

as the said section requires the north Wisconsin railway company to construct a railway from Hudson to River Falls.

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

Approved March 11, 1880.

[No. 180, S.]

[Published March 17, 1880.]

CHAPTER 177.

AN ACT to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa.

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

SECTION 1. For the purpose of improving Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa in the state of Wisconsin, so as to facilitate and improve the driving and floating of logs in and down so much of said Otter creek as is situated below or south of the south line of section seven, of town twenty-nine north, of range four west, in Clark county, Delos R. Moon, his associates or assigns, are hereby authorized and empowered to improve said portion of said Otter creek, by building dams, closing sloughs and straightening channels, clearing the same and otherwise so as to improve said portion of said creek for driving and floating logs and timber, and keep the same in repair, and operate at all times the same for the driving and floating of all logs and timber that may be put in said Otter creek for the purpose of being floated or driven down and out of said creek.

Location of dams.

SECTION 2. Whenever the said Delos R. Moon, his associates or assigns, shall have so improved that portion of said Otter creek, which is below or south of the south line of section seven, of town twenty-nine north, of range four west, of Clark county, so as to render the floating and driving of logs and timber down said portion of said creek, from the said south line of said section seven to the mouth of said creek, reasonably certain and practicable, and shall maintain and operate the same so that logs and timber can be so driven down said portion of said creek with reasonable certainty on such freshets, and with such rises of water as are necessary to float and drive logs in connection with such aforesaid improvements, then the said Delos R. Moon, his associates or assigns, in consideration of such

When toll may be charged.

improvements, and the facilities obtained thereby, shall be and hereby are authorized to charge, and shall be entitled to collect and receive of any and all persons owning or controlling logs in said creek, twenty cents per thousand feet, board measure, for all logs put into said Otter creek above the south line of section thirteen, of town twenty-nine, of range five west, in Clark county, and ten cents per thousand feet, board measure, for all logs and timber put into said creek, below said south line of said section thirteen, as toll on all logs and timber designed and intended to be floated down same.

Tolls.

May drive logs not their own.

SECTION 3. Whenever the said Moon, his associates or assigns, shall have so improved said portion of said Otter creek as aforesaid, as provided in section two of this act, he or they shall be and hereby are authorized to take possession of all logs and timber put into said creek to be floated or driven down the same (the owners of which shall not have made adequate provision for driving the same, or which may be in the way of the main drive on said river), and to drive the same down said Otter creek to or out of the mouth thereof, and shall be and hereby are authorized to charge and entitled to collect and receive of the owners of such logs or timber, twenty-five cents per thousand feet, board measure, for all of such logs or timber so driven in said creek, and to or out of the mouth thereof.

Compensation therefor.

Toll to be lien upon logs.

SECTION 4. For all such charges for toll or otherwise, on account of such improvements, or for the driving of any logs or timber under this act, the said Moon, his associates or assigns, may have and the same shall be, a lien upon all such logs and timber as may be put in said creek to be floated or driven down said portion thereof, or that may be driven down said creek by said Moon, his associates or assigns, and upon all other logs of the same mark. And such lien may be enforced in every respect in the same manner as any other lien for labor or services on logs is or can be enforced under the provisions of any law of this state.

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

Approved March 11, 1880.