

SECTION 3. For any tolls or charges as herein provided, which shall remain due and unpaid, the party to whom such tolls or charges shall be due and owing, shall have a lien on all logs and timber upon which such tolls or charges, or any part thereof, shall remain unpaid, and on all other logs on said river, or remaining within this state, owned by the parties from whom such tolls and charges are due, and may enforce the same in the same manner as other liens for service and labor on logs and timber are enforced, and for this purpose may hold and detain such logs and timber, at any place on the Eau Claire and Chippewa rivers, until such tolls and charges are paid.

Tolls and charges to be lien on logs or timber,

SECTION 4. The provisions of this act shall not apply to logs or timber put in said river during the present logging season of 1875 and 1876.

Proviso.

SECTION 5. This act shall take effect and be in force from and after its passage.

Approved March 9, 1876.

CHAPTER 221.

[Published March 16, 1876.]

AN ACT to enable certain towns, villages and cities to construct and improve harbors.

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

SECTION 1. Any town, village or city, such city not having more than two wards, bordering on Lake Michigan or Green Bay, may lay out grounds for the purposes of a harbor or for harbor improvements, and appropriate such grounds in the manner hereinafter set forth for such purpose.

Corporations may appropriate grounds for harbor purposes.

SECTION 2. Upon the application of fifteen (15) freeholders and voters of such town, village or city, to the circuit judge of the circuit in which such town, village or city shall be, setting forth that the harbor facilities of such town, village or city are insufficient for the public wants, he shall select and appoint three freeholders and voters of such town, village or city, to locate and appraise the grounds for a harbor, or for harbor improvements. Such appointment shall be under the hand and seal of such judge, and shall be

Judge of circuit court to appoint persons to locate and appraise grounds.

filed and recorded in the register's office of the county wherein such lands or any part of the same shall be; and such appointment shall take effect from such filing and recording. The persons so appointed shall be called harbor commissioner of such town, village or city.

Harbor commissioners to take oath.

SECTION 3. Before the said commissioners shall proceed to the execution of their duties, they shall take an oath of office that they will locate the grounds for harbor or harbor improvements so that according to their judgment the public interests shall be best subserved thereby, and that they will not be influenced by any private or personal considerations, and that they will impartially estimate and appraise the value of the same, and the damages or injury which the owner or owners thereof shall sustain by reason of the taking of such land for the construction of such harbor improvements.

Notice of meeting for appraisal to be given.

SECTION 4. After the said commissioners shall have located such grounds, they shall appoint a time and place where they will meet to appraise the grounds so located. Public notice of such meeting shall be given at least ten days before such meeting, by posting a written or printed notice thereof in five (5) of the most public places in such town, village or city, and by personal service on the person in possession, when he can be found in such town, village or city. At the time and place so appointed, the owners of such grounds may appear and make such suggestions as they shall see fit.

Appraisal to be filed with register of deeds.

SECTION 5. The said commissioners shall, within five (5) days after such meeting for appraisal, make and file with the register of deeds of the proper county a report describing the lands so taken, and their valuation thereof, the valuation being separate for each separate owner, where the ownership can be ascertained.

Appeal to circuit court.

SECTION 6. The owner of any land so located may appeal from such appraisal to the circuit court of the county where the lands shall lie, within sixty (60) days after the filing and recording of such report, which appeal shall be tried in the same manner as other issues in said court.

Special election for voting tax.

SECTION 7. Within twenty (20) days after filing of such report, the said commissioners shall call a special election of the said town, village or city for the purpose of voting a tax to pay for the lands so appropriated, giving at least six (6) days notice, by

posting notices thereof in at least three (3) of the most public places in such town, village or city. Such call shall specify the purpose and amount of the tax. The voting shall be by ballot, and the form of the ballot shall be, "For the tax," "Against the tax." If a majority of the ballots shall be for the tax, then the tax shall be levied as other taxes are, but shall be kept distinct, and shall be paid to the owners of the land upon the order of the circuit court.

SECTION 8. When such tax shall have been voted, or payment for such lands made or tendered to the owner thereof, the said lands may be taken for the purpose aforesaid. When lands may be taken.

SECTION 9. Any such town, village or city may receive any donation of such lands, by a deed thereof, running to such town, village or city, specifying the purpose for which donated. It may also receive any donation to be applied as the donor shall direct in aid of the construction of such harbor or harbor improvements. Corporation may receive donations.

SECTION 10. Any judgment of such circuit court, upon the appeal hereinbefore provided for, shall be inserted in the tax roll and collected as other taxes are collected. Judgment of court to be inserted in tax roll.

SECTION 11. The expenses of the commissioners in the performance of their duties under this act, shall be a charge against such town, village or city. How expenses paid.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved March 9, 1876.

CHAPTER 222.

[Published April 4, 1876.]

AN ACT repealing chapter one hundred and forty-seven (147), of the the private and local laws of 1871, relating to taking of fish in Pike lake, Washington county, Wisconsin, and all acts amendatory thereof.

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

SECTION 1. Chapter one hundred and forty-seven Repealed. 147), of the private and local laws of 1871, and all acts amendatory thereof, are hereby repealed.