

## CHAPTER 45.

[Published February 25, 1875.]

AN ACT to authorize Dan. F. Smith to maintain a toll-dam on the south fork of Clam River, in Polk county, at Clam Falls.

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

- May maintain toll dam.** SECTION 1. Dan. F. Smith is hereby authorized to maintain a toll-dam at Clam Falls, on the south fork of Clam River, in Polk county, said dam to be used for the purposes of driving logs over Clam Falls, and shall be so constructed and provided with sluices as to assist logs or timber over said falls with such celerity as will be consistent with the security and preservation of said dams and sluices, and such other improvements as may be placed there for manufacturing purposes.
- May control dam.** SECTION 2. The said Dan. F. Smith, or his legal representatives, shall have at all times control of said dam, its gates and sluices, and shall, upon the application of any log owner, or driver, or his or their legal representatives, and the payment of the toll hereinafter provided for, or its satisfactory equivalent, be entitled to all the rights and benefits of said dam, its gates and sluices, for any reasonable length of time to sluice any logs or timber through said dam over said falls.
- Rate of toll.** SECTION 3. The said Dan. F. Smith shall be entitled to collect on all logs or timber sluiced over said falls by the aid of said dam the sum of twenty-five cents per thousand feet, board measure. The scale governing the collection of said toll shall be estimated by the interested parties, or scaled on the landings by a competent surveyor, but no part of the expense attending the scale of logs on their landings, which are to receive the benefit of said dam, shall be borne by the said Dan. F. Smith or his representatives.
- SECTION 4. This act shall take effect and be in force from and after its passage and publication.
- Approved February 20, 1875.