

sin river, or tributary streams, with intention to let the said drift wood float at large, so as to become an obstruction to the passage of rafts or water craft, shall, upon conviction thereof before any justice of the peace of the proper county, be punished by fine not exceeding fifty dollars, to be paid into the county treasury of the county.

SEC. 9. All acts or parts of acts, conflicting with the provisions of this act, so far as the same conflict herewith, are hereby repealed.

Notice, &c.

SEC. 10. The notice of inquiry herein required to be given to the person in possession of the property complained of, may be served in the same manner as an ordinary summons.

SEC. 11. This act shall take effect and be in force from and after the first day of January, in the year of our Lord one thousand eight hundred and fifty.

SEC. 12. The provisions of this act shall extend, and the same are hereby extended to Black river in this state and the tributaries of said Black river, which are or may be meandered or navigated by rafts.

HARRISON C. HOBART,  
*Speaker of the Assembly.*

MYRON B. WILLIAMS,  
*President of the Senate, pro tem.*

Approved, March 2, 1849.

NELSON DEWEY.

## Chap 63.

An act to authorize Thomas P. Williams and others to build a bridge.

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

Authorized to build.

SECTION 1. Thomas P. Williams, and such other persons as shall associate with him, shall be and are hereby authorized to construct a bridge across the Milwaukee river, in the city of Milwaukee, from the foot of main or Milwaukee street, in the third ward, to the foot of lake or some other street, in the fifth ward of said city.

To be free.

SEC. 2. Said bridge shall be built and kept in repair by said Thomas P. Williams, his associates, or assigns, and when completed shall be and remain forever free, and no toll shall be required from any person or persons crossing the same.

Not to obstruct navigation.

SEC. 3. Said bridge shall be so built as not to obstruct or encroach upon the channel of the Milwaukee river by any permanent obstruction, and shall have a convenient draw, (of a capacity not less than the draw of the Walker Point bridge from the foot of Water street, in the fifth ward of said city) capable of being so managed as to admit the passage of all boats, vessels, and water craft navigating, or which may hereafter navigate the Milwaukee river, without hindrance or unnecessary delay: and the owners of said bridge shall attend, or cause the same to be attended, so as to pass and repass all boats, vessels, and water crafts, at all times, free of expense and without unnecessary delay, or interruption.

SEC. 4. The said Thomas P. Williams and associates, or assigns Liability.  
shall be liable for any damage that may occur to any person or  
persons, in consequence of any insufficiency of said bridge,  
or any bad management of the draw of the same.

SEC. 5. All laws in force for the protection of public bridges,  
and all laws that may hereafter be enacted for their protection, and  
all ordinances of the city of Milwaukee for the protection of bridg-  
es within the city, shall be applicable to said bridge.

HARRISON C. HOBART,

*Speaker of the Assembly.*

MYRON B. WILLIAMS,

*President of the Senate, pro tem.*

Approved, March 2, 1849.

NELSON DEWEY.

An act to prescribe certain duties of the Attorney General of the State,  
and the District Attorney of Milwaukee county.

Chap 64.

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

SECTION 1. The attorney general is hereby required, upon the  
passage of this act, to call upon David Merrill, and make demand  
that the amount received by him, the said David Merrill, as re-  
ceiver of the Milwaukee and Rock river canal lands, be forthwith  
paid over to the state treasurer, and that the books, papers, and  
vouchers belonging to the said office of receiver, and relating to  
said canal lands, be forthwith delivered over to the state treasurer;  
and if upon such demand being made, the said David Merrill shall  
refuse or neglect to pay over said money, and deliver over said  
books, papers, and vouchers, or if he shall refuse to pay over said  
money or any part thereof, he shall be deemed guilty of embez-  
zlement, and the official certificate of the attorney general shall be  
evidence of the said demand and refusal.

Attorney  
general to de-  
mand money,  
papers, &c.

SEC. 2. That if the said David Merrill shall fail or neglect to  
comply with such demand for the space of five days, then the at-  
torney general of this state be, and he is hereby authorized and  
required to cause a mandamus to issue from the supreme court as  
soon as expedient, against David Merrill, the receiver (heretofore  
appointed) of the receipts of the sales of the lands granted to the  
territory of Wisconsin, to aid in the construction of the Milwaukee  
and Rock river canal, for not having delivered over to the state  
treasurer the books, papers, and vouchers belonging to said office  
of receiver, in accordance with the requirements of law, and for not  
having made report to the proper officer, in the manner required  
by law.

How to pro-  
ceed.

SEC. 3. The said writs of mandamus shall be made returnable  
according to law, and shall be served by the sheriff of any county  
in the state or his deputy, either personally, or by leaving an at-  
tested copy of said writ at the usual place of abode of said David  
Merrill, and the said cause shall be proceeded in and determined  
as soon as may be, after the return of the writ properly served.

Mandamus  
how served  
and returned.