

## Chapter 48.

*Published April 13th, 1858.*

AN Act to amend Section 5 of Chapter 121 of General Laws of 1856, entitled "An Act concerning Railroads."

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

**Amendment.** SECTION 1. Section five of chapter 121 of general laws of 1856, entitled "An Act concerning Railroads," is hereby amended so as to read as follows:—All suits hereafter brought or instituted against any railroad corporation created by the laws of this State, except appeals from the awards of commissioners or juries appointed under its act of incorporation to appraise compensation and damages for property taken for the use of such corporation, shall be brought in some county through which such railroad runs.

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

Approved April 12th, 1858.

## Chapter 49.

*Published April 16th, 1858.*

AN ACT declaratory of the rights of defence of Mortgagors in certain cases.

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

SECTION 1. That in all suits hereafter brought, or in all complaints hereafter filed, or in suits or complaints now pending, in any of the courts of this State, in favor of individuals or railroad or other companies, or their assigns, to enforce the collection of any note or notes, or to foreclose mortgages, given to secure the payment thereof, the maker of any such note or notes or mortgagor, may set up by plea or answer in his or her defence, that the note or notes, or mortgage sued or complained on, was obtained by fraud or false representations. And if upon the trial or hearing, the

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