

[No. 197, S.]

[Published March 17, 1880.]

## CHAPTER 178.

AN ACT to authorize Delos R. Moon, his associates or assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire.

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

SECTION 1. For the purpose of improving Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire, in the state of Wisconsin, so as to facilitate and improve the driving and floating of logs and timber in and down so much of said Muskrat river as is situated south of the north line of township twenty-seven (27) north, of range five (5) west, in Eau Claire county, Delos R. Moon, his associates or assigns, are hereby authorized and empowered to improve said portion of said Muskrat river by building dams, clearing, straightening channels, closing sloughs and otherwise, so as to improve said portion of said river 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 Muskrat river for the purpose of being driven and floated down and out of said river. Location of dam.

SECTION 2. Whenever the said Delos R. Moon, his associates or assigns, shall have so improved that portion of said Muskrat river below the said north line of said township twenty-seven, so as to render the floating and driving of logs and timber down said portions of said river, from the said north line of said township twenty-seven to the mouth of said Muskrat river, reasonably certain and practicable, and shall maintain and operate the same so that logs and timber can be so floated and driven down said portions of said river 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; that the said Delos R. Moon, his associates or assigns, in consideration of such 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 or timber in said portions of said Muskrat river, twenty cents per thousand feet, board measure, for all logs or timber put into said Muskrat river above the south line of section eighteen in said township twenty-seven north, of range five west; and ten cents per thousand When tolls may be charged.

Tolls.

feet, board measure, for all logs and timber put into said Muskrat river below said south line of said section eighteen, as toll on all logs and timber designed and intended to be floated or driven down the same.

May drive logs  
not their own.

SECTION 3. Whenever the said Delos R. Moon, his associates or assigns, shall have so improved said portions of the said Muskrat river 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 river to be floated or driven down the same (the owners of which shall not have made adequate provisions 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 Muskrat river 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, seventy-five cents per thousand feet, board measure, for all of such logs or timber so driven from above the south line of said section eighteen of said town twenty-seven, range five west, to or out of the mouth of said Muskrat river, and thirty-five cents per thousand feet, board measure, for all other such logs or timber driven to or out of the mouth of said river: *provided*, that for all of such logs or timber so driven a less distance than five miles, no more than ten cents per thousand feet, board measure, shall be so charged, collected and received.

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 Delos R. 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 Muskrat river, to be floated or driven down said portion of said river, or that may be driven down said river by said Delos R. Moon, his associates or assigns, and upon all other logs and timber of the same mark and lot; and such liens may be enforced in every respect in the same manner as any other lien for labor or service on logs is or can be enforced under the provisions of any law of this state.

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

Approved March 11, 1880.