

## CHAPTER 267.

[Published March 24, 1874.]

AN ACT to amend section one of chapter 71 of the private and local laws of 1872, entitled "an act to amend section 1 of chapter 215 of the general laws of 1860, entitled an act providing for a lien for labor and services on logs and lumber in certain counties, and to amend section 2 of said chapter 215 of the general laws of 1860, and to add certain other provision to said chapter 215."

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

SECTION 1. Section one of chapter seventy-one (71) of the private and local laws of A. D. one thousand eight hundred and seventy-two, entitled "an act to amend section one of chapter two hundred and fifteen of the general laws of eighteen hundred and sixty, entitled an act providing for a lien for labor and services upon logs and lumber in certain counties," and said section one of said chapter 215 of the general laws of A. D. 1860 is hereby amended to be and read as follows: Section 1. Any person, company or corporation that shall furnish any supplies, rafting materials or other materials or articles, or that may do or perform any labor or services in cutting, falling, hauling, driving, rafting, booming, cribbing or towing any logs or timber in the counties of Shawano, Waupaca, Outagamie, Winnebago, Fond du Lac, in this state, or in such parts or portions of Brown and Oconto counties in this state, wherein such logs or timber are got out upon the Wolf river or any of its tributaries, or upon any stream running into any tributary of said Wolf river, or where and when such logs or timber are got out for the purpose or are run down the said Wolf or any of its tributaries, or any stream running into any tributary of the said Wolf river, shall have a lien on such logs or timber for the amount of such labor or services, supplies, rafting or other materials or articles, and the same shall take precedence of all other claims thereon, and provided that such lien for labor or services shall take precedence to such lien or liens for supplies, rafting or other materials or articles. The provisions of this act and of the acts of which the same is amendatory shall apply to all such labor, services or supplies that may have been done or performed prior to the passage of this act. The provisions of this section shall include the labor and services of any cook

Laborer to have a lien.

Lien for supplies furnished.

for any crew or men that perform such labor or services, and shall be a like lien thereon.

Definition of supplies, etc.

SECTION 2. The word supplies, rafting material, or other materials or articles as used in section one (1) of this act shall mean and be so construed as to include all such supplies, rafting materials or other materials or articles used by the men, crew and teams in and about the cutting, felling, hauling, driving, running, rafting, cribbing or towing of any such logs or timber, and which are usually used by men, crew or teams when so employed, and shall also include all such materials or articles as are usually or necessarily used in rafting, booming and cribbing logs or timber, and shall also include any clothing, groceries, provisions and ordinary articles used by a laboring man or his family, and which may be furnished by an employer to an employe, or to employe's family, who may be engaged in doing and performing any such labor or service upon any such logs or timber: *provided*, the same is furnished to apply and does apply in payment for the labor and services thereon, and does not exceed the amount thereof, but the same shall not include horses, cattle, teams, bobs, or bob-sleds, sleighs, sleds, wagons, harnesses, beds, bedding or bed clothing.

How lien perfected.

SECTION 3. Section two of said chapter two hundred and fifteen of the general laws of A. D. 1860, entitled an act providing for a lien for labor and services upon logs and lumber in certain counties, is hereby amended to be and read as follows: No such debt, demand or claim shall remain a lien on any such logs or timber, unless a petition or statement thereof in writing under oath by the petitioner, his attorney, agent, or some one in his behalf, shall be made and filed in the office of the clerk of the city of Oshkosh, in Winnebago county, Wisconsin, at the time or times hereinafter specified. Such petition or statement shall briefly set forth and state the nature of such claim or demand, the amount due, and a description of the logs or lumber upon or against which the lien is claimed. If such labor or services be done between the first day of October and the first day of May, then such petition or statement shall be filed on or before the first day of June next thereafter, but if the same shall be done either in part or in whole, after the first day of May, then such petition or statement shall be filed within thirty-one days after the completion of the last day of such labor or services, and suit may be commenced to enforce such lien (if same due) immediately after the filing of such petition or statement, and the

When statement shall be filed.

same shall cease to be a lien unless suit is commenced within four months after the filing of such petition or statement. In all such actions, the person, company or corporation liable for the payment of such debt or claim, shall be the party defendant.

SECTION 4. Section one hundred and seventy-nine (179) of chapter one hundred and twenty of the revised statutes, entitled "of courts held by justices of the peace," shall not apply to any judgment recovered or rendered under the provisions of this act or of said chapter 215 of the general laws of 1860, or any act or acts amendatory thereof. Sections ex-empt.

SECTION 5. All acts or parts of acts contravening or conflicting with any of the provisions of this act are hereby repealed, so far as they conflict or contravene any of the provisions of this act, and all acts or parts of acts providing for a different or other place for filing petition or statement for a lien under the provisions of this act or the act or acts of which the same is amendatory, and upon such logs or timber therein referred to, other than as herein provided, and limiting the time for the commencement of a suit to enforce the same, and who shall be made party defendant in any such action, are hereby repealed, so far as they conflict with any of the provisions of this act or the act or acts of which the same is in whole or part amendatory of, and so far the same affects any lien created by, or heretofore created by, or authorized to be enforced by any of the provisions of this act or of any act or acts of which the same is amendatory of, and of said chapter 215 of the general laws of 1860. Acts repealed.

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

Approved March 11, 1874.

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## CHAPTER 268.

[Published March 23, 1874.]

AN ACT amending chapter 33 of the general laws of 1873, entitled an act to amend chapter 344 of the general laws of 1860, entitled an act to amend section 15 of chapter 183 of the revised statutes, entitled an act of "offenses cognizable before justices of the peace."

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

SECTION 1. Section fifteen of chapter one hundred and eighty-three of the revised statutes, as amended