

company shall make a dividend of such net profits among the stockholders in proportion to their respective shares. And no contingent or accumulating fund, exceeding one per centum of the profits of said company, shall remain undivided for more than six months.

SECTION 14. That if any person or persons shall willfully obstruct or in any way spoil, injure or destroy said road, or any thing belonging or incident thereto, or any materials to be used in the construction thereof, or any buildings, fixtures or carriages, erected or constructed for the use or convenience thereof, such person or persons shall each be liable for every such offense to treble the damages sustained thereby, to be recovered by action of debt in any court having jurisdiction of that amount.

Penalty for injuring the property of said company.

SECTION 15. That whenever it shall become necessary in the location or construction of said road, to pass through the land of any individual, it shall be the duty of said company to provide for said individual proper wagon ways. It shall be liable to such individual in double the amount of damages occasioned by such neglect.

Company must provide private ways.

SECTION 16. That the territory or state, as the case may be, shall have power at any time to purchase the stock and road of said company for use of the territory or state, at a price not exceeding the original cost for construction, repairs and fixtures of said railroad, and seven per cent. thereon; of which cost an accurate account shall be kept and submitted to the legislature duly attested on the oath of the officers of said company whenever the legislature shall demand the same.

Rights of company may be purchased.

Approved Jan. 19, 1838.

No. 91.

AN ACT to establish ferries across the Mississippi river opposite the town of Burlington in Des Moines county.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That Lamson, Ladd & co., their heirs and assigns, be and they are hereby authorized to establish and keep a ferry

Lamson, Ladd & co.

across the Mississippi river, opposite the town of Burlington, with the exclusive privilege below Washington street, as far south as the mouth of Allison creek, for the term of ten years.

David James.

SECTION 2. *Be it further enacted*, That David James, his heirs and assigns, be, and they are hereby authorized to establish and keep a ferry across the Mississippi river opposite the town of Burlington, with the exclusive privilege above Washington street, to the mouth of Flint creek, for the term of ten years.

To be subject to general regulations.

SECTION 3. Said ferries when so established shall be subject to the same regulations and restrictions as other ferries are or may be by law, fixing the rate of toll, and prescribing the manner in which licensed ferries shall be kept and attended to.

Must keep a steam ferry.

SECTION 4. If either of the persons hereby authorized to establish a ferry, shall not, within twelve months after the passage of this act, procure a good and sufficient steam boat, and keep the same in good order, and running regularly when the state of the river will admit of boats running, all privileges hereby granted shall be forfeited.

Penalty.

City of Burlington may purchase.

SECTION 5. The corporation of the town or city of Burlington, as the case may be, shall, at any time within six months from the date thereof have authority to purchase the ferry privileges hereby granted at the original cost and expense, and the individuals to whom said privileges are by this act granted, are hereby required to sell the same to the said corporation when thereto properly requested at the price specified.

SECTION 6. This act to take effect and be in force from and after its passage.

Approved January 19, 1838.

No. 92.

AN ACT to legalize the proceedings of the justices of the peace of Grant county and release them from penal liability in certain cases.

WHEREAS certain justices of the peace in the county of Grant, not having access to the revised code of laws of Michigan of one thousand eight hundred and