

from its moorings, or who may do any act working damage to said boom, shall be responsible to the said Jesse Spaulding therefor, in an action for trespass, for the amount of the damages done, in addition to the penalties already provided by law, to be recovered before any court of competent jurisdiction.

Repeal.

SECTION 3. Chapter 469 of the private and local laws of the year 1856, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved April 1, 1863.

CHAPTER 347.

[Published May 6, 1863.]

AN ACT granting to Frank Ives the right to establish and maintain a ferry across the north and south channels of the Mississippi river.

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

Exclusive privilege, &c.

SECTION 1. That Frank Ives, his heirs, executors, administrators or assigns, shall have the exclusive right and benefit, for the period of ten years, of keeping and maintaining a ferry across the north and south channels of the Mississippi river, at the town of Trenton, in the county of Pierce, in the state of Wisconsin, at any point between the easterly line of said town of Trenton and the upper place of landing, in the village [of] Trenton, in the aforesaid town, up and down said north and south channels of said river.

Boats for transporting teams, passengers, &c.

SECTION 2. That the said Frank Ives shall, within twenty months after the passage of this act, place and maintain upon such ferry such good and sufficient boats as may be necessary to carry across said river all teams, horses, cattle and other property for the accommodation of foot passengers, and shall, at all times, give ready and prompt attendance on passengers or teams on all occasions, and at all hours of the day or night.

SECTION 3. The said Frank Ives may land his boats, passengers and property on any public highway which may terminate within the points above specified, or on the lands of any person, first having procured their permission so to do. Where boats may land.

SECTION 4. The said Frank Ives shall, within six months after the passage of this act, file or cause to be filed with the clerk of the board of supervisors of the county of Pierce, a bond to the said board, with two or more sufficient sureties, in the penal sum of one thousand dollars, conditioned that he will fulfill all the duties that are imposed upon him in this act, and in case of his failure so to do, he shall forfeit all the benefits that might have accrued to him from its passage. To file bond.

SECTION 5. For every neglect to keep good and sufficient boats, or failure to give prompt and due attendance upon all persons wishing to cross the said ferry, the said Frank Ives shall forfeit a sum not exceeding twenty dollars, to be recovered by and for the use of the said county, by a civil action before any court having competent jurisdiction, and shall be further liable in a like action for all damages any person may sustain by reason of the neglect of the said Frank Ives to fulfill any of the duties imposed upon him by this act, and shall also be liable on said bond to any person who shall sustain any injury by the negligence or default of the said Frank Ives or any of his employees thereon. Penalties.

SECTION 6. The rates charged for crossing both channels of said river at such ferry, shall not exceed the following: For each foot passenger, twenty-five cents; each horse, mare or mule, with or without rider, fifty cents; each two horse, two ox or two mule team, loaded or unloaded, with driver, \$1.00; each single horse carriage, with passengers, seventy-five cents; each additional horse, mule, ox or cow, twenty-five cents; each swine or sheep, fifteen cents. All freight of merchandize [merchandise] or other articles, not in teams, at the rate of twenty cents per hundred pounds; one dollar per thousand feet of lumber, and fifteen cents per hundred for all other articles. Tariff.

SECTION 7. If the said Frank Ives, his heirs or assigns, or any ferryman or other person employed by him, shall take, exact or receive any greater or higher rates of ferriage for transporting persons, teams, goods Penalty for exacting higher rates.

and chattels, or other things whatsoever, than are allowed by this act, any person so offending shall forfeit and pay for every such offence the sum of ten dollars, to be recovered, with costs of suits, before any justice of the peace within said county of Pierce, for the use of any person who shall sue for the same.

Penalty for maintaining ferry, &c., within limits named.

SECTION 8. If any other person or persons shall, after the establishment of the said ferry as aforesaid, set up, keep or maintain any ferry, or shall carry any persons, goods or chattels for hire or pay, across the said north and south channels of the Mississippi river, or either of them, from any place on the north or west side or shore of said river, within the points above specified, every such person shall, for every such offence, forfeit and pay the sum of ten dollars, to be recovered, with costs of suit, before any justice of the peace in said county of Pierce, by any person who shall or may prosecute for the same: *provided*, that nothing in this act contained shall be deemed or construed to prevent any person who resides within the limits aforesaid, and on the north bank of said river, from the right of making use of their [his] own boats in transporting themselves [himself] and property across the same at pleasure.

When act may be repealed.

SECTION 9. If the said Frank Ives, his heirs or assigns fail to fulfill any of the conditions of this act, then the legislature may, at any time, alter, amend or repeal the same.

Approved April 1, 1863.

CHAPTER 349.

[*Published May 6, 1863.*]

AN ACT to authorize Isaac R. Lawton and D. A. Lawton to build and maintain a dam across the Kickapoo river.

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

Authority to build dam.

SECTION 1. That Isaac R. Lawton and Diamond A. Lawton, their heirs and assigns, be and they are hereby