall be deemed and considered of record from the time of such entry; *Provided*, Nothing contained in this section shall in any wise effect or modify section 77, of

To enter in index mortgages given—how entered and delivered.

Proviso.