

after executed, by judgment or decree of court," and chapter 133 of the general laws of 1870, entitled "An act relating to homesteads, and amendatory of section 1, chapter 145, revised statutes," and all acts, or parts of acts, conflicting or inconsistent with this act, are hereby repealed.

SECTION 2. This act shall take effect from and after its passage and publication.

Approved March 3, 1877.

[Published March 21, 1877.]

CHAPTER 144.

AN ACT to amend sub-division ten, of section eleven, of chapter 119 of the general laws of 1872, entitled "An act in relation to railroads, and the organization of railroad companies."

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

Amended.

May borrow money and execute trust deed or mortgage.

May make provisions for transfer of railroad.

SECTION 1. Sub-division 10, of section eleven, of chapter 119, of the general laws of 1872, entitled "An act in relation to railroads and the organization of railroad companies," approved March 22, 1872, is hereby amended so as to read as follows: "To borrow such sum or sums of money at such rates of interest and upon such terms as said company or its board of directors shall authorize and agree upon, and may deem necessary or expedient, and to execute one or more trust deeds or mortgages, or both, as occasion may require, on any railroad or railroads constructed or in process of construction by said company, for the amount or amounts borrowed or owing by such company, upon such terms and in such manner as such company or its board of directors shall deem expedient; and such company may make such provisions in such deed or mortgage for pledging or transferring their railroad track, right of way, depot grounds, rights, privileges, franchises, immunities, machine houses, rolling stock, furniture, tools, implements, appendages and appurtenances used in connection with such railroad or railroads in any manner whatever then belonging to said company, or which shall thereafter belong to it, as security for any bonds, debts, or sums of money that may be secured by such trust deed or mortgage as they shall

think proper; and in case of sale of any railroad or railroads, or any part thereof, constructed or in process of construction by any railroad company, on or by virtue of any trust deed or on any foreclosure of any mortgage thereupon, the party or parties acquiring title under such sale, and their associates, successors and assigns, shall have and acquire thereby, and shall exercise and enjoy thereafter all and the same rights, privileges, grants, franchises, immunities and advantages in and by said mortgage or trust deed enumerated and conveyed, which belonged to and were enjoyed by the company making such deed or mortgage, or contracting such debt, so far as the same relate and appertain to that portion of said road, or the line thereof mentioned and described in and conveyed by said mortgage or trust deed, and no further, as fully and absolutely in all respects as the corporators, shareholders, officers and agents of such company might or could have done therefor had not such sale or purchase taken place; such purchasers, their associates, successors or assigns, may proceed to organize anew by filing articles of association and electing directors as provided in this act; and may distribute and dispose of stock, take the same or another name, and may conduct their business generally in the manner provided by this act; and such purchaser or purchasers and their associates shall thereupon be a corporation, with all the powers, privileges and franchises conferred by and be subject to the provisions of this act; *provided*, that if the parties purchasing at such foreclosure sale, and so organized anew as hereinbefore provided, own or represent a majority of the bonds secured by said mortgage or trust deed, and also include the persons who at the rendition of such judgment or foreclosure decree owned a majority of the capital stock of said company, the sale under such judgment or decree shall not be deemed or held to be such a sale within the meaning of any law of this state, particularly applicable to said company, as to deprive the parties so purchasing and organizing anew, or the company so organized of any special exemption, privilege or immunity granted by any law of this state to the company which executed such mortgage or trust deed and operating upon any of the property in such instrument described, embraced or referred to; but such parties so purchasing as in this proviso first mentioned, and the company organized by such purchasers shall have, possess and enjoy any such special exemption, privilege or immunity as fully as

Purchasers may organize anew.

Transfer not to deprive purchaser of special exemptions and privileges.

the company executing such mortgage or trust deed might or could have done if such foreclosure or sale had not taken place.

SECTION 2. This act shall take effect and be in force from and after the passage and publication.

Approved March 6, 1877.

[Published March 20, 1877.]

CHAPTER 145.

AN ACT to amend chapter 82 of the general laws of 1859, entitled "An act to provide for the more efficient punishment of certain offenses."

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

Amended.

Persons committed for vagrancy and criminal offenses may be sentenced to hard labor.

SECTION 1. Section 1 of chapter 82 of the general laws of 1859, is hereby amended so as to read as follows: "Whenever a y person shall hereafter be convicted in any court of this state, of vagrancy, drunkenness, or of any criminal offense, and sentenced to imprisonment in the county jail, the court may also sentence such person to be kept at hard labor during the term of his or her imprisonment, either within or without the jail, as hereinafter provided; and all persons who shall hereafter be convicted of any offense, in any court of this state, and sentenced to pay a fine, and shall, in default of payment of such fine, be committed to jail, may, during the term of such imprisonment for default of payment of such fine, be sentenced to be kept at hard labor."

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

Approved March 6, 1877.