

Proviso.

provided, that nothing in this act contained shall be construed in any manner to impair or affect the right of any corporation or company organized or existing under any of said acts from closing up the business of such company or corporation, as provided by section 1764, of the revised statutes of the state of Wisconsin for the year 1878. And the provisions of said section are hereby declared to be applicable to each of said corporations or companies whose charters are by this act repealed for the purpose of closing up the business of each thereof.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 2, 1889.

[No. 42, A.]

[Published March 5, 1889.]

## CHAPTER 41.

AN ACT to authorize Thomas E. Nash to construct and maintain a toll bridge across the Wisconsin river from any point on sections three, ten and fifteen, on the west side of said river, to any point opposite thereto, on sections two, eleven and fourteen, on the east side of said river, in township twenty-one, range five east, in Wood county.

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

Authorizing Thomas E. Nash to construct and maintain a toll bridge across Wisconsin river in Wood county.

SECTION 1. Thomas E. Nash, his associates, heirs and assigns, are hereby authorized and empowered to build and maintain a toll bridge across the Wisconsin river from any point on sections three, ten or fifteen, on the west side of said river, to any point opposite thereto, on sections two, eleven or fourteen on the east side of said river in township twenty-one north, range five east. Such bridge shall not be less than eighteen feet wide, and provided with strong railings on the sides, and shall be so located and of sufficient height as not to obstruct the free passage of rafts, logs and timber passing down said river.

SECTION 2. The said Thomas E. Nash, his asso-

ciates, heirs and assigns, shall have the power and legal right, immediately after the completion of said bridge, to demand, receive and collect tolls for passage over said bridge at rates not exceeding the following: For any vehicle drawn by two horses, mules, or oxen, twenty-five cents; for any vehicle drawn by one horse or mule, fifteen cents; for horses or cattle in droves of ten or less, five cents each, when the same are in droves of more than ten, three cents each; sheep or swine in droves of ten or less, three cents each; if in droves of more than ten, two cents each, and for each footman five cents each way.

May collect tolls.

SECTION 3. Said Thomas E. Nash, his associates, heirs and assigns shall keep posted upon a conspicuous place on said bridge the rates of toll established by him or them not exceeding the rate allowed by this act.

To post notice of rates of toll on bridge.

SECTION 4. Any person who shall forcibly or fraudulently pass over the bridge authorized by this act without paying the legal toll, shall be guilty of trespass and shall for each offense forfeit the sum of five dollars to and for the legal owners of said bridge, to be recovered with costs as in other actions of trespass, in any court having competent jurisdiction.

Penalty for trespassing.

SECTION 5. Any person or persons carelessly or maliciously injuring said bridge shall be liable to the owners thereof in double the amount of the injury done and all damages sustained may be collected before any court having competent jurisdiction thereof.

Same for injury to bridge.

SECTION 6. It shall be lawful for said Thomas E. Nash, his associates, heirs and assigns to so build and construct said bridge that the same may be used for a railway and wagon track combined, and for that purpose to enter into an agreement with any railway company organized or doing business in this state for the use of such bridge upon such terms as may be agreed upon.

Bridge may be used for railway and wagon track.

SECTION 7. So long as said toll bridge is kept up and maintained under the provisions of this act, no other toll or free bridge shall be authorized to be built across said river within two miles on either side thereof.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 2, 1889.