

Rates of toll.

to receive and may charge and collect for such service, in toll, twenty cents per thousand feet, board measure, for and upon all logs and timber put in said branch of said creek, designed and intended to be run out of the same; the amount of said logs and timber to be determined by and under the direction of the lumber inspector of lumber district number 2, or one of his deputies, or by the mutual agreement of both parties.

Charges for toll to be lien on logs and timber.

SECTION 2. For any tolls or charges as herein provided, which shall remain due and unpaid, the said Chauncey Blakeslee, his heirs and assigns, shall have a lien upon and on all such logs or timber upon which such tolls or charges, or any part thereof, shall remain unpaid, and may enforce such lien in the same manner as other liens for services and labor are enforced under the laws of the state of Wisconsin relating to the subject of liens for labor and services upon logs and lumber in said state.

Logs may be seized and held

SECTION 3. For the purpose of enforcing the collection of said tolls and charges, the said Chauncey Blakeslee, his heirs or assigns, may seize, hold and detain such logs at any place or point on said Cunningham creek, or upon the Black river, in said state of Wisconsin, until such tolls and charges are paid.

SECTION 4. This act shall take effect and be in force from and after its passage and publication; and all acts or parts of acts conflicting with this act are hereby repealed.

Approved March 8, 1877.

[Published March 23, 1877]

CHAPTER 268.

AN ACT to regulate the practice in certain cases.

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

When application may be made to file and serve answer in certain cases.

SECTION 1. In any and all cases now pending in any court of this state or which shall hereafter be brought therein, in which a party has appeared before the time for answering expired, and judgment has been or shall be entered before the time for answering has expired, without giving the full five days' notice of application for judgment, an application may be made at

any time within one year after the docketing of said judgment, to file and serve an answer.

SECTION 2. Upon such application being made the court in which said judgment is entered, or shall be entered, shall allow the moving party to file and serve a verified answer, and upon the filing and service of such verified answer, the said cause shall stand for trial the same as if the answer had been served in the first instance, and if on a trial of the issue made by the answer, the defendant shall establish a defense to the whole of the plaintiff's claim, it shall be the duty of the court to annul, vacate and set aside the judgment, or if the defendant shall establish a defense to only a part of the claim of the plaintiff, then the said judgment shall remain in full force as to so much and such parts thereof as the defendant fails to establish a defense.

Upon filing and service of answer, cause to stand for trial.

When duty of court to set aside judgment.

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

Approved March 8, 1877.

[Published March 15, 1877.]

CHAPTER 269.

AN ACT relating to iron ore, and to the assessment for taxation of lands containing such ore.

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

SECTION 1. In determining the value for the purpose of taxation of any lands containing or supposed to contain iron ore, the assessor shall value such real estate in the manner provided by law for the valuation of real property, without regard to such ore, except as hereinafter provided.

How value of land containing iron ore to be determined.

SECTION 2. It is hereby made the duty of the owner or owners of such real estate as well as the person or persons, or corporation or corporations mining on the same, or leasing or occupying the same, to prepare and deliver to the assessor a statement in writing under oath showing the gross amount of such ore mined, produced or taken from said real estate during the year immediately preceding such assessment, together with the gross value thereof; and the cost of mining, producing or taking out the same; and the assessor may

Owners of land to make statement to assessor, showing amount of ore mined, etc.