

at the expiration of six months from the date of such election, cease to be an incorporated village. Within six months the village board shall dispose of the village property and settle, audit and allow all just claims against the village. It shall settle with the village treasurer and other officers of the village, and shall cause assets of the village to be used in paying the debts thereof. If anything remain after paying the village debts, it may designate the manner in which the same shall be used. If it has not sufficient funds to pay the debts of the village, it may levy a tax to cover such deficiency, which shall be collected as other taxes, and shall be paid out by the town treasurer in payment of the outstanding village orders or bonds; and in case of such dissolution of the village, the territory embraced therein shall revert to and become a part of the town from which it was taken, or in which it is then located.

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

Approved March 29, 1895.

No. 351, A.]

[Published April 3, 1895.

CHAPTER 101.

AN ACT to authorize Abe Johnson to purchase or build and maintain certain dams or other improvements upon Yellow river, in the county of Burnett, in the state of Wisconsin.

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

SECTION 1. For the purpose of improving the navigation of Yellow river, in the county

Authorized to construct a dam.

of Burnett, in the state of Wisconsin, Abe Johnson, his heirs or assigns, are hereby authorized to purchase or build, maintain or operate, dams across Yellow river, in said county and state aforesaid, at such points as he may select in the sections and townships hereinafter described, viz.: One dam, to be so purchased or built, maintained and operated, at such point as said Abe Johnson may select in section seven, township forty north, of range sixteen west; one dam, to be purchased or built, maintained or operated, at such point as said Abe Johnson may select in section twenty, township thirty-nine north, of range fourteen west; and also to build and maintain such booms and other improvements upon Yellow river in connection with said dams as may be necessary to facilitate the driving of logs down said Yellow river, and the sluicing of the same through said dams.

How to be constructed and control of same.

SECTION 2. The dams authorized by this act shall be constructed and maintained with suitable gates and sluices for the passage of logs over the same, and the management and control of the said water collected therein, in aid of the navigation of said river; and the said dams and each of the same, together with their gates and sluices, and all other improvements erected or maintained upon said river by said Abe Johnson, his heirs or assigns, under the provisions of this act, shall at all times be under the exclusive control of said Abe Johnson, his heirs or assigns, and be so controlled and managed as in the judgment of said Abe Johnson, his heirs and assigns, will be subservient to the interest of the parties engaged in driving logs down said river.

Compensation for running logs and timber, etc., over same.

SECTION 3. As compensation for the improvements made upon said Yellow river, when said Abe Johnson, his heirs or assigns, shall have erected or purchased, and shall maintain said dams across said river, in the townships and ranges aforesaid, the said Abe Johnson, his heirs and assigns, shall be entitled to, and they are hereby authorized and empowered to

demand, receive, levy, sue for and collect as toll, the sum of six cents per thousand feet, board measure, on all logs or timber sluiced or driven through, or by the aid of either of said dams, or the waters collected therein. And when such logs or timber shall be sluiced or driven through more than one of said dams by aid of the water collected therein, then the said Abe Johnson, his heirs or assigns, shall be entitled to, and they are hereby authorized and empowered to demand, receive, levy, sue for and collect as toll the sum of six cents per thousand feet, board measure, for each of said dams, through which said logs or timber shall be sluiced or driven. And the said Abe Johnson, his heirs or assigns, are hereby authorized to receive and demand said toll before they shall be required to permit the use of the water retained by said dam or dams, for the purpose of sluicing or driving any logs or timber on said river; and in case any logs or timber are sluiced or driven down said river through or below any of said dams, with the consent of said Abe Johnson, his heirs or assigns, or otherwise, without the toll thereon being first paid, the said toll shall be and remain a lien upon all of said logs or timber bearing the same mark until the said toll is paid, which said toll shall have precedence of any and all liens or claims upon said logs or timber, except liens for labor; and the lien thereby given shall be enforced in the same manner and with like effect as liens for labor upon logs, as provided in chapter 103, of the revised statutes of 1878, and the several acts of the legislature amendatory thereof, which said chapter and the acts amendatory thereto are hereby made applicable hereunto, except that the statement of the debt or demand therein required to be filed in the office of the clerk of the court may be filed at any time prior to the first day of October in the year in which the sluicing or driving of said logs or timber through said dams, or any of the same, shall have been done or permitted. The owner or

owners of any logs or timber sluiced or driven down said river through or below said dams, or any of the same, shall be liable for the toll thereof, and any person having a mortgage upon said logs at the time the same are so sluiced or driven, who shall afterwards sell or take possession of said logs by virtue of said mortgage, shall thereby become liable for the toll due thereon; and the said Abe Johnson, his heirs or assigns, are hereby authorized to sue for and receive or recover the same from said mortgagee.

Statutory.
powers.

SECTION 4. Said Abe Johnson, his heirs or assigns, for the purpose of acquiring any flowage rights that may be deemed necessary in carrying out the provisions of these acts, may exercise all the powers granted to corporations by section 1777, of the revised statutes of 1878, and the several acts of the legislature amendatory thereto; and all the provisions of chapter [section] 1777, and said chapter 146, mentioned therein, are hereby made applicable hereunto.

SECTION 5. All acts and parts of acts, in conflict with the provisions of this act, are hereby repealed.

SECTION 6. The right to alter, amend or repeal this act is hereby reserved.

SECTION 7. This act shall take effect and be in force from and after August 1, 1895.

Approved March 29, 1895.