

trial of any action commenced before a justice of the peace or municipal court by process personally served, or wherein the defendant shall enter his appearance in such justice or municipal court and pending upon appeal to the circuit court of the county in which the defendant resides upon his motion made at the first term at which the action shall be noticed for trial if it shall be shown that he was, when the action was commenced, a resident of such county. In actions pending on appeal at the time of the passage of this act, such application may be made at the first term thereafter at which the cause could be noticed for trial.

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

Approved April 8, 1885.

[No. 23, A.]

[Published April 16, 1885.]

CHAPTER 367.

AN ACT to authorize George W. Mason and others to maintain a dam across Popple Creek, in Price county.

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

SECTION 1. George W. Mason, David Dubach, Allen Burdette and George W. Prescott, their heirs and assigns, are hereby authorized to construct and maintain, or to maintain, a dam across Popple Creek, in Price county, Wisconsin, on lands owned by them in section twenty-eight, town thirty-eight, range two east. Said dam is hereby authorized to be maintained eight feet high, for manufacturing and log-driving purposes. Said dam shall be maintained with suitable slides for the passage of logs, and the parties maintaining the same shall be entitled to, and are hereby authorized to charge, sue for, and collect of the owners of logs and timber hereafter to be driven down the said stream, the sum of ten cents for each thousand feet, board measure, as and for compensation for the benefits derived from the mainten-

Authorized to build a dam.

ance of said dam, for which charges they shall be entitled to a lien on said logs and timber, and may enforce the same as provided, or as may hereafter be provided by law, in case of liens for labor on logs. The legislature hereby reserves the right to alter or amend this act.

SECTION 2. This act shall be in force from and after its passage and publication, and all other acts, so far as they conflict with the provisions of this act, are hereby repealed.

Approved April 8, 1885.

[No. 479, A.]

[Published April 15, 1885.]

CHAPTER 368.

AN ACT relating to the survival of actions, and amendatory of section 3252, of the revised statutes.

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

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tions.

SECTION 1. Section 3252, of the revised statutes, is hereby amended so that said section shall read as follows: Section 3252. For wrongs done to the property, rights or interests of another, for which an action might be maintained against the wrong-doer, an action may be brought by the executors or administrators of the person injured after his death, against such wrong-doer, and, after his death, against his executors or administrators. But this section shall not extend to actions for slander or libel.

Approved April 8, 1885.