

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 13, 1880.

[No. 339, A.]

[Published March 27, 1880.]

CHAPTER 274.

AN ACT authorizing the city of Winona to construct, operate and maintain a bridge across the Mississippi river.

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

Location of  
bridge.

SECTION 1. The city of Winona, of the state of Minnesota, is hereby authorized and empowered to construct, operate and maintain a wagon bridge across the Mississippi river, commencing at any point in the limits of the county of Buffalo, in this state, and extending to the corporate limits of the city of Winona, in the state of Minnesota.

Construction  
of wagon road.

SECTION 2. The city of Winona, in the state of Minnesota, is hereby authorized to construct and maintain a wagon road commencing at any point on a lawful highway in the county of Buffalo, in this state, and extending thence by the most direct and feasible route to the boundary line between this state and the said state of Minnesota, opposite the corporate limits of said city of Winona, and for that purpose the said city of Winona may acquire and hold for the purpose aforesaid, by purchase, gift or otherwise, as shall be agreed upon between the said city and the owners thereof, so much land not exceeding four rods in width, as shall be necessary for the construction and maintenance of said wagon road. Said city may also build, construct and maintain all such bridges and culverts as shall be necessary and convenient for the use of said wagon road. The said road hereby authorized shall be a private road and shall never become a public highway by use or otherwise, nor shall the state of Wisconsin, or any county or town therein, ever become liable in any manner therefor, or to maintain the same or any part thereof, or to any person by reason of any injuries sustained by or upon the same.

Navigation not  
to be impeded.

SECTION 3. That the portion of said bridge that shall cross the western channel of said river, from the westerly bank of said river to the sand bar or island in said river, situated at or opposite to section one, township eighteen north, of range eleven west of the fourth principal meridian, Wisconsin, shall be con-

structed as a pontoon bridge, and shall be constructed so as to offer reasonable and proper means for the passage of vessels and rafts through the same, and so as not to materially interfere with the navigation of said river.

SECTION 4. That the said city of Winona may by ordinance, determine and decide that such bridge shall be used, operated and maintained, with or without costs to the traveling public, or to persons crossing the same, or for property conveyed across the same, and should said city decide to charge a toll therefor, it may, by ordinance, control, fix and regulate the rates or charges for toll upon said bridge or any portion thereof: *provided*, that the charges for toll shall not exceed the following rates: For each foot passenger, fifteen cents; for each horse, mare or mule, with or without a rider, thirty cents; for each additional horse, mare or mule, ten cents; for each team, with vehicle, loaded or unloaded, with the passengers therein, fifty cents; for each single horse, with vehicle, with or without passengers, forty cents; for each ox or cow, ten cents; for each swine or sheep, five cents.

Authority of city.

Tolls.

SECTION 5. The said city of Winona is hereby authorized by ordinance to provide regulations for the general management of said bridge.

Management of bridge.

SECTION 6. The said city of Winona shall be liable for all damages sustained or suffered by any person traveling or being upon its said wagon road, or any bridge constituting a part thereof, caused by the improper construction of such road or bridge, or want of reasonable diligence in keeping the same in repair; and the said city of Winona shall appoint in writing a suitable person, who shall reside in the said county of Buffalo, as its agent or attorney, upon whom service of process for the commencement of actions to recover damages for any such injuries, and service of such process in the manner prescribed by law for the service of process in civil actions upon persons within this state, shall be deemed a service upon said city of Winona. Such appointment shall be deposited and filed in the office of the county clerk of said county of Buffalo. A failure to appoint and have an agent of said city in said county, as herein provided, or to pay any judgment recorded against it under the provisions hereof, shall operate as a revocation of all rights or authority conferred upon or granted to said city by the provisions of this act.

Liability for damages.

To appoint agent in Buffalo county.

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

Approved March 15, 1880.