

SECTION 5. The control of said dam, the slides and gates of the same, shall belong to the said Glover, Wing and Phipps, their heirs or assigns, and be under their exclusive control, subject always to the provisions of section 2 of this act.

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

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated, within the time prescribed by the constitution of the state, has become a law without his approval.

ERNST G. TIMME,

Secretary of State.

March 23, 1882.

[No. 104, S.]

[Published April 7, 1882.]

CHAPTER 183.

AN ACT to authorize John E. Glover, Isaac H. Wing and Wm. H. Phipps, their heirs or assigns, to erect, maintain and keep up a dam across the Totogaticanse river, in Douglas county, Wisconsin.

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

SECTION 1. John E. Glover, Isaac H. Wing and Wm. H. Phipps, their heirs or assigns, are hereby authorized to erect, maintain and keep up a dam across the Totogaticanse river, on section one (1), in township forty-three (43) north, of range ten (10), west, in Douglas county, Wisconsin; provided, that such dam shall not raise the water to exceed twelve (12) feet. Provided further, and the right to maintain said dam, if now erected, or to erect and maintain the same, is upon the express condition that the parties herein above named, their heirs or assigns, now own or shall acquire by purchase or lease the land upon which said dam is, or is to be erected and maintained.

May maint in a dam.

SECTION 2. The aforesaid Glover, Wing and Phipps, their heirs or assigns, shall build suitable slides in said dam for running logs, timber and lumber over the same, and shall keep the same in repair. The same shall be kept open at all times when the river is at a driving stage and there are logs, timber or lumber to run over said dam, and when it is not necessary to hold the water back for the purpose of driving or flooding logs, timber or lumber below the said dam, for which purpose flood-gates shall be kept in repair,

Slides in dam.

and built in such manner, as to be shut or open, as the case may require, to flood the said logs, timber or lumber.

Term. SECTION 3. The aforesaid persons, their heirs or assigns, shall enjoy the privileges granted in this act for the period of fifteen years.

Fees. SECTION 4. When the aforesaid persons, their heirs or assigns, shall have completed said dam as aforesaid, they are hereby authorized and empowered to demand, receive and collect from the owners of all logs, timber and lumber passing over such slides, or driven by the aid of said dam, as a compensation for keeping up and maintaining such dam, the sum of six cents per thousand feet, board measure, the amount to be ascertained by scale upon the landing in the woods, if there be one; if not, in any other practicable way; and the aforesaid persons, their heirs or assigns, shall have a lien on all logs, timber and lumber run over said dam or driven by the aid thereof, until the charges aforesaid shall be fully paid, which lien may be enforced in the same manner as the lien of laborers on logs, except as to the time for filing the petition for said lien, which may, under the provisions of this act, be filed at any time within six months after the last of the logs of any mark shall have passed over said slides or been driven by the aid of said dam; provided, that said Glover, Wing & Phipps shall at all times comply with the provisions of section 2 of this act, and section 3377 of the revised statutes of 1878.

SECTION 5. The control of said dam, the slides and gates of the same, shall belong to the said Glover, Wing and Phipps, their heirs or assigns, and be under their exclusive control, subject always to the provisions of section 2 of this act.

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

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the governor for his approval and not having been returned by him to the house of the legislature in which it originated, within the time prescribed by the constitution of the state, has become a law without his approval.

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