

successors or assigns, are hereby authorized to build, keep and maintain a boom at such point between the head of the old water-mill rapids and the foot of Chappes' rapids, on the Monomonee river, in Oconto county, in the state of Wisconsin, as shall be eligible, and to erect piers to secure the same to and connect the same with the Wisconsin shore of said river, and to connect the same with the Michigan shore of said river, as prescribed in an act of the legislature of the state of Michigan, granting the said Jesse Spalding the right to build [a] boom across the Menomonee river as aforesaid: *provided*, such boom shall be so constructed as to admit of the passage of boats and other craft, and logs, timber, lumber and other merchandise belonging to other persons, through the same."

Not to obstruct navigation.

Penalty for injury to.

SECTION 2. Any person who shall break or destroy said boom, or loose the same from its moorings, or willfully injure the same, or any of the piers or other appurtenances thereto, shall be liable to the owners in treble the damage sustained, in an action of trespass, and shall be further liable to all the penalties prescribed by the general laws of this state for trespass.

SECTION 3. This act shall take effect be in force from and after its passage.

Approved April 10, 1865.

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## CHAPTER 477.

[Published May 17, 1865.]

AN ACT to amend an act entitled "an act to incorporate the Neenah and Manitowoc plankroad company," approved March 10th, 1848, and the several acts amendatory thereof.

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

Company may redeem road, if sold on judgment.

SECTION 1. Whenever any portion of the road and property of the company incorporated as the Neenah and Manitowoc plankroad company, by act approved March 10th, 1848, and changed by act approved February 7th, 1853, to the Menasha and Manitowoc plankroad company, shall be sold upon execution is-

sued on any judgment rendered against said company by a court of competent jurisdiction, together with all the rights, franchises and immunities of said company, the said company shall have the right to redeem the same, in the manner and within the time now provided by law for the redemption of real estate sold on execution; but in case the said company shall not so redeem, the said purchaser or purchasers, his or their heirs or assigns, shall continue to hold the same in his or their own right, and shall have and enjoy all the rights, franchises, privileges and immunities conferred upon and secured to said company by and under the provisions of the said act of incorporation, and the several acts amendatory thereof, and shall have the right to demand, receive and collect for his or their own benefit, all the tolls on such road due and to become due, or for travel thereon, at the same rates and in the same manner as the said company has now by law the right to do: *provided*, such portion of said road shall at all times be kept in repair, as the said company is by the provisions of its charter and the several acts amendatory thereof, required now to do.

If not redeemed, purchaser may hold road, &c.

SECTION 2. It shall be lawful for the directors of said company to lease for a term of years, or to sell and convey, any portion of said road to the owner of any such judgment, or to the purchaser or purchasers of the same under such judgment, together with all the rights, franchises and immunities of said company under its said charter, and the several acts amendatory thereof, upon such terms and conditions as to them or a majority of them may seem reasonable and proper; and such lessee, purchaser or purchasers and his or their assigns, shall have and hold the same, together with all the said rights, franchises, privileges and immunities of said company, and may in his or their own name and right take and receive the tolls on said road, and demand, sue for, recover and collect such tolls, and sue for and recover in any court having jurisdiction, damages done by any party or person to said road on the property thereof, in the same manner and with like effect as the said company can or could by law do; and such lease or conveyance signed by the president of said company, under the seal of the same, duly witnessed and acknowledged, and recorded in the office of register of deeds of the county of Manitowoc, shall be

Road may be leased, or sold to holder of judgment:

notice to all persons, and be binding and effectual for the purposes in this act mentioned.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1865.

## CHAPTER 485.

[Published May 30, 1865.]

AN ACT to authorize the Northern Pacific railroad and telegraph company, incorporated by an act of congress entitled "an act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget's Sound, on the Pacific coast, by the northern route," approved July 2d, 1864, to construct their railroad and telegraph line through the state of Wisconsin.

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

Company may build their railroad and telegraph line in this state.

Rights and powers conferred.

No Minnesota railroad to enjoy privileges conferred.

SECTION 1. The consent of the state of Wisconsin is hereby given to the Northern Pacific railroad company, incorporated by an act of congress entitled "an act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget's Sound, on the Pacific coast, by the northern route," approved July 2d, 1864, to survey, lay out, locate, construct, furnish, maintain and enjoy a continuous railroad and telegraph line, with the appurtenances, within its limits, on the line in the said act of congress indicated and authorized; and for the purposes aforesaid, and in said act of congress set forth, and in order to carry the same into full effect, the said Northern Pacific railroad company, its successors and assigns, are hereby vested with all the rights, powers, privileges and immunities within the limits of this state, which are by said act of congress conferred upon them within the territories and jurisdiction of the United States: *provided*, that said Northern Pacific railroad company shall be prohibited at any time prior to the actual building or equipment of said railroad, from allowing any railroad company chartered by the laws of the state of Minnesota, to use or enjoy any of the privileges hereby granted to the Northern Pacific railroad company, to