

No. 647, A.]

[Published March 23, 1895.]

CHAPTER 60.

AN ACT to authorize Henry Sherry and A. L. Maxwell to build and maintain a dam across Turtle river in Iron county.

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

SECTION 1. Henry Sherry and A. L. Maxwell, their heirs and assigns, are hereby authorized and empowered to construct, maintain and keep a dam or dams across Turtle river, on such part thereof as they may select in the county of Iron and state of Wisconsin, for the purpose of improving the navigation of said river and facilitating the driving of logs, timber or lumber down the same, and for hydraulic and manufacturing purposes; providing that said dam or dams shall be subject to all the provisions of law relating to the flowage of lands, and shall not interfere with the rights of any person heretofore acquired. The aforesaid persons, their successors, heirs or assigns, shall build suitable slides or chutes in said dam or dams of sufficient width for running logs, timber or lumber over the same, and shall keep the same in repair.

Authorized to construct a dam.

SECTION 2. The control of said dam or dams, the slides, gates and chutes of the same, shall belong to said Henry Sherry and A. L. Maxwell, their heirs and assigns, and to be under their exclusive control, subject always to the driving purpose of section 1, of this act. The said dam or dams shall be kept open at all times when the river is at a driving stage and there are logs, timber or lumber to run over the said dam or dams.

Control of dam.

SECTION 3. As compensation for the improvement of said Turtle river, and for facilitating the driving of logs and timber down the same, when said Henry Sherry and A. L.

Compensation and toll that may be charged for the running of logs through the sluices.

Maxwell, their heirs and assigns, shall have erected and maintained said dam or dams across said river aforesaid, they shall be entitled, and they are hereby authorized and empowered to demand, receive, levy, sue for and collect as a toll the sum of ten cents per thousand feet, board measure, on all logs or timber sluiced or driven through or by the aid of said dam or dams or the waters collected therein. And the said Henry Sherry and A. L. Maxwell, their heirs and assigns, are hereby authorized and empowered to demand and receive the 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 said dam or dams with the consent of said Henry Sherry and A. L. Maxwell, their heirs and assigns, or otherwise, without the toll thereon having first been 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 lien shall take precedence of any or all liens or claims upon said logs or timber except liens for labor; and the lien hereby given shall be enforced in the same manner and with like effect as liens for labor upon logs, as provided in chapter 143, of the revised statutes of 1878, and the several acts of the legislature amendatory thereof, which said chapter and the several acts amendatory thereof 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 circuit court may be filed at any time prior to the first day of October in the year in which the last sluicing or driving of such logs or timber shall have been cut. The owner or owners of any logs or timber sluiced or driven down said river, through or below said dam or dams, 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 such logs by virtue of the said mortgage, shall thereby become liable for the toll due thereon, and the said Henry Sherry and A. L. Maxwell, their heirs and assigns, are hereby authorized to sue for, collect and receive the same from such mortgagee.

SECTION 4. The right to alter, amend or repeal this act is hereby reserved.

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

Approved March 21, 1895.

No. 339, S.]

[Published March 22, 1895.

CHAPTER 61.

AN ACT to amend chapter 98, of the laws of 1881, entitled, "An act to provide for a consolidation of joint school districts numbers two and five of the city and town of Ripon, and to provide for the support and management of public schools therein."

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

SECTION 1. That section 2, of said chapter 98, of the laws of 1881, be and the same is hereby amended to read as follows: Section 2. There shall be elected in each of the First and Third wards of said city of Ripon, at the time of holding the charter election in April, 1895, two (2) commissioners of public schools, by the qualified electors within the territorial limits of said union school district, one of which commissioners shall be elected in each of said wards for a term of two (2) years and one for a term of three (3) years; and at each succeeding annual charter election thereafter there

Consolidation
of Jr. school
districts.