

CHAPTER 261.

AN ACT to amend chapter five hundred and eight of the private and local laws of 1868, entitled "an act to incorporate the Wagon Landing Cemetery Association."

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

SECTION 1. Section seven of said chapter five hundred and eight of the private and local laws of 1868, is hereby amended so as to read as follows; Section 7. The secretary or president or either of the trustees of said association may call a meeting by giving three days' notice of the time and place of said meeting. Amended—may call meeting.

SECTION 2. All elections of officers of said association heretofore held are hereby legalized, the same as though they had been elected as provided in said chapter five hundred and eight, private and local laws of 1868. Legalized.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 19, 1873.

CHAPTER 262.

AN ACT to amend section four of chapter eighty-seven of the laws of 1873, entitled "an act granting to Albert Taylor the right to establish and maintain a ferry across the Mississippi river from some point above the limits of the village of Alma, in Buffalo county, and the mouth of the Chippewa river, in Pepin county, to the opposite shore in the state of Minnesota."

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

SECTION 1. Section four of chapter eighty-seven of the laws of 1873, entitled an act granting to Albert Taylor the right to establish and maintain a ferry across the Mississippi river from some point above the limits of the village of Alma, in Buffalo county, and the mouth of the Chippewa river, in Pepin county, to the opposite shore in the state of Minnesota, is hereby amended so as to read as follows: Section 4. The rates charged for crossing at said ferry shall not exceed the following: For each vehicle drawn by two horses, mules or oxen, loaded or unloaded, with or without a Rates of ferrying.

driver, the sum of seventy-five cents. For cattle, horses or mules, in droves, the sum of fifteen cents each. For each foot passenger, the sum of ten cents. For swine or sheep, in droves, the sum of five cents each. On all freight, merchandize or other property, not in teams, at the rate of twenty-five cents per hundred pounds, when the same is delivered by one person, and does not exceed two hundred pounds; and for any excess of two hundred pounds, at the rate of ten cents per hundred pounds; on all lumber at the rate of fifty cents per thousand feet: *provided, however*, that double the above rates may in all cases be charged between the hours of seven o'clock, P. M., and five o'clock, A. M.

When may charge double rates.

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

Approved March 19, 1873.

CHAPTER 263.

[*Published March 27, 1873.*]

AN ACT to prescribe the measure of damages in certain actions for the wrongful cutting of timber.

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

Owner to recover highest market price for timber wrongfully cut on his premises.

SECTION 1. In all actions hereafter commenced in any of the courts of this state to recover the possession of logs, timber or lumber wrongfully cut from the lands of the plaintiff, or to recover the value thereof, or damages for such cutting, if the plaintiff shall succeed, he shall, unless possession of such property be restored to him, recover as damages the highest market value of such logs, timber or lumber, in whatsoever place, shape or condition, manufactured or unmanufactured, the same may be between the time of such cutting and the time of the trial of the action, and while it remained in the possession of the party so cutting the same, or any purchaser thereof with knowledge of such wrongful cutting: *provided*, that the defendant may, within ten days after the service of the complaint in such action, serve upon the plaintiff an affidavit that such cutting was done by mistake, and a tender of judgment a sum certain as being the full value of such logs, timber or lumber at the time the same were cut, with interest thereon from the time of such cutting to the date of such

Defendant may serve affidavit of cutting timber by mistake, and tender damages.