

or secured, for which no owner shall appear, the number of the logs bearing any mark, the amount of lumber cut from logs bearing such mark or marks, and the date at which the same was sawed, and shall at all times keep such book or books open for the inspection of all persons.

Prohibition.

SECTION 4. If any rafts of lumber, timber or logs, or any boat, shall by neglect or accident be carried into said boom, it shall not be lawful for the owner or owners, or any person for him or them, to open said boom at any time for the passage of said raft or boat, without first giving notice to the owners of said boom, or some one of them, or their agents.

Penalty for willful injury, &c.

SECTION 5. Any person or persons who shall willfully break, damage or destroy said boom or booms, or the piers which support the same, shall be responsible to the owners thereof in a civil action for the amount of damage done, in addition to the penalties already provided by law, to be recovered before any court of competent jurisdiction.

Repeal.

SECTION 6. Chapter 366 of the general laws of 1863, entitled "an act to authorize Pembroke B. Stearns to erect and maintain a boom on the Wisconsin river, in Wood county," is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage.

Approved March 31, 1865.

CHAPTER 262.

[Published May 19, 1865.]

AN ACT to authorize T. B. Sheldon and William Howe to keep and maintain a ferry across the Mississippi river, including both channels, at some point in the county of Pierce, opposite the city of Red Wing, in the state of Minnesota.

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

Exclusive privilege, &c.

SECTION 1. T. B. Sheldon and William Howe, their heirs, executors, administrators and assigns, shall have the exclusive right and privilege, for the term of ten

years, of keeping and maintaining a ferry across the Mississippi river, including both channels, where the town line between township number twenty-four (24,) range number seventeen (17,) and township number twenty-four (24,) range number eighteen (18,) strikes the said river, or within two miles of said point up and down said river.

SECTION 2. The said T. B. Sheldon and William Howe, their associate or assigns, shall within one year after the passage of this act, place and maintain at the aforesaid place, such good and sufficient boat or boats as may be necessary to carry across said river all teams, horses, cattle or other property, and 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, but persons crossing the said ferry at night, may be charged double the fare hereinafter prescribed.

To maintain good boats, &c.

SECTION 3. The said corporation may land their boat, passengers and property on any public highway which now does or may hereafter terminate within the points above specified, or on the lands of any person or persons owning the same, they having first procured the permission of such owner so to do.

Where boats may land.

SECTION 4. The said T. B. Sheldon and William Howe, their associates or assigns, shall within one year 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 sureties, in the penal sum of one thousand dollars, conditioned that they will fulfill all the duties imposed upon them by this act, and in case of their failure so to do, they shall forfeit all the benefits that might accrue to them from its passage.

To file bond.

SECTION 5. That for every neglect to keep a good and sufficient boat or boats, or failure to give prompt and due attendance upon all persons wishing to cross the said ferry, the aforesaid corporators shall forfeit a sum not exceeding ten dollars, to be recovered by and for the use of said county in a civil action, before any court having competent jurisdiction, and shall be further liable in like action for all damages any person may sustain by reason of the neglect of the aforesaid corporators to fulfill any of the duties imposed upon them by this act, or any one in their employ.

Penalties for neglect to give prompt attendance, &c.

Rates of ferrriage.

SECTION 6. The rates charged for crossing at said ferry shall not exceed the following, except to those crossing between the hours of eight o'clock P. M. and five o'clock A. M., when double said (*said*) rates may be charged: For each foot passenger, twenty-five cents; for each horse, mare or mule, with or without rider, fifty cents; for each two-horse or two-mule team, loaded or unloaded, with or without driver, one dollar; for each single-horse carriage, with or without passengers, sixty cents; for each additional horse, mare, mule, ox or cow, fifteen cents; for each swine or sheep, five cents; all freights of merchandise, or other articles not in teams, at the rate of twenty cents per hundred weight when the same delivered by one person shall not exceed two hundred pounds, and for any excess over two hundred pounds, at the rate of ten cents per hundred weight, and fifty cents per thousand feet for lumber.

Penalties for exacting higher rates.

SECTION 7. If the said corporators, their heirs or assigns, or any ferryman or other person employed by them, shall take, exact or receive any greater or higher rate of ferrriage for transporting persons, goods and chattels, or other things whatsoever, than is allowed by this act, the said corporators, their heirs or assigns, shall be liable to the party aggrieved in the sum of five dollars for every such act, and which may be recovered before any justice of the peace of this state having by law jurisdiction over the same.

No other ferry to be maintained within points named.

SECTION 8. If any other person or persons shall, after the establishment of the said ferry as aforesaid, set up or keep or maintain any ferry, or shall carry any person, goods or chattels for hire or pay across the Mississippi river, from any place on the east side or shore of the waters of said river, within the points above specified, every such person shall for every such offense, forfeit and pay the sum of ten dollars, to be recovered as aforesaid by and for the use of any person entitled by law to sue for the same: *provided, however*, that this section shall not apply to any person or persons now having a charter or charters for keeping and maintaining a ferry from Trenton, in Pierce county, to Red Wing, in the state of Minnesota.

Prov

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

. Approved March 31, 1865.