

AN ACT to authorize Jemison Hamilton to build a bridge across the Pecatonica river at New Bedford.

BE IT ENACTED by the Council and House of Representatives of the Territory of Wisconsin:

May construct a bridge.

SECTION 1. That Jemison Hamilton, his heirs or assigns shall have, and hereby is granted the privilege to erect a bridge across the Pecatonica at or near the dwelling house of the said Hamilton, in the town known as New Bedford, the said bridge to be at least sixteen feet wide and so constructed as to leave a clear space between the two piers on either side of the channel of said river at least fifty feet wide and twenty feet high above the common high water in said stream for the passage of boats, rafts, canoes or other crafts passing up or down said river.

When to be commenced.

SEC. 2. The bridge shall be commenced within six months and completed within twelve months from the time of the passage of this act, and when said bridge is completed according to the provisions of this act, the said Hamilton, his heirs or assigns shall have the privilege of collecting toll from passengers, animals and carriages crossing said bridge at the rates not exceeding the following, to wit: For a man and horse, five cents; for one horse pleasure carriage, ten cents; for two horse pleasure carriage, fifteen cents; for four horse pleasure carriage, twenty-five cents; for two horses or oxen and wagon loaded, fifteen cents; unloaded, ten cents; for four horse wagon loaded, twenty-five cents; unloaded, fifteen cents, and for every additional horse, five cents; for four or five yoke of oxen loaded, thirty-five cents; unloaded, twenty cents; for all animals in droves of not more than fifty, one cent per head, and for all over fifty, one half cent per head.

Persons liable for damage.

SEC. 3. Any person who shall do any damage to the said bridge shall be liable to the owner thereof for the amount of such damage, to be recovered in any court of competent jurisdiction, and if any injury to said bridge shall be wilfully or maliciously committed, the person committing such injury shall be liable to prosecu-

tion and punishment in conviction according to the provisions of the thirty-fifths section of an act entitled "an act to provide for the punishment of offences against private property."

SEC. 4. The county commissioners of the county of Iowa, or at any time hereafter the county commissioners of any new county that may be formed out of that part of Iowa county in which said bridge is located may at any time after the completion of said bridge purchase the same at a price not exceeding the original cost and ten per centum per annum thereon. Commission-
ers to pur-
chase.

SEC. 5. It shall be the duty of the owners of said bridge to keep the same in repair, and upon tender of the rates herein established to pass any passenger, animal or carriage without any unnecessary delay at all hours of the day and night, and in default thereof they shall forfeit to the injured person five times the amount of the toll with costs to be recovered in an action of debt before any justice of the peace of the county in which such bridge is situated. What privi-
leges to cease.

SEC. 6. The privileges secured by this act shall cease and be determined if the said bridge is not completed within the period hereinbefore mentioned, or the payment of the amount of the cost of building said bridge and ten per cent, as aforesaid, otherwise shall remain and continue in the grantee herein named for the period of ten years. To be kept in
repair.

SEC. 7. The Legislature may at any time repeal, alter or amend this act.

SEC. 8. This act to take effect and be in force from and after its passage.

APPROVED February 2, 1846.