

shall any privilege, license or authority be given to any person or persons whomsoever to cut down or destroy any timber growing on such lands, except as provided for in section two of this act.

SECTION 2. Said lands may be used and occupied, or the absolute title thereto in fee may be acquired by the United States for the purposes aforesaid upon such terms and conditions, and in such manner as may hereafter be agreed upon by the United States and this state. Title may vest in U. S.

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

Approved March 16, 1880.

[No. 21, S.]

[Published March 23, 1880.]

### CHAPTER 317.

AN ACT to amend chapter twenty-four of the general laws of 1870, entitled an act to incorporate the Superior boom company.

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

SECTION 1. Section four of chapter twenty-four of the general laws of 1870, entitled an act to incorporate the Superior boom company is hereby amended so as to read as follows: Section 4. Said corporation is hereby authorized and empowered to construct and maintain a boom with sufficient piers to secure the same, in and across the the Hemadji river, and the Saint Louis river, the bay of Superior and Allouez bay, at such points as it shall think proper, in towns forty-eight and forty-nine of range thirteen, fourteen, and fifteen, in Douglas county, for the purpose of stopping and securing logs and timber that may from time to time come or be driven within the limits of the towns aforesaid; and the said corporation is hereby authorized to receive and take into control and possession all logs and timber which may be run or driven, or which may come within the limits aforesaid for the purpose of stopping and securing the same: *provided*, that the channels of said rivers and bays shall remain free and unobstructed for the passage of vessels and crafts navigating the same. Location of boom.

SECTION 2. Section five of said chapter twenty-four is hereby amended so as to read as follows: Section 5. Whenever any logs and timber shall be stopped, secured and boomed as contemplated in section four of this act, the said corporation shall have the Compensation of boomage.

right to receive and collect a toll of twenty-five cents per thousand (1,000) feet of logs, board measure, and shall have a lien upon any or all logs and timber so boomed and secured for the payment of said boomage toll, which lien shall have preference over all other liens or claims against such logs and timber of any nature and kind whatsoever.

**Powers of corporation.**

**SECTION 3.** Section six of said chapter twenty-four is hereby amended so as to read as follows: Section 6. The said corporation, after booming and securing such logs and timber, may hold and retain the same from any and all persons claiming any right, title or interest therein, until the lawful demands of said corporation for boomage toll shall first be paid and satisfied. And in case any of such logs or timber shall not be removed and the boomage or other charges paid thereon, as in this act provided, previous to the first day of October next succeeding the reception into said booms of such logs and timber, then the said corporation is authorized to sell said logs and timber, upon which boomage toll is due and unpaid, at public sale, of which notice shall be given for three successive weeks in some newspaper published in the county of Douglas, to the highest bidder therefor, and said corporation may in good faith, by its agent or proper officer, bid upon and purchase any such logs and timber so to be sold, in case it shall be the highest bidder therefor, and out of the proceeds or price so bid at such sale, may retain and receive the costs and actual expenses of sale, together with the boomage toll hereinbefore provided, and said corporation shall pay over on demand, to the owner or person entitled, the residue of such proceeds, and purchasers at such sale shall acquire the right and title of the owners or holders of the logs and property so sold.

**Notice of sale of logs.**

**Penalty for opening or injuring boom.**

**SECTION 4.** Section seven of said chapter twenty-four is hereby amended so as to read as follows: Section 7. Any person other than the authorized agent of said corporation who shall open, cut or destroy or injure any of the booms of said corporation, or turn loose or adrift any logs or timber therein, or who shall obstruct the free passage of logs and timber into said booms by placing obstructions in or across the channels of said rivers and bays, and above said booms and shall be convicted thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the county jail not exceeding six months, or both, at the discretion of the court.

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

Approved March 16, 1880.

[No. 218, S.]

[Published March 26, 1880.]

CHAPTER 318.

AN ACT relating to the board of state canvassers and amendment of section fifty-eight, chapter five of revised statutes of 1878.

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

SECTION 1. Section fifty-eight of chapter five of the revised statutes of Wisconsin for 1878 is hereby amended Amended. by inserting after the words "chief justice," in the eighth line of said section, the words, "upon the request of any opposing candidate," so that said section when so amended will read: Section 58. The secretary of state, treasurer and attorney general shall constitute the board of state canvassers, two of whom shall be a quorum for the transaction of business, and if one only of said officers attend on the day appointed for a meeting of the board, the clerk of the supreme court, on being notified by the officer so attending, shall attend without delay with such officer, and, with him, shall form the board. When a member of said board is a candidate for an office as to which the votes are to be canvassed by him, the chief justice, upon the request of any opposing candidate, shall designate some other state officer or a judge of the circuit court who shall act in his stead at the session of the board at which the votes given for such member are to be canvassed. When member of board is candidate.

SECTION 2. Said section fifty-eight of chapter five of the revised statutes of 1878, is hereby further amended by adding to said section the following words: Whenever the chief justice shall designate any state officer, or judge of a circuit court, to act as one of the board of state canvassers, as hereinbefore provided in this section, such state officer or circuit judge shall be entitled to receive a compensation for attendance and services as a member of said board not exceeding fifteen dollars per day, for each day he shall be absent from his place of residence and engaged in such service and attendance, and the secretary of state shall audit the account of any such state officer or judge for such service and attendance, and draw his warrant on the state treasurer for payment thereof; and it is hereby Compensation of officer serving as canvasser.