

CHAPTER 398.

[Published April 7, 1876.]

AN ACT to change the time for holding the circuit court in Grant county, in the Fifth circuit, and to fix the days of commencement of the terms of the circuit court of the Fifth judicial circuit.

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

When terms in various counties shall be held.

SECTION 1. The general term of the circuit court of the Fifth judicial circuit shall be held in the county of Grant on the first Tuesday in February and the second Tuesday in September in each year; in the county of Iowa on the fourth Tuesday in March and the first Tuesday in October in each year; in the county of La Fayette on the fourth Tuesday in June and the first Tuesday in December in each year; in the county of Richland on the second Tuesday in April and the fourth Tuesday in October in each year; in the county of Crawford on the fourth Tuesday in May and second Tuesday in November in each year; and all writs, notices, motions, orders, services, processes, proceedings and recognizances, commenced, made or entered into, in or from said court or for said counties, and all proceedings pending therein, or returnable thereto, whether by recognizance or otherwise, shall be held and taken as returnable on the days above mentioned.

SECTION 2. All acts or parts of acts in conflict with the provisions of this act are hereby repealed, and this act shall take effect and be in force from and after its passage.

Approved March 13, 1876.

CHAPTER 399.

[Published April 6, 1876.]

AN ACT to facilitate the driving of logs down the rivers of this state and their tributaries.

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

Incorporated companies may improve rivers

SECTION 1. All incorporated companies organized or which shall hereafter organize under chapter one hun-

dred and forty-four, of the general laws of Wisconsin for the year 1872, and the acts amendatory thereof, for the purpose of driving, sorting and delivering logs on the rivers of this state, and their tributaries, and for the improvement of such rivers and tributaries for such purpose, their successors and assigns, are hereby authorized and empowered to improve any of such rivers and tributaries, or any part thereof, by clearing and straightening the channels thereof, closing sloughs, erecting sluice ways, booms of all kinds, necessary side, rolling and flooding dams, or otherwise; *provided, however,* that such works of improvement shall not materially obstruct or impede navigation upon such rivers or tributaries. And in case any such company shall make such works of improvement, and shall keep in repair and operate the same so as to render the floating and driving of logs down any of such rivers and tributaries practicable and reasonably certain, it shall be entitled to have, receive and collect reasonable tolls for the use and enjoyment of such improvements, to be established and regulated by the directors of such company, subject, however, to the alteration and revision of the legislature of this state.

and collect
tolls on same.

SECTION 2. In case it shall be necessary to take, flow or injure any lands and property in the construction of the works of improvement hereby authorized, the companies making such works, their successors and assigns, shall be subject to all of the provisions, and entitled to all the benefits, of chapter fifty-six of the revised statutes of Wisconsin, entitled, "Of mills and mill-dams," and of the acts of the legislature amendatory thereof.

How overflow
or injury of
land to be
settled.

SECTION 3. It shall be lawful for the companies making such works of improvement, their successors and assigns, to take possession of all logs put into such rivers or tributaries, to be floated down the same, of which the owners or the agents of the owners shall not have made adequate provisions for driving by furnishing all necessary tools, men, teams, equipments and provisions for breaking rollways at the proper time, or making in due time a thorough drive of such logs down such rivers or tributaries so improved, without hindering the main drives, and to drive the same down and out of such rivers and tributaries and sort and hold the same, and shall receive and collect therefor the actual costs and expenses incurred therefor and incident thereto.

When owners
of logs fail to
drive same in
proper manner,
company making
improvement
may take
possession of
and drive.

Tolls to be lien
on logs.

SECTION 4. For the tolls and the amount of costs and expense as herein provided, such companies shall have a lien on the logs for which the same were incurred, and may enforce the same by seizure of the whole or any part thereof at any time and from whomsoever may have possession thereof, and by a sale of so much thereof as shall be necessary to pay the amount of such lien upon giving ten days notice as provided by law for giving notices on sales of personal property on execution or justices' judgment, or may enforce such lien in the same manner as if [is] provided for the enforcement of liens.

Dam or other
obstruction not
to be made
below head of
steamboat
navigation.

SECTION 5. Nothing contained in this act shall be construed as authorizing the construction of any dam across any river in this state below the first natural impassible barrier to steamboat navigation, existing above its mouth, or of any works which will materially obstruct the navigation of such portions of any such river, or as authorizing the obstruction in any manner of any slough in any such portion of any river, unless said company, their successors or assigns, shall own the entire shores on both sides of such sloughs, or have the written consent thereto of the owners thereof.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved March 13, 1876.

CHAPTER 400.

[Published April 4, 1876.]

AN ACT to authorize the governor to purchase the cabinet and library of the late Increase A. Lapham.

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

Governor au-
thorized to
purchase cabi-
net and library.

SECTION 1. The governor is hereby authorized and directed to procure by purchase the cabinet and library of the late Increase A. Lapham; *provided*, that the cost of the same shall not exceed the sum of ten thousand dollars.

Cabinet and li-
brary to be
placed in state
university.

SECTION 2. In case of the purchase of said cabinet and library, the governor shall cause the same to be placed and kept in the State University.