

[Published March 1, 1877.]

CHAPTER 43.

AN ACT to amend chapter 220, of the laws of Wisconsin, approved March 9, 1876, entitled "An act to improve the south branch of the Eau Claire river and its tributaries, in Clark county."

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

SECTION 1. Strike out all after the enacting clause in said act and insert the following: Section 1. For the purpose of improving the south branch of the Eau Claire river and its tributaries in Clark county and state of Wisconsin, so as to facilitate and improve the driving and floating of logs and timber in and down said branch of said river, and its tributaries, as is situate in the county of Clark, William A. Rust, his associates or assigns, are hereby authorized and empowered to improve said branch of said river, and its tributaries, by building dams, clearing and straightening channels, closing sloughs and otherwise, so as to improve said river or its tributaries for driving and floating of logs and timber, and keep the same in repairs and at all times operate the same for the driving and floating of all timber and logs that may be put in said river or its tributaries, for the purpose of being floated and driven down and out of said river and its tributaries.

Amended.

Authority to improve river.

SECTION 2. Whenever the said Rust, his associates or assigns shall have so improved said branch of said river or its tributaries as to render the driving and floating of logs and timber down and out of said branch of said river practicable and reasonably certain, with such rises of water and freshets as are necessary in connection with such improvements to float and drive logs from below the north line of section thirty-four (34) in township twenty-eight (28) of range three (3) west, the said Rust, his associates or assigns, shall be entitled to charge, collect and receive in consideration of such improvements and the facilities obtained thereby, from any and all persons owning or controlling such logs or timber in said branch of said river or its tributaries, ten cents toll per thousand feet, board measure, on all logs and timber designed and intended to be driven down said river that are put in above the north line of section fifteen (15) and sixteen (16) in township twenty-six (26) of range four (4) west, and

Rates of toll.

five cents toll per thousand feet on all logs and timber put into said branch of said river or its tributaries below the north and east lines of section sixteen (16) in township twenty-six (26) of range four (4) west, the mouth of said south branch in section fifteen (15) in township twenty-six (26) of range five (5) west, and the amount of such logs and timber to be determined by and under the lumber inspector of the district in which said river is situate, or by the mutual agreement of the parties.

Authority to take possession of logs and timber.

SECTION 3. Whenever the said Rust, his associates and assigns shall have so improved said south branch of the Eau Claire river and its tributaries, as is provided in section two (2) of this act, they shall be authorized to take possession of all logs and timber put into said branch of said river or its tributaries, to be floated down the same (the owners or agents of which have not made adequate provisions for driving the same, or which may be in the way of the main drive on said river or its tributaries), and to drive the same down and out of said branch of said river, and shall be entitled to charge, collect and receive for such service from the owners of all such logs and timber, so driven as aforesaid, twenty-five cents per thousand feet, board measure; *provided*, that for all logs and timber driven from below the south line of section fifteen (15) on township twenty-seven (27), range three (3) west, in said branch of said river, no more than fifteen cents per thousand feet shall be charged or collected, the amount of such logs and timber to be determined in the same manner provided in section two (2) of this act.

Charges to be lien upon logs and timber.

SECTION 4. For any charges for tolls or otherwise, that the said Rust, his associates or assigns, may have on account of said improvements, or for the driving of any logs or timber under this act, the same shall be a lien upon such logs and timber as may be put in said south branch or its tributaries, or that may be driven down said branch or tributaries of said river by said Rust, his associates or assigns, and unless paid on or before five days after said logs or timber are driven out of said branch of said river, the charges shall become a lien on such logs and timber, and may be enforced by said Rust, his associates or assigns, in the same manner as other liens for services and labor on logs are enforced, and for this purpose may hold and detain such logs and timber at any place on the Eau Claire or Chippewa river, until such toll and charges are paid.

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

Approved February 24, 1877.

[Published February 28, 1877.]

CHAPTER 44.

AN ACT to legalize the acts of Joseph Mason, a justice of the peace of the county of Grant.

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

SECTION 1. All the official acts heretofore done by Joseph Mason, a justice of the peace of the town of Hazel Green, in Grant county, are hereby declared to be as valid and binding in all respects as though the said Joseph Mason had filed his official oath and bond in the proper office within the time allowed therefor by law. Acts legalized.

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

Approved February 24, 1877.

[Published February 28, 1877.]

CHAPTER 45.

AN ACT to legalize the acts of O. B. Stevens, a justice of the peace of the county of Shawano.

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

SECTION 1. All the official acts heretofore done by O. B. Stevens, as a justice of the peace of the town of Maple Grove, in Shawano county, are hereby declared to be as valid and binding in all respects as though the said O. B. Stevens had filed his official oath and bond in the proper office within the time allowed therefor by law. Acts legalized.

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

Approved February 24, 1877.