

No other ferry  
to be maintained  
within points  
named.

SECTION 8. No ferry shall be granted within one mile either above or below said fourth principal meridian, and if any other person or persons shall, after the establishment of said ferry as aforesaid, set up or keep or maintain any ferry, or shall carry any person, goods or chattels for hire or pay, across the Wisconsin river, within the points above specified, every such person shall for every such offense, forfeit and pay the sum of ten dollars, to be recovered as aforesaid, by and for the use of any person entitled by law to sue for the same.

When boats need  
not run.

SECTION 9. The said corporators need not run their boat or boats when serious injury would result thereto by contact with the ice or otherwise.

Repeal.

SECTION 10. All acts and parts of acts heretofore passed, contravening the provisions of this act, are hereby repealed.

SECTION 11. This act shall take effect and be in force from and after its passage.

Approved March 31, 1865.

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## CHAPTER 258.

[Published May 18, 1865.]

AN ACT to authorize Lyman Howe and John Roblin to erect and maintain a boom on the Wisconsin river, in Wood county.

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

Authority to  
build boom.

SECTION 1. Lyman Howe and John Roblin, their associates, successors and assigns, are hereby authorized and empowered to erect and maintain such number of booms as may be necessary, with sufficient piers on either side and across, or partly across the Wisconsin river, on sections fifteen (15) and twenty-two (22,) in township twenty-one (21) north, of range five (5) east, in the county of Wood, for the purpose of stopping and securing logs, spars, square timber and other lumber: *provided*, the said parties shall at all times, when

Not to obstruct  
navigation.

it is required for that purpose, leave the main channel of said river open and unobstructed for the passage of boats, rafts and such drives of logs as the owners thereof shall be driving to any point below said booms; and if any raft of lumber, timber or logs, or any boat, shall by neglect or accident be carried into said boom, said boom may be opened so as to take out said raft or boat, if it can be done without injury to the owner or owners of the boom, otherwise it shall be taken out at the space kept open for the passage of rafts, at the expense of the owners of said boom, without unnecessary delay.

SECTION 2. Whenever any logs, spars, square timber or other lumber, in the log or tree, shall be secured and boomed at said boom, the said Lyman Howe and John Roblin, their associates, successors or assigns, shall be allowed therefor a toll or boorage of fifty cents per thousand feet, board measure; and they shall have a lien on all logs or timber so boomed or secured for the payment of boorage: *provided*, that no toll or boorage shall be charged upon such logs, timber or lumber as the owners thereof shall be driving or running to any point below said boom, at the time the same shall escape into said boom. Boorage.

SECTION 3. Whenever any logs shall be thus boomed and secured, and no person shall appear in behalf of the owner or owners thereof, within the period of sixty days from the time they are so secured, to take delivery of the same and pay the boorage thereon, the said Lyman Howe and John Roblin, their associates, successors or assigns, may cause said logs to be sawed into lumber, and accurately measured by the authorized inspector of the district in which said boom is situated, and after deducting their fees for boorage and the expense of measuring, and the usual rates for sawing, the balance shall be kept by said Lyman Howe and John Roblin, their associates, successors or assigns, subject to the order or disposition of the owner or owners thereof, for one year; after which time, if neither the logs nor lumber are demanded by the owner or owners, they shall be forfeited to the owners of the boom. The said Lyman Howe and John Roblin, their associates, successors or assigns, shall cause to be entered in a book kept for that purpose, the different marks on the logs or timber thus boomed. Unclaimed logs  
may be sawed,  
&c.  
  
Record of marks.

or secured, for which no owner shall appear, the number of the logs bearing any mark, the amount of lumber cut from logs bearing such mark or marks, and the date at which the same was sawed, and shall at all times keep such book or books open for the inspection of all persons.

Prohibition.

SECTION 4. If any rafts of lumber, timber or logs, or any boat, shall by neglect or accident be carried into said boom, it shall not be lawful for the owner or owners, or any person for him or them, to open said boom at any time for the passage of said raft or boat, without first giving notice to the owners of said boom, or some one of them, or their agents.

Penalty for willful injury, &c.

SECTION 5. Any person or persons who shall willfully break, damage or destroy said boom or booms, or the piers which support the same, shall be responsible to the owners thereof in a civil action for the amount of damage done, in addition to the penalties already provided by law, to be recovered before any court of competent jurisdiction.

Repeal.

SECTION 6. Chapter 366 of the general laws of 1863, entitled "an act to authorize Pembroke B. Stearns to erect and maintain a boom on the Wisconsin river, in Wood county," is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage.

Approved March 31, 1865.

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## CHAPTER 262.

[Published May 19, 1865.]

AN ACT to authorize T. B. Sheldon and William Howe to keep and maintain a ferry across the Mississippi river, including both channels, at some point in the county of Pierce, opposite the city of Red Wing, in the state of Minnesota.

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

Exclusive privilege, &c.

SECTION 1. T. B. Sheldon and William Howe, their heirs, executors, administrators and assigns, shall have the exclusive right and privilege, for the term of ten