

## CHAPTER 39.

## BLOOMINGTON FERRY.

AN ACT to amend an act entitled "an act to amend an act entitled an act to incorporate the town of Bloomington," approved, December twenty-ninth, eighteen hundred and forty.

*Be it enacted by the General Assembly of the State of Iowa,*

**SECTION 1. Ferry at Bloomington—fine for illegal ferrying.** That if any person shall ferry any person or property across the Mississippi river, from the Iowa shore of said river at the town of Bloomington, or from any point one mile above or one mile below said town, in any boat or vessel used for the purpose of ferrying, with or without compensation therefor, having no license, leave or permission from the president and trustees of the said town of Bloomington, according to the provisions of the act to which this is amendatory, such person so ferrying shall be fined in any sum not less than five dollars nor more than fifty dollars for each person or article of property that shall be so ferried, for the use and benefit of the said president and trustees; and the boat or vessel that shall be used in such illegal ferrying shall be condemned and forfeited to the said president and trustees.

**SEC. 2. Actions how brought.** That all actions or suits brought under the provisions of this act, and the act to which this is amendatory, shall be brought in the name of the state of Iowa, for the use of the president and trustees of the town of Bloomington.

**SEC. 3. Actions how commenced—duty of justice—effect of forfeiture.** That any person may commence such action by written complaint, to any justice of the peace in the town of Bloomington, setting forth the facts of such illegal ferrying, and such justice is hereby authorized, upon proof of the facts set forth in such complaint, and that notice has been served upon the person so complained against, three days previous, whether in this state or in the state of Illinois, shall proceed and render judgment against said person so complained against, for the fine before mentioned, and render judgment of forfeiture of said boat or vessel to the president and trustees, and the said boat or vessel shall thereafter be the property of the said president and trustees.

[38] **SEC. 4. Action for recovery of property.** That after such judgment of forfeiture of said boat or vessel, it shall be lawful for the said president and trustees, or their assignee or lessee, or for any person by them authorized, to enter upon such boat or vessel and seize the same, and retain possession thereof, or bring any action to replevy the same as their own proper goods and chattles, wrongfully detained.

**SEC. 5. Jurisdiction.** That the said justice shall have jurisdiction over any person resident in the state of Illinois, provided he shall have been served with notice of the pendency of said complaint.

Approved, January 24, 1848.