

for all fees to which he may be entitled by law in criminal and state cases, said accounts to be accompanied by an itemized bill of costs in each case, and taxed by one of the justices of the supreme court.

SECTION 2. There is hereby annually appropriated <sup>Appropriated.</sup> out of any money in the state treasury not otherwise appropriated, a sufficient sum to pay the amount of the account mentioned in the first section of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 11, 1873.

---



---

CHAPTER 126.

AN ACT to authorize the Stevens Point Boom Company to maintain piers and booms in the Wisconsin river.

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

SECTION 1. The Stevens Point Boom Company, as <sup>May construct</sup> now organized, under the general laws of this state, <sup>piers and booms.</sup> in perpetual succession, and its assigns, are hereby authorized and empowered to construct, build and maintain a system of piers and booms in, along and across the Wisconsin river, from a point in section thirty-two, in township twenty-four north, of range eight east, to the north line of township twenty-four north, of range seven east, at the points indicated in the articles of association of said company now on file in the office of the secretary of state, for the booming and storing of sawlogs, square and round timber, shingle bolts and other timber.

SECTION 2. That to successfully carry out the <sup>May acquire</sup> object of said company and this grant, said company <sup>title to lands</sup> is authorized to acquire the title to lands upon and <sup>contiguous to</sup> contiguous to said river, within the limits of its proposed line of piers and booms, either by purchase, lease or license, and thereon upon the bank to erect such piers and land booms as said company may determine for the purpose of booming and storing logs.

SECTION 3. When land necessary to be used by said company cannot be purchased or leased, and no right of entry thereon can be obtained, the company <sup>May apply for</sup> may apply to the circuit judge of Portage county for <sup>appointment of</sup> commissioners <sup>to condemn</sup> land.

Notice of affidavit to be served.

the appointment of commissioners to view, inspect, appraise and condemn such land, or so much thereof as may be by the company claimed as necessary for its use: *provided*, that notice of such application shall be served personally upon the parties interested, at least six days prior to such hearing, or if not personally served, then by publishing said notice of application for two successive weeks in a newspaper published in the city of Stevens Point, Wisconsin, the last publication to be at least six days prior to such hearing; and in their application to the circuit judge, they shall specify what lands are necessary for the use of the company, and if on such application the circuit judge shall deem any of such lands necessary for the use of the company in the construction of their system of piers and booms, he shall thereupon appoint three disinterested persons to act as such commissioners; and in their appraisal and award, said commissioners shall designate the amount necessary for the use of the company in acres, and its width and length, and the value thereof, and injury the rest sustains, if any, by such taking, and shall file their award within twenty days after making the same in the office of the clerk of the circuit court of Portage county: *provided*, no appraisal or award shall be made unless the owner of such land shall have had at least ten days personal service of the notice of the time when the commissioners shall make their inspection of the premises, an appraisal and award, and if no personal service can be had, then only after a notice of such inspection, appraisal and award shall have been published at least three successive weeks in a newspaper published in said county.

Notice of inspection of premises to be given.

When amount of award is paid or deposited, land may be used.

SECTION 4. Whenever the company shall pay to the owner of the land condemned, or deposit the amount of the award with the clerk of said court, it may then enter upon said land, remove the soil, dig stone, construct canals, and build piers, and locate and hang booms thereon: *provided, however*, that any person claiming an interest in said land may, at any time within thirty days after filing of the award, appeal therefrom by filing a notice of such appeal with the clerk of the circuit court, and serving a copy thereof on any of the officers of said company, and thereupon the clerk shall enter the cause upon his docket, and the same proceedings shall be had thereon in the circuit court as in an action of law originally brought therein.

SECTION 5. The company are hereby authorized to enter upon all sloughs, bayous, arms and branches of said river, and to improve the same for holding and storing logs, and cut a canal along such sloughs, across the bend of the river on sections fourteen, twenty-three, twenty-four, twenty-five, and twenty-six, in township twenty-four, range seven east, in Portage county, for the purpose of storing logs, and to facilitate the navigation of rafts, barges, boats, logs and timber or other property passing along said river: *provided, always*, that a free and easy passage be by said company at all times preserved or constructed so that the navigation be not impeded or hindered for rafts, boats, barges, logs and timber, or other property, floating or running on the waters of said river.

May cut canals through sloughs and bayous.

Navigation not to be obstructed.

SECTION 6. A free and easy passage for rafts, boats, barges, logs and lumber, of at least eighty feet shall be by said company maintained in the main Wisconsin river, until such time as Benjamin Single, Jr., C. Clark, of Marathon county, and John Finch, of Portage county, or any two of them, shall make and file with the clerk of the circuit court of Portage county, their certificate that the said slough, known as the Bessie slough, has been so improved as to admit of the free and easy passage for rafts, boats, barges, logs and lumber, or property floating or running on the waters of said river.

Free and easy passage to be maintained.

SECTION 7. Said company is hereby authorized to purchase, hold, use and enjoy any charter heretofore granted, authorizing the construction of piers and booms in said river between the points herein specified.

May purchase any former charter.

SECTION 8. Any person who shall unlawfully injure or destroy any of the piers, booms or other works, or open the boom of said company, shall be liable in treble the amount of the actual damages, to be by the company recovered by an action at law.

Penalty for injury to booms.

SECTION 9. This act shall be held to be a public act of the state of Wisconsin, and shall be in force from and after its passage.

Approved March 12, 1873.