

ten or more, five cents each; for freight, lumber and merchandise, not with team, per barrel, five cents; per one hundred pounds freight, five cents; per hundred feet of lumber, five cents.

**Penalty for maintaining unauthorized ferry.**

**Proviso.**

**Bridges across sloughs, etc.**

SECTION 3. If any person or persons shall, after the establishment of said ferry, set up, keep or maintain any ferry, or shall carry any person, goods or chattels for hire or pay, across the St. Croix river from or to any place on the Wisconsin side or shore of said river, within two miles of the points above named, every person shall, for every such offense, forfeit and pay a penalty of ten dollars to be recovered before any justice of the peace in and for said county of Polk: *provided*, that nothing herein contained shall be deemed or construed to prevent any person who resides on the east bank of said river from the right of making use of his own boats in transporting himself or property across the same at pleasure.

SECTION 4. The said Oscar F. Knapp and Charles E. Mears, their heirs, executors or administrators are hereby empowered to build a bridge or bridges across any slough or sloughs in said St. Croix river within the limits specified above for the purpose of reaching said ferry: *provided*, that said bridge or bridges shall in no way interfere with the driving or running of logs and lumber, or with the navigation of said river or sloughs, and said bridges so built shall be owned and controlled by said Oscar F. Knapp.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1880.

[No. 52, S.]

[Published March 25, 1880.]

## CHAPTER 321.

AN ACT for the protection of brook trout in the state of Wisconsin.

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

**When troutning is prohibited.**

SECTION 1. Any person who shall catch or take, or attempt to do so, from any stream, lake or other waters in this state, any brook trout, by any device or means whatsoever, between the fifteenth day of September and the succeeding fifteenth day of April, in any year, or who shall catch or take, or attempt so to do, from any such stream, lake or other waters, at any time, by any device or means other than by hook and line, or angling, or who shall have any brook trout in his pos-

session or custody taken by any means or device except hook and line or angling, or between the fifteenth day of September and the succeeding fifteenth day of April in any year, shall be punished by fine not less than five dollars nor more than one hundred dollars, together with costs of prosecution for every such offense, and shall be imprisoned in the county jail until such fine and costs are paid.

Penalty for violation.

SECTION 2. Upon verbal complaint made to any Duty of officer. sheriff, constable or fish warden, that the provisions of this act have been violated, such sheriff, constable or fish warden shall make complaint before the proper court and upon warrant to arrest the offender or offenders, and take him or them before the proper courts for trial, and shall seize any brook trout taken and any net or other device set or used contrary to the provisions of this act, and convey the same to a place of safety, and shall at once make an inventory of the property and fish, or either, so seized, and file the same in said court.

SECTION 3. If such offender shall fail to pay such In case of failure to pay fine. fine as said court shall inflict, together with costs, including the necessary expenses of the seizure and care of any property of any kind seized under the provisions of this act, the said court shall forthwith issue an execution for the enforcement of the same, which shall be levied upon the property of such offender, to make the amount of such fine and costs, and such execution shall be enforced in the same manner as executions issued out of the courts of justices of the peace upon judgments entered therein: *provided*, that whenever brook trout shall be seized under the provisions of this act, the sheriff or other officer having them in custody, shall forthwith sell the same for the best price for cash, and the proceeds thereof shall be paid into court the same as if derived upon execution as herein provided.

Proviso.

SECTION 4. Any person violating the provisions of this act may be arrested upon a warrant issued by the proper court in a county nearest and most accessible in the discretion of the officer issuing such warrant, to the place where the offense is committed, and taken to such county for trial.

Warrant for arrest.

SECTION 5. Justices of the peace shall have jurisdiction for the enforcement of the provisions of this act and for the punishment of offenders thereof; and all fines received under the provisions of this act shall be paid one-half to the informer and the other half into the school fund.

Jurisdiction of justices of the peace.

**Revised statutes amended.** SECTION 6. Subdivision six of section six hundred and seventy, and section four thousand five hundred and sixty-one, of the revised statutes, and chapter seventy-six of the laws of 1875, and all other acts or laws of this state in conflict with the provisions of this act, be and the same are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1880.

[No. 167, S.]

[Published March 24, 1880.]

## CHAPTER 322.

AN ACT to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof.

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

### CHAPTER I.

#### CITY OF MADISON — ITS CORPORATE POWERS.

**Corporate pow-  
ers.** SECTION 1. All that district of country in the county of Dane, hereinafter described, from and after the seventh day of March, in the year of our Lord one thousand eight hundred and fifty-six, shall be a city by the name of Madison, and the people now inhabiting and those who shall inhabit said district shall be a municipal corporation, by the name of the city of Madison, and shall have the general powers possessed by municipal corporations at common law, and in addition thereto shall have and possess the powers hereinafter specifically granted, and the authorities thereof shall have perpetual succession and shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in all courts of law and equity, and shall have a common seal and may change and alter the same at pleasure.

#### CITY BOUNDARIES.

**Boundaries.** SECTION 2. All of section six (6) except the east half of the southeast quarter; all of section seven (7) except the east half of the northeast fractional quarter, in township number seven (7) north, of range number ten (10) east; lots three (3) and four (4) in the southeast quarter of section twelve (12); also the southeast quarter of the southeast quarter of section twelve (12); all of sections thirteen (13) and fourteen (14), twenty-three (23) and twenty-four (24); all of the south fractional half of section