

Penalty for injuries.

SECTION 7. Any person who shall destroy or in any manner injure said lock or dam, shall be deemed to have committed a trespass upon the owner or owners thereof, and be liable accordingly to an action for damages; and any person willfully and maliciously doing damage, shall be guilty of a misdemeanor, and punishable by fine and imprisonment: *provided*, that the imprisonment shall not exceed the term of one year.

SECTION 8. Nothing in this act shall be so construed as to authorize the said Slaughter, his heirs and assigns to construct said dam so as to flow the water back upon the dam, mill, or machinery of any other person already erected, or that may hereafter be erected according to a law providing therefor previous to the commencement of the erection of the dam aforesaid.

SECTION 9. The legislature may at any time so alter or amend this act as to provide for the further improvement of the navigation of the Manitowoc river.

Approved January 15, 1838.

No. 41.

AN ACT to authorize Thomas P. Burnett and Alexander McGregor to establish a ferry across the Mississippi river.

To have the right of ferrriage for ten years.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That Thomas P. Burnett and Alexander McGregor, their heirs and assigns, be and are hereby authorized to establish and keep, or cause to be established and kept, a ferry across the Mississippi river between the east side or bank of said river, at or near the north-west corner of lot number thirty-nine of the private land claims, on Prairie du Chien and Coule des Sioux, on the west side of said river, for the term of ten years from and after the passage of this act: *provided*, that said ferry when so established, shall be subject to the same regulations and under the same restrictions as other ferries are or may hereafter be by law in this territory, fixing the rate of toll and prescribing the manner in which licensed ferries shall be kept and attended to.

SECTION 2. That no district court or board of county commissioners shall authorize any person or persons to establish and keep a ferry within one-half mile immediately above, or immediately below the ferry aforesaid: *provided*, that the said T. P. Burnett and Alexander McGregor shall keep a good and sufficient steam or horse ferry boat, for the transportation of all persons and their property without delay; and *provided* that said ferry when so established, shall be subject to the same law, and under the same restrictions as other ferries are, or may hereafter be enacted in this territory (or State as the case may be) fixing the rates of toll, and prescribing the manner in which licensed ferries are or shall be hereafter established and attended to. And should the law regulating ferries in any way be violated, and proof thereof be made to the satisfaction of the board of county commissioners of Clayton or Crawford counties, the above charter, if so violated, shall be declared void by said board of county commissioners, and said ferry shall thereafter be disposed of as other ferries are under the law regulating ferries: *provided also*, that nothing in this act shall be so construed as to authorize the said Thomas P. Burnett and Alexander McGregor to interfere with the right of any individual on either side of the Mississippi river.

Within what limits, exclusive.

Upon what conditions.

Approved January 15, 1838.

42.

AN ACT to authorize H. F. Janes to keep a ferry.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That H. F. Janes and his heirs and assigns, be, and they are hereby authorized to establish and keep a ferry across Rock river, at Janesville, in Rock county, on section thirty-six, of town three north, of range twelve east, for the term of ten years, from and after the passage of this act; and that no ferry privilege be granted to any other person on the section aforesaid: *provided*, that the proprietor of said ferry will at all times cross,

To have the exclusive right of ferrage for ten years.