

passage by the legislature of an act¹ authorizing the secretary of state to give me certificates of indebtedness, instead of the governor. This was vetoed April 9,² Governor Farwell laying great stress on the claim that the bill treating with me was in violation of the spirit of both the act of congress making the land grant and the constitution of the United States. Attorney General Experience Estabrook, however, gave it as his opinion that the scrip issued to me was constitutional, and a joint committee of the legislature reported unanimously that the work had been conducted well and honorably. The legislature, therefore, passed the bill over the veto, and I resumed work. The trouble with the governor, however, had greatly shortened my season, for the uncertainty of the issue had obliged me to lose the advantage of early preparation, and it was not until July 14 that the governor consented to have certificates issued under the act.

At the session of 1853, the governor proposed, in a message to the legislature dated February 9,³ to "submit the works to private enterprise," and have the skirts of the state cleared from all financial responsibility. It was urged by the governor that the moneys realized from the sale of lands were insufficient to meet the state's obligations. I therefore had a company formed, styled the Fox and Wisconsin Improvement Company, of whom Mason C. Darling, Otto Tank, Edgar Conklin, Benjamin F. Moore, Joseph G. Lawton, Uriah H. Peak, Theodore Conkey, I and others were members. The articles of association were dated the 1st of June, 1853. This company was incorporated by the state under act approved July 6,⁴ and to it was transferred the entire work, under condition that it fulfill the obligations of the state to all classes of contractors on the improvement.

The Improvement Company went on with the work, under this act, until 1856, when the first boat, the Aquila, passed

¹ Chapter 340, *Gen. Laws Wis.*, 1852.—ED.

² *Wis. Senate Jour.*, 1852, pp. 591-599.—ED.

³ *Id.*, 1853, pp. 181-194.

⁴ Chapter 98, *Gen. Laws Wis.*, 1853.—ED.