

the following, to wit: "The said commissioners are hereby fully authorized and empowered to act as arbitrators in the premises, and to make such awards as they may deem just and equitable.

Approved March 7, 1874.

CHAPTER 153.

AN ACT to authorize W. A. Talboys and H. H. Hanscom to maintain a dam on north fork of Clam river, in Barron county

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

Authorized to maintain a dam

SECTION 1. W. A. Talboys and H. H. Hanscom, their heirs and assigns are hereby authorized to maintain and keep up a dam across the north fork of Clam river at a point on the southeast quarter of the northeast quarter of section number five (5), in township numbered thirty-seven (37), range fourteen (14), west, *provided*, that such dam shall not raise the water to exceed ten feet.

Build slides, etc.

SECTION 2. The aforesaid persons, their heirs and assigns, shall build suitable slides in said dam for running logs, timber and lumber over the same, and shall keep the same in repair. The same shall be kept open at all times when the river is in a driving stage, and there are logs, timber or lumber to run over said dam and when it is not necessary to hold the water back for the purpose of driving or flooding logs, timber or lumber below the dam for which purpose flood gates shall be kept in repair, and built in such manner as to be shut or opened as the case may require to flood the said logs, timber or lumber.

Shall enjoy privilege for ten years.

SECTION 3. The aforesaid persons their heirs and assigns shall enjoy the privileges granted in this act for the term of ten years.

When may collect tolls.

SECTION 4. When the aforesaid persons their heirs or assigns, shall have completed the said dam as aforesaid they are hereby authorized and empowered to receive and collect from the owners of all logs, timber and lumber passing over such slides or driven by the aid of such dam, as a compensation for keeping and maintaining such dam, the sum of ten cents per thousand feet board measure, the amount to be ascertained by scale on the landings in the woods, and the afore-

said persons, their heirs and assigns shall have a lien upon all logs, timber and lumber run over said dam above specified until the charges aforesaid shall be paid, *provided* that they shall at all times comply with the provisions of section two of this act.

SECTION 5. The control of said dam, the slides and gates of the same shall belong to the aforesaid persons their heirs and assigns, but subject always to the provisions of section two of this act. Who control dam, etc.

SECTION 6. Nothing in this act shall be so construed as to give the parties aforesaid, their heirs and assigns any right to shut down the gates of said dam during the months of July, August and September in each year, but the said dam and the gates thereof shall remain open during said months, and the waters of said north fork of Clam river shall flow free and unobstructed through said dam during the months aforesaid. How construed.

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

Approved March 7, 1874.

CHAPTER 154.

AN ACT to authorize David E. Tewksbury to maintain a dam or dams on the north fork of Clam river, in Barron county.

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

SECTION 1. David E. Tewksbury, his heirs and assigns are hereby authorized to maintain and keep up a dam or dams across the north fork of Clam river, at a point or points on the following described tract or tracts of lands, to wit; one of said dams shall be kept up and maintained on the southwest quarter of section number one (1) in township numbered thirty-seven (37) range fourteen (14) west; and one of said dams to be kept up and maintained on the northwest quarter of the northeast quarter of section number ten (10), township numbered thirty-seven (37), range fourteen (14) west: *provided*, that such dam or dams shall not raise the water to exceed twelve feet, and if the water so raised shall flow any land not owned by the said party or his assigns, he or they shall be liable for all damages to be recovered by suit in the circuit court. Authorized to maintain and keep a dam.