

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

Approved March 5, 1868.

CHAPTER 105.

[*Published March 10, 1868.*]

AN ACT to accept a grant of lands made to the state of Wisconsin by act of congress, to aid in the construction of the Sturgeon Bay and Lake Michigan ship canal and harbor, in the county of Door, to connect the waters of Green Bay with Lake Michigan, and to provide for the construction of the same.

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

Grant of lands
accepted.

SECTION 1. That the lands, franchises, rights, powers and privileges granted to and conferred upon the state of Wisconsin, by an act of congress, approved April 10th, 1866, "granting to the state of Wisconsin a donation of public lands to aid in the construction of a break-water and harbor and ship canal at the head of Sturgeon Bay, in the county of Door, in said state, to connect the waters of Green Bay with Lake Michigan, in said state," be and the same are hereby accepted with the restrictions and upon the terms and conditions contained in said act of congress.

Upon what
company con-
ferred.

SECTION 2. For the purpose carrying out the objects of said act, the said lands are hereby granted and conferred upon the Sturgeon Bay and Lake Michigan ship canal and harbor company, a company organized in the city of Milwaukee, on the 4th day of October, 1866, under and by virtue of chapter 365 of the laws of Wisconsin of 1864, approved April 24th, 1864, subject to all the conditions, restrictions and obligations herein mentioned.

Duty of said
company.

SECTION 3. It shall be the duty of said ship canal company to appoint an engineer who shall proceed to survey, lay out and establish the route of said canal, and determine the termination thereof, and also prepare a plan for the construction of said canal in conformity

with the provisions of the said act of congress, and make a diagram thereof to be approved by the governor, and when approved by him the same shall be filed in the office of the secretary of state.

SECTION 4. It shall be the duty of said company, after having made and filed such survey and plan of said canal, to proceed without unnecessary delay and construct the same in conformity therewith: *provided*, that as the work on said canal progresses, the company may notify the governor that one-fourth or one half, or three-fourths of said work has been done, respectively, when upon receiving such notification; the governor shall appoint an agent to inspect the same, and if said governor is satisfied that so much of said work has been done, in accordance with the requirements of this act and of the act of congress aforesaid, then the said governor shall certify the same to said company and deposit a copy thereof in the office of the secretary of state, and in said certificate shall determine the proportion of said lands the said company has become entitled to in consideration of said work so done and approved by said governor, and when the governor shall make and file such certificate the commissioners of school and university lands shall convey by patent to the said company said proportions of said lands respectively, as selected by said company, and said company may proceed to sell and convey the same, and when the said company shall have completed the said canal in pursuance of the act of congress and in conformity with said survey and plan, it shall be the duty of the company's engineer to certify the same to the governor, whereupon, it shall be the duty of the governor to inspect the said work in person, or to appoint one or more agents to inspect the same and determine whether the said canal is constructed as required by this act. And whenever the said governor shall determine that the said canal has been constructed by the said company as required by said act of congress, and in conformity with the plan aforesaid, he shall certify the same to said company and deposit a copy thereof in the office of the secretary of state, and which certificate, as well as any certified copy thereof, or of any other certificates mentioned in this act, under the seal of the state, shall be evidence of the facts therein set forth. And when the governor shall make and

Further duties
of said com-
pany.

Governor shall
appoint agent.

Shall certify to
the completion
of canal.

file with the secretary of state such certificate and deliver a copy of the same to the said company, the remainder of said lands shall be patented by the commissioners of school and university lands to the said company which shall stand seized and possessed of all said lands as fully as the state can convey the same, and free from any tax for the term of ten years, if so long held by the said company, and the said company shall use all due diligence in disposing of said lands at a fair and equitable price, and they shall not be held by the said company for speculation, and when sold by said company they shall be subject to taxation: *provided*, that previous to the issue of a patent therefor or for any of said lands, said company shall reimburse the state for all expenses incurred on account of the same.

SECTION 5. All expenses incurred under and by virtue of this act, and of the act of congress aforesaid, shall be paid by the company, and the state shall not in any wise be holden therefor.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved March 5, 1868.

CHAPTER 106.

[*Published March 10, 1868.*]

AN ACT to amend chapter fifty-four of the revised statutes, entitled "of auctions and auctioneers."

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

Section one amended.

SECTION 1. Section one of chapter fifty-four of the revised statutes, entitled "of auctions and auctioneers," is hereby amended by striking out the word "county" whenever it occurs in said section, and inserting the word "town," and by adding to the end of the section the following words: "when such goods, wares and merchandise shall have been sold by auction in the town, city or incorporated village in which such taxes were paid."