

[No. 438, A.]

[Published April 2, 1878.]

CHAPTER 275.

AN ACT granting to Richard R. Kempter and others the right to establish and maintain a ferry across the Mississippi river, from the village of Alma, in the county of Buffalo, state of Wisconsin, to the opposite shore in Wabasha county, Minnesota.

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

SECTION 1. That Richard R. Kempter, G. Albertson, S. G. Fuller, Charles Schættle, Fred. Fisher, John A. Tester, Fred. Lane, William Briggaboos, Martin Polin and John Hinrichs, and their associates, heirs, executors, administrators and assigns, shall have the exclusive right and privilege for the period of ten years of keeping and maintaining a ferry across the waters of the Mississippi river at and from the village of Alma, in the county of Buffalo, state of Wisconsin, to Wabasha county, opposite, in the state of Minnesota. Chartered.

SECTION 2. That said parties and their associates Boats. or assigns shall, within eighteen months after the passage of this act, place and maintain, at the aforesaid place, such good and sufficient boat or boats as may be necessary to carry across said river all teams, horses, cattle and other property, and for the accommodation of foot passengers, and shall at all times give ready and prompt attendance on passengers or teams at least ten hours per day; one and a half hours before, and one and a half hours after the arrival of the trains at Kellogg station, in Minnesota, and on all occasions, and at all hours of the day or night, for foot passengers; but persons crossing the said ferry at night may be charged double the rates hereinafter prescribed.

SECTION 3. The said corporators may land their Landing. boats, passengers and property on any public highway which now does or may hereafter terminate within the points above specified, or on the lands of any person or persons owning the same; they having first secured the permission of such owners so to do.

SECTION 4. The said corporators, their associates or Bond. assigns, shall within one year after the passage of this act, file or cause to be filed with the village clerk of said village of Alma, a bond to the people of the state of Wisconsin, with two or more sureties, in the penal sum of one thousand dollars, conditioned that they will faithfully fulfill all the duties imposed upon them by

this act, and in case of their failure so to do, they shall forfeit all the benefits that might accrue to them from it.

Penalties.

SECTION 5. That for every neglect to keep a good and sufficient boat or boats, or failure to give prompt and due attendance upon all persons wishing to cross at the said ferry at the time or times aforesaid, the aforesaid corporators shall forfeit a sum not exceeding ten dollars, to be recovered by and for the use of said village, in a civil action before any court having competent jurisdiction; and shall be further liable in like action for all damages any person may sustain by reason of the neglect of the aforesaid corporators to fulfill any of the duties imposed upon them by this act, or of any one in their employ.

Rates of ferriage.

SECTION 6. The rates charged for crossing at said ferry shall not exceed the following, except to those crossing between the hours of seven o'clock P. M. and five o'clock A. M., when double rates may be charged, and in high water, when the ferry shall have to run to the high land on the Minnesota shore, one-half above the rates herein may be charged: For each foot passenger, the sum of ten cents; for each horse, mare or mule, with or without rider, the sum of forty cents; for each team drawn by two horses, two mules or two oxen, loaded or unloaded, with or without driver, the sum of seventy-five cents; for each single-horse carriage, wagon or sleigh, with or without passengers, sixty cents; for each additional horse, mare, mule or cow, the sum of fifteen cents; for each swine or sheep, the sum of five cents; all freights, merchandise, or other articles not in teams, at the rate of twenty-five cents per hundred weight, when the same, delivered by one person, shall not exceed two hundred pounds, and for any excess of two hundred pounds, at the rate of ten cents per hundred weight, and fifty cents per thousand feet of lumber.

Penalty for excessive rates.

SECTION 7. In case the said corporators, their heirs or assigns, or any ferryman or other person employed by them, shall take, exact or receive any greater or higher rate of ferriage for transporting persons, goods and chattels or other things whatsoever, than is allowed by this act, the said corporators, their heirs or assigns, shall be liable in the penal sum of twenty dollars for every such act, and which sum may be recovered before any justice of the peace of their state having by law jurisdiction over the same, by any party aggrieved making complaint of the same, one-half to go to the complainant and the balance to the county school fund.

SECTION 8. In case any other person or persons shall, after the establishment of the said ferry aforesaid, set up, or keep, or maintain any ferry, or shall carry any person, goods or chattels for hire or pay across the said Mississippi river, from any place on the east side or shore of the waters of said river, within the limits of the village of Alma, every such person shall, for each such offense, forfeit and pay the sum of twenty dollars, to be recovered before any court of competent jurisdiction, one-half to go to the complainant, and the balance to the county school fund.

Exclusive privilege.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved March 19, 1878.

[No. 898, A.]

[Published April 4, 1878.]

CHAPTER 276.

AN ACT to authorize and require the supervisors of the town of Hortonia, Outagamie county, and the supervisors of the town of Mukwa, Waupaca county, to adjust and equalize the amount of work and labor to be done by said towns on a town line road.

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

SECTION 1. The supervisors of the town of Hortonia, Outagamie county, and the supervisors of the town of Mukwa, Waupaca county, are hereby authorized and required to meet together for the purpose of adjusting and equalizing the amount of labor and work to be done by each of said towns, in repairing and keeping in order that certain town road running along the town line between said towns, and of re-dividing and re-portioning said road between the said towns, so as to equitably equalize the portion or portions thereof to be repaired and kept in order at the expense of each of the said towns.

Joint meeting of town boards required.

SECTION 2. The said supervisors of said towns shall meet for the purpose aforesaid within three months after the passage of this act, at such time and place in either of said towns, and on such notice as shall be jointly agreed upon and designated in writing by the chairmen of said supervisors; but such chairmen failing to agree, then the said supervisors of said towns shall meet within the time aforesaid, at such time and

In case of failure of town board to agree.