

to wit, beginning at the south west corner of township seven north, range thirteen east, and running east to the west branch of the Rock River, thence up said stream to the sectional line dividing sections twenty and twenty-nine, thence east on said sectional line to the range line betwixt ranges fourteen and fifteen, thence north on said range line to the south east corner of township eight, thence west on said township line to the middle of township eight, range fourteen, thence north on the sectional line betwixt sections thirty-three and thirty-four to the township line betwixt townships eight and nine, thence west on said line to the north west corner of township eight north, range thirteen east, thence south on the range line betwixt ranges twelve and thirteen to the place of beginning, shall be set apart into a separate town by the name of Aztalan.

SEC. 3. The towns of Wau-wau-too-sa and Aztalan shall severally be entitled to and enjoy all the rights and privileges which are granted by law to the other towns in this Territory.

SEC. 4. This act shall take effect from and after its passage.
Approved, January 13th, 1840.

No. 36.

AN ACT to authorize the building a bridge across the Fox River in the county of Brown.

Be it enacted by the Council and House of Representatives of Hoel S. Wright ^{may construct a}
the Territory of Wisconsin, That Hoel S. Wright, his heirs or ^{bridge.}
assigns, shall have and are hereby granted the privilege of erecting a bridge across the Fox River, at or near the dwelling house ^{Where.}
of said Wright, at the mouth of Plum creek, 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 sixty feet wide, and twenty-five feet high, above ^{How wide.}
high water, in said stream, for the passage of boats, rafts, canoes, or other craft, up and down the said river.

SEC. 2. The bridge shall be commenced within two years ^{When.}
and completed within four years from the time of the passage of this act; and it shall not be lawful for any person to erect another bridge or to keep a ferry for hire across said river, after the completion of the same, within two miles above and below said bridge.

Right to take
tolls;

Rate of

May maintain
trespass for dam-
age.

Penalty for wilful
injuries.

Bridge may be
made free.

Original cost how
ascertained.

SEC. 3. The said Wright, his heirs, or assigns, on the completion of said bridge, 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 foot passenger three cents—for a man and horse twelve and a half cents—for a single horse and waggon or sleigh twenty-five cents—for a two horse or ox team thirty-seven and a half cents, and for each additional horse or other animal three cents—for all animals in droves of not more than fifty head three cents per head, and for all over fifty head, two cents per head.

SEC. 4. Any person doing damage to said bridge, shall be liable to treble damages, in an action of trespass, to the owner thereof, and any person who shall wilfully and maliciously do any damage to said bridge,* shall be guilty of a misdemeanor, and shall, on conviction thereof, be liable to fine not exceeding two thousand dollars, or imprisonment in the county jail, for a term not exceeding six months, at the discretion of the Court, before which the offence may be tried.

SEC. 5. The County Commissioners of the county of Brown or other county or counties, in which the same may be situated, may, at any time, after the completion of said bridge, purchase the same, at a price not exceeding the original cost, and ten per cent thereon, and on tender of said amount to the owner or owners of said bridge, it shall, thereafter, be forever free, and it shall not be lawful for the owner or owners to collect or receive any toll for passing the same.

SEC. 6. For the purpose of fixing the amount of the cost of said bridge, the owner thereof, previous to receiving any toll thereon, shall appoint one person resident of said county, and the County Commissioners shall appoint one other person, which two shall select a third, a majority of whom shall assess the true cost thereof from evidence submitted to them, and shall certify the same under their hands, which certificate shall be put on file in the office of the Clerk of said Commissioners, and shall be considered as conclusive; Provided that either the said owner or Commissioners may appeal from the decision of said appraisers to the District Court of said County, and may have the amount fixed by a jury of twelve men, to be selected as jurors are by law selected for the trial of civil cases in said District Court, out of the pannel returned to said court.

SEC. 7. 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 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.

SEC. 8. The privileges secured by this act shall cease and be determined if the said bridge is not completed within the period herein before mentioned, or on the payment of the amount of the costs and ten per cent aforesaid, otherwise shall remain and continue in the grantee herein named for the period of twenty years.

SEC. 9. The Legislature may, at any time, repeal, so alter, or amend this act as to secure the free navigation of the Fox River, if said bridge should create any obstruction therein.

Approved, January 13th, 1840.

No. 37.

AN ACT to provide for holding the District Court within the county of Brown and for other purposes.

Be it enacted by the Council and House of Representatives of the Territory of Wisconsin.

SECTION 1. That it shall and may be lawful for the Judge of the District Court of the third judicial district, hereafter, to hold the May term of said Court at the town of Green Bay, and the October term thereof at Depere. Provided that the board of commissioners of Brown county shall not expend a sum exceeding one hundred dollars in fitting up and furnishing a suitable building at Green Bay in which to hold said court.

SEC. 2. That all writs, process, and proceedings of said court, shall be returnable at Depere, and be proceeded upon in the same manner and be as valid as if the several courts were held at the court house duly provided by the county.

SEC. 3. That it shall and may be lawful for the Clerk of the District Court, the Clerk of the board of County Commissioners, and Sheriff of Brown County, to hold their respective offices