

[No. 5, A.]

[Published March 22, 1880.]

CHAPTER 294.

AN ACT to authorize James W. Heather and James McGee and their assigns to build and maintain dams on and across that branch of the Chippewa river, in Chippewa county, Wisconsin, called the Deer Tail.

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

SECTION 1. James W. Heather and James McGee, ^{Location of dam.} and their assigns, are hereby empowered and authorized to maintain such dams as they have heretofore built on and across that branch of the Chippewa river, in Chippewa county, Wisconsin, called the Deer Tail, in sections eight, nine and sixteen, in town thirty-five, range four, and section twenty-four, town thirty-five, range five, for the purpose of facilitating the running and driving of logs and timber down and out of said Deer Tail into the Chippewa river.

SECTION 2. And for the purpose of facilitating the ^{Other dams} running and driving of logs and timber down and into the Chippewa river, the said James W. Heather and James McGee, and their assigns, are hereby authorized and empowered to build and maintain in and across said Deer Tail river, in town thirty-five, range four, and town thirty-five, range five, a sufficient number of other dams in addition to those dams they may have heretofore built in and across said Deer Tail river, so as to make the driving of logs reasonably certain.

SECTION 3. It shall be lawful for the said James ^{May drive logs not their own.} W. Heather and James McGee, and their assigns, whenever they shall make a drive of logs in said Deer Tail river, to take possession of all logs and timber above either of said dams, that may be afloat in said Deer Tail, when, and when only, the said logs or timber shall obstruct the drive, and the owners or agents of the same shall not have made adequate provisions for driving the same by furnishing the necessary men, teams and tools for making a drive of said logs and timber, and to drive the same down to the west line of town thirty-four, range five west, or down said river to such a point as the same shall be taken in charge of, and driven by the owners or agents thereof; and the ^{Compensation same.} said James W. Heather and James McGee, and their assigns, shall be entitled to receive and collect for such services the sum of fifteen cents per thousand feet for each and every one thousand feet, board measure; and they may remain in possession of all such logs and timber so taken possession of by them until all charges for toll and driving the same are fully paid.

Tolls*

SECTION 4. The said James W. Heather and James McGee, and their assigns, are hereby authorized and empowered to receive and collect from the owners of all logs and timber, passing over said dam, slides, or through the gates of said dams, as a compensation for keeping up and maintaining such dams, the sum of ten cents per thousand feet, board measure, for all logs put into said Deer Tail river above said dam in town thirty-five, range four west, and five cents per thousand feet, board measure, for all logs put into said river in town thirty-four and town thirty-five, range five west, above said dam.

Lumber inspector to determine amount of logs.

SECTION 5. The amount of logs and timber that the said James W. Heather, James McGee, and their assigns, would be entitled to a lien upon, under the provisions of this chapter, shall be determined by or under the direction of the lumber inspector of the district in which said Deer Tail river is situated, unless the parties interested are able to agree upon the same.

Tolls and charges to be lien upon logs.

SECTION 6. For any tolls or charges herein provided for, and which shall remain due and unpaid, the said James W. Heather and James McGee, and their assigns, whether they, or the owners, or the agents of the owners of said logs and timber, shall drive the same as herein provided for, they, the said James W. Heather and James McGee, and their assigns, shall have a lien on all logs run over said dams as aforesaid, until the aforesaid toll or charges are fully paid, which liens shall be enforced in the same manner in which other liens upon logs and timber in Chippewa county, under the provisions of chapter one hundred and forty-three of the revised statutes of Wisconsin, and the several acts amendatory thereof, are enforced.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1880.

[No. 82, A.]

[Published March 25, 1880.]

CHAPTER 295.

AN ACT relating to offenses against property, and to amend section four thousand four hundred and forty-nine of the revised statutes.

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

Penalty for taking the timber

SECTION 1. Section four thousand four hundred and forty-nine of the revised statutes of this state for the