

have a lien on all logs, timber and lumber put in as aforesaid, until said charges are paid: *provided*, that they shall at all times comply with the provisions of section two of this act.

SECTION 5. The control of said dams, and the slides and gates of the same, shall belong to the aforesaid La Flesb, his associates and assigns, but subject always to the provisions of section two of this act.

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

Approved March 15, 1880.

[No. 316, A.]

[Published March 19, 1880.]

CHAPTER 304.

AN ACT to lay out and establish a state road from the village of Cumberland, in Barron county, to the village of Deer Park, in St. Croix county.

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

Names of commissioners, and location of road

SECTION 1. William Wilson, George B. Kidder and G. C. Hodgkin are hereby appointed commissioners, with full powers and authority, to survey, lay out and establish a state road from the village of Cumberland, in the county of Barron, along either side of the right of way of the north Wisconsin railway company, or as near thereto as practicable, to the village of Deer Park, in the county of St. Croix.

Commissioners may award damages.

SECTION 2. In case of the sickness or disability of any one of said commissioners to act, the remaining commissioners shall appoint a substitute who shall act as one of said commissioners and have all rights and powers of those herein appointed. Said commissioners shall award damages to all persons through whose land said highways may be laid, or who may sustain injury by the laying out and opening of said road. All claims for damages shall be made within one year from the time said commissioners shall have filed the order and plat or survey of said road, in the county clerk's office in the counties through which said road may run.

Notice of meeting to lay out road.

SECTION 3. Said commissioners shall perform the duties herein prescribed before the first day of June 1880. Said commissioners shall give public notice in some newspaper published in each of the counties through which said road shall pass for at least three weeks before they shall meet to lay out said road, stating the time and place at which they will meet and proceed to lay out said road.

SECTION 4. The said commissioner shall cause an accurate survey and plat of said road and order laying out the same, and award of damages, to be made and filed in the office of the county clerk of each of the counties through which said road will pass, before the first day of July, 1880. Survey and plat of road.

SECTION 5. Upon filing the order laying out said road and the survey and plat thereof, in the office of the several county clerks as aforesaid, the said road shall become a public highway. When to become public highway.

SECTION 6. All damages awarded by said commissioners in the laying of said road, shall be paid by the county wherein the land is situated for which damages are awarded. Damages to be paid by county.

SECTION 7. Said commissioners shall receive as compensation for laying out and superintending the constructing of said road, the sum of four dollars per day each, for the time actually expended in such services, such time not to exceed twenty days, and such payment shall be in full payment for all expenses. Compensation of commissioners.

SECTION 8. It shall be the duty of the county board of supervisors of the several counties through which said road shall pass to audit the accounts of said commissioners for their services. Duty of county boards.

SECTION 9. Said commissioners shall have the right to employ two assistants as shall be necessary, at two dollars per day, who shall be paid by the respective counties and such payment shall be in full for all expenses. Commissioners may employ assistants.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1880.

[No. 374, A.]

[Published March 25, 1880.]

CHAPTER 305.

AN ACT to amend chapter one hundred and thirty-three of the revised statutes of 1878, entitled of actions of ejectment.

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

SECTION 1. Section three thousand and eighty-seven of chapter one hundred and thirty-three of the revised statutes of 1878, is hereby amended so as to read as follows: Section 3087. In all such actions, when the plaintiff is entitled to recover by reason of a defect or insufficiency of any tax deed under which the defendant claims title, or in the proceedings prior to the sale upon which such tax deed was issued, unless it shall When plaintiff is entitled to recover.