

to be increased to eight trips per day, as the business may demand, and *provided, also*, that the rates of ferriage shall not exceed the following, to wit: Foot passengers, each, ten cents; one-horse vehicle and driver, fifty cents; two horse vehicle and driver, seventy-five cents; freight per hundred pounds, five cents; large animals per head, twenty cents; small animals per head, five cents; commutation tickets may be purchased at twenty five cents for single horse vehicles, and fifty cents for two horse vehicles, when ten or more are purchased at one time, *provided, also*, that said J. Lawlor shall cause said ferry to be run to upper Prairie du Chien as often daily as business may require, and that rates proportionate to those established on lower ferry, and the right is hereby granted to build, establish or extend without unnecessarily interfering with navigation, all docks, landings or approaches for such ferry or ferries.

Rates of ferriage.

Shall be run to upper Pr. du Chien.

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

Approved March 4, 1874.

CHAPTER 103.

[*Published March 7, 1874.*]

AN ACT to legalize a certain lease made by the president and directors of the Sheboygan and Fond du Lac Plankroad Company and to protect and secure the rights of the lessee therein named and his assigns.

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

SECTION 1. That the lease made by the president and directors of the Sheboygan and Fond du Lac Plankroad Company, bearing date the 3d day of April, A. D. 1863, to Henry J. Van Curen, his heirs, representatives and assigns, which is executed on the part of said company by Aug. L. McCrea, president, and George C. Cole, secretary, and by H. J. Van Curen on the part of Henry J. Van Curen on that part of the road of said company which lies between Main street in the city of Fond du Lac and the intersection of the Green Bay gravel road with said plankroad at Taycheedah, in the county of Fond du Lac, is hereby declared valid and effectual for and during the full term

Legalizing a lease.

mentioned therein, and the said lessee, his heirs, representatives and assigns shall have and enjoy all the rights, privileges and franchises conferred upon him or them, or which were intended to be conferred upon him or them by the terms of the lease aforesaid in as full and ample a manner as the same are set forth therein and as though the said president and directors at the time of the making, executing and delivery thereof had under and by virtue of the charter of said company full power and authority to make said lease, and to confer upon the said lessee, his heirs, representatives and assigns all the powers, privileges, rights and franchises therein mentioned.

Powers of lessees confirmed.

SECTION 2. The assignees of the said Henry J. Van Curen, either immediate or remote, their heirs or representatives, are hereby authorized and empowered to have and exercise in the name of said company, all the powers necessary to protect said road rights, privileges and franchises, so leased by the said president and directors of said company to the said Van Curen, and to enforce the collection of tolls thereon in as full and ample a manner as said company would have were it in the occupation of the same road rights, privileges and franchises under its charter, and for that purpose may bring any and all suits and actions, and do any other act or thing which said company might bring or do for the enforcement of its rights, the protection of its road, privileges and franchises, and the collection of tolls on the part of said road so leased to the said Henry J. Van Curen, his heirs, representatives and assigns, if said company were in the actual possession of said road owning and occupying the same under this charter.

Rights to maintain an action, how established.

SECTION 3. In order to establish the right to maintain an action on the part of the assignees of the said Henry J. Van Curen, their heirs or representatives, in the name of said company, for the enforcement of their right under said lease, for the protection of their said road, property or franchises, or for the collection of tolls thereon, it shall not be necessary on the part of the plaintiff to prove the organization of said Sheboygan and Fond du Lac Plankroad Company under its charter, nor the continuance or present organization of said company, but it shall be sufficient to produce in evidence the lease executed by the president and secretary of said company to the said Henry J. Van Curen, or otherwise to prove the making and delivery of the same, and that the party or parties instituting such suit or suits has acquired the rights and interests of

the said Van Curen by assignment or otherwise, and is in the possession of said road, rights, privileges or franchises claimed under said lease.

SECTION 4. This act shall be liberally construed in all courts and places for the purpose of carrying out the objects thereof, and shall be in force and take effect from and after its passage.

Approved 4, 1874.

CHAPTER 104.

[Published March 7, 1874.]

AN ACT to lay out and establish a state road from the village of Woodstock, Richland county, via the village of Debello, Vernon county, to Wonowoc, Juneau county.

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

SECTION 1. Bronson Graves, James Shreves and Jonathan Dillon are hereby appointed commissioners, with full power and authority to survey, lay out and establish a state road from the village of Woodstock, in the county of Richland, via the village of Debello, in the county of Vernon, to the village of Wonowoc, in the county of Juneau.

Commissioners created.

SECTION 2. After said commissioners shall have laid out said state road, or such part of it as in their opinion the public good may require, they shall make out a correct map or plat of survey of same, and file it in the office of the county clerks in the different counties in which the same may be located.

Shall make out a map.

SECTION 3. Said commissioners shall have full power to award damages and settle with parties who may feel aggrieved, or sustain damage by the laying out and establishing of said road; *provided*, the amount of damages so awarded shall in no one case exceed fifty dollars. All claims for damages shall be made within one year from the time said commissioners shall have filed the plat or survey of the road in the office of the county clerk, as required by section two of this act, and all damages so awarded shall be paid by the towns in which the lands are located which are damaged thereby.

Shall have power to award damages.

SECTION 4. Upon the filing of the survey of said road in the office of the county clerks of the counties

When said road shall become a highway