

CHAPTER 388.

[Published April 25, 1864.]

AN ACT to authorize W. F. Prindle to keep and maintain a ferry across the Chippewa river, in this state.

(See supplement to local laws.)

CHAPTER 389.

[Published April 26, 1864.]

AN ACT to authorize the construction of a dam across the Pecatonica river, in La Fayette county.

(See supplement to local laws.)

CHAPTER 390.

[Published April 16, 1864.]

AN ACT to amend chapter 79 of the revised statutes, entitled "of railroads."

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

Grain to be carried to elevator, warehouse or mill by railroads, when thus directed.

SECTION 1. Chapter seventy-nine of the revised statutes, entitled "of railroads," is hereby amended, as follows: "It shall be and is hereby made the duty of every railroad company operating and running their road within this state, to receive for shipment and transportation any and all grain that shall be offered to such company, their authorized agents, servants or employees, for transportation over their road, to make and deliver, for such grain consigned to any consignee or consignees, the usual bill of lading to the shipper or consignor thereof, to transport and carry all such grain over their said road, at the tariff of charges adopted by

such company and then in force, to such elevator, warehouse or mill as the same may be directed or shipped to by the owner, shipper or consignor of such property, and to deliver such grain to the actual consignee or consignees thereof, at such warehouse or place of storage as may be designated as the place of delivery thereof by such consignee or consignees: *provided*, the same can be so delivered to him or them at any elevator, warehouse or mill by any track connecting therewith, at any distance not greater than one-half mile therefrom, by whomsoever laid or owned, over which such company has or shall have the right or privilege to run their cars; and in no case shall any railroad company make any increased or additional charge for the transportation of such grain as it may be obliged to deliver to the consignee or consignees thereof, except in cases where such company is required to pay for the use of such track, and in all such cases, no additional or increased charge shall exceed the sum so actually required to be paid by the company for the right and privilege to run their cars over such track.”

Provided.

SECTION 2. It shall be lawful for the owner or owners of any elevator, warehouse or mill at any station on the line or at the termination of any railroad in this state, to construct from such elevator, warehouse or mill, a railroad track to the track of any railroad company, and to connect with the same by switch at his or their own expense, and it shall be the duty of any such railroad company to permit and allow such connection. Such side track and switch shall at all times be under the control and management of and kept in repair by such railroad company: *provided*, that the party for whose benefit such side track and switch shall be constructed, shall pay to such railroad company the actual cost of maintaining and operating such side track and switch, which payment shall be made monthly; and in case such payment shall not be made as above provided, then and in that case the obligations of this section upon said railroad companies shall from and thereafter cease and be inoperative as against them, until such costs and expenses are fully paid.

Owner of elevator, &c. to build side track to railroad.

Track to be controlled by railroad, and owner of elevator, &c. to pay for operating it.

SECTION 3. This act shall be deemed and taken to be an amendment to each and every railroad charter or grant in this state, made pursuant to the right of amendment reserved in the constitution.

Charters amended.

Penalty.

SECTION 4. In case any railroad company or their agents, servants or employees shall neglect or refuse to comply with any or either of the provisions of this act, such railroad company shall for each and every such violation or refusal, forfeit and pay the sum of fifty (50) dollars, such penalty to be collected as other fines and penalties are collected, and to be paid over, one half to the person in whose name the action is brought, and the balance to be paid into the county treasury of the county where such action is prosecuted, for the benefit of the school fund; and in addition thereto, shall pay to the person aggrieved such damages as he may sustain.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 2, 1864.

CHAPTER 391.

[Published April 26, 1864.]

AN ACT to amend an act entitled "an act to consolidate the several school districts in the city of Fond du Lac."

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

Annual meeting.

SECTION 1. Section eight of chapter forty-one of the private and local laws of eighteen hundred and forty-nine is hereby amended, so as to read as follows: "On the third Monday of June, in each year, there shall be an annual meeting of the district held at such time and place as the school board shall appoint, notice of which shall be given by publishing the same in each of the newspapers printed in said city, at least one week before the time appointed for holding such meeting, which shall specify all the particular objects for which it is to be held; and it shall be lawful for the voters of said district, then and there assembled, to determine by their votes what amount of taxes shall be levied in said district for school purposes, excepting the provisions of section seventeen, for the ensuing year, and in the same manner determine all questions relative to the affairs

Tax for school purposes.