

and or any subsequent conviction of the same person during any one year, the punishment may be by both fine and imprisonment, in the discretion of the court.

SECTION 1. This act shall be in force from and after its passage and publication.

Approved March 16, 1878.

[No. 421, A.]

[Published March 27, 1878.]

CHAPTER 236.

AN ACT to amend chapter two hundred and ninety-eight of the laws of Wisconsin for 1878, entitled An act to amend chapter one hundred and seventy-one of the private and local laws of 1868, entitled An act to amend chapter thirty of the private and local laws of 1853, entitled An act to incorporate the Wisconsin River Improvement Company, and to amend chapter one hundred and seventy-one of the private and local laws of 1866, amendatory thereof.

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

Amended.

Restriction of
privilege.

Tolls.

SECTION 1. Section one of chapter two hundred and ninety-eight of the laws of Wisconsin for 1876, is hereby amended so as to read as follows: Section 1. Section two of chapter three hundred and ninety-four of the private and local laws of 1868, is hereby amended so as to read as follows: Section 2. The said company shall not be entitled to collect any tolls upon lumber, timber, shingles, laths, boats, scows, barges or other vessels which shall pass over or through all or any of the improvements made by them or their successors, or assigns, until the said company shall have in good faith expended the full sum of five thousand dollars upon the said improvements, or some parts thereof, and when the said sum shall have been so expended the said company shall then be authorized to establish a tariff or rate of toll for running the said improvements made by the said company, which shall not exceed the following rates or amounts between the following points, to wit: Between the foot of Grand Rapids and Point Basse, on lumber, seven and one-half cents per thousand feet; on timber, seven and one-half cents per thousand feet; on shingles, three cents per thousand; on lath, two cent per thousand pieces; on boats, scows or barges, over thirty feet in length, three cents per foot, lineal measure, and between the foot of Conant's Rapids and the foot of Grand Rap-

ids, an amount or rate not exceeding the foregoing rate on the same articles; and between the foot of Little Bull Falls and the foot of Conant's Rapids, an amount or rate not greater than the foregoing on the same articles; and between the foot of Big Bull Falls and the foot of Little Bull Falls, an amount or rate not to exceed that above named on the same articles; and between Jenny Mills and the foot of Big Bull Falls, an amount or rate not to exceed that above named on the same articles; and for all logs, lumber or timber which may be run over the improvements of said company on Grand Father Bull Falls, a toll not to exceed seven and one-half cents for each and every thousand feet so run thereover: *provided*, that the toll so levied shall be reasonable and proportioned to the benefits made by such improvements to the navigation of the river: *and provided further*, that said company shall be liable **Liabilities.** to the owners of any and all property run over any or all of such improvements for any damage to such property caused by the improper construction of its works or improvements, or any part thereof, or by imperfections or defects therein, resulting from the fault or negligence of said improvement company; and which damages may be offset in any action brought by said company against such owner for tolls, or may be recovered in an action brought against said company.

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

Approved March 16, 1878.

[No. 247 A.]

[Published April 9, 1878.]

CHAPTER 237.

AN ACT relating to tract indexes, and amendatory of chapter three hundred and fifty-two of the general laws of 1864, entitled "An act to provide for a tract index."

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

SECTION 1. Section one of said chapter three hundred and fifty-two is hereby amended so as to read as follows: Section 1. The register of deeds of each county in this state shall as soon as practicable after the first day of May, A. D. 1878, or whenever directed, so to do by the county board of supervisors, as herein-after provided, procure, at the expense of said county,

Amended.

Blank tract index book.