

Chap 157 An act to legalize the acts of certain town officers of the town of Spring Prairie, Walworth county, and to declare a road therein described a lawful highway.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

Acts legaliz-
ed. SECTION 1. The acts of the commissioners of highways and the town clerk of the town of Spring Prairie, in Walworth county, in relation to the road hereinafter described, are here hereby legalized.

SEC. 2. The road which has been laid out in the aforesaid town commencing at the corner of sections seven and eighteen, in town three of range eighteen, running east fifteen minutes north eighty chains and fifty links, on section line to the centre of an old road at the corner of sections eight and seventeen ; notwithstanding any informality in the acts of the aforesaid officers.

HARRISON C. HOBART,
Speaker of the Assembly.

J. E. HOLMES,

It. Governor and President of the Senate.

Approved, March 29, 1849.

NELSON DEWEY.

Chap 158 An act to authorize the construction of a bridge across Fox river.

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

SECTION 1. That James K. Lush, Cornelius Northup and J. L. Buck, their associates and assigns be and they are hereby authorized and empowered to build and construct a bridge across Fox river, on land owned by them, from any point on the north side of the north channel of said river, at Winnebago rapids, on fractional section number twenty-two (22), to the opposite side of said river.

Bridge how
built. SEC. 2. That said bridge shall not be less than twelve feet wide, and shall be constructed with a draw over the channel of the river, not less than fifty feet wide, and not less than eight feet high in the clear from the water, and said bridge shall forever remain free of toll in passing the same, and shall be attended so as to permit boats and vessels to pass through the same, at all times free of charge and without unnecessary delay ; and shall be commenced within six months and completed within twelve months from the passage of this act.

Liability for
damage SEC. 3. Any person who shall do any damage to said bridge, shall be liable to the owner or owners thereof for the amount of such damage, to be recovered in any court of competent jurisdiction, and if any damage to said bridge shall be done by the master or commandant of any vessel or water craft, [he] shall be liable for all such damage, and may be proceeded against under the act to provide for the collection of damages against boats and vessels.

SEC. 4. If any injury to said bridge shall be wilfully or mali-

viously committed, the person committing such injury shall be liable to prosecution and punishment according to the provisions of law providing for the punishment of offences against private property. Persons to be punished for injuring bridge.

SEC. 5. This act may be altered or amended by any future legislature.

HARRISON C. HOBART,
Speaker of the assembly.

ASA KINNEY,
President of the Senate, pro tem.

Approved, March 29, 1849.

NELSON DEWEY.

An act for the relief of persons confined in jail on civil process.

Chap 159

THE People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

SECTION 1. Every person confined in jail on an execution issued on a judgment recovered in an action of tort, shall be discharged therefrom at the end of ten days from his first confinement, upon the conditions hereinafter specified.

SEC. 2. Such person shall cause notice to be given to the plaintiff in the suit, his agent or attorney, in writing, that on a certain day and hour, and at a certain place, he will apply to two justices of the peace of the county where the person is committed, stating the names of such justices, for the purpose of obtaining a discharge from his imprisonment. Notice to be given.

SEC. 3. Such notice shall be served by a copy on the plaintiff, his agent or attorney, twenty-four hours before the hour of hearing the application, in cases where the plaintiff, his agent or attorney lives within twenty miles of the place of the hearing; and twenty four hours shall be added to the time of the notice, for every twenty additional miles, the plaintiff, his agent, or attorney shall reside distant from such place. Notice how served.

SEC. 4. At the time and place specified in such notice, such person shall be taken under the custody of the jailer or the sheriff, or his deputy, before such justices, who shall examine the prisoner on his oath, concerning his estate and effects, and the disposal thereof, and his ability to pay the judgment for which he is committed; and they shall also hear any other legal and pertinent evidence that may be produced by the debtor or the creditor. Custody of person—his examination.

SEC. 5. The plaintiff in the action may, upon such examination, propose to the prisoner any interrogatories pertinent to the inquiry, and they shall, if required by the creditor, be proposed and answered in writing, and the answers shall be signed and sworn to by the prisoner; and the plaintiff in the action may have a copy of the interrogatories and answers, certified by the justices, upon paying therefor the legal fees. Examination of prisoner.

SEC. 6. If upon such examination, the justices shall be satisfied that the prisoner is entitled to his discharge, they shall administer to him the following oath, to wit:—"I — do solemnly swear, Oath of prisoner.