

owned its proper valuation; but the valuation given to separate tracts, under this act, shall not exceed nor be less than the valuation given to the same property when the several parcels were assessed together.

Shall state
when correc-
tion was made.

SECTION 2. When the assessment-roll shall have been so corrected, the clerk shall enter a marginal note on the roll, stating when the correction was made by the assessor, and if the taxes shall have been extended against the property previously to the making of the correction by the assessor, it shall be the duty of the clerk to correct the tax-roll in the same manner that the assessment-roll was corrected, and extend against each tract the proper amount of tax to be collected.

No appeal
shall be taken.

SECTION 3. From the determination of the assessor in giving separate parcels of land their proper valuation, under the provisions of this act, there shall be no appeal, but such valuation shall be taken and held to be just and correct, and shall be final.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved February 20, 1875.

CHAPTER 48.

[Published February 25, 1874.]

AN ACT to authorize the parties therein named, or their heirs or assigns, to build and maintain certain booms upon the river and Lake St. Croix.

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

May construct
booms.

SECTION 1. John A. Humbird, John Comstock, Alfred J. Goss, Amos E. Jefferson, Horace A. Taylor, Joel F. Nason and William A. Talboys, their heirs and assigns, are hereby authorized and empowered and shall construct, maintain and keep a boom or booms upon the river and lake St. Croix, or either, at such point or points as they may deem advisable, between St. Croix Falls and the city of Hudson, for the period of twenty years, which boom or booms shall be completed on or before January 1, 1880, in which boom or booms all logs or timber coming or running down said St. Croix river or lake which shall

come within the limits of such boom or booms, shall be gathered by said parties, and such logs or timber shall be sorted and brilled [brailed] in rigging sufficiently secure to run, and shall be delivered by said parties to the owner or owners thereof as soon as practicable after they shall arrive in said boom. And the said parties are hereby authorized to dig and keep open such canal or canals, and to construct and maintain such works as they may deem essential to the convenience and successful operation of said boom or booms.

Logs &c. may be gathered and sorted.

SECTION 2. And the said parties, their heirs and assigns, are hereby authorized and empowered, for the purpose of making said boom or booms effectual, to extend the main part of said boom or booms, or any part of said boom or booms, as occasion may require, along or across the said river on either side of the natural channel thereof, to an extent co-extensive with the jurisdiction of Wisconsin. And to drive such piles, construct such piers, or other works as may be necessary, and hang such sheer or wing-booms in said river or lake as may be necessary or convenient to catch, hold and secure the logs or timber coming or running down said river or lake. *Provided, however,* That such works shall not obstruct or materially impede navigation upon said river or lake. And it shall be the duty of said parties, their heirs and assigns, in the exercise of the powers hereby given to restore as far as practicable the original natural channel of said river to the end that the navigability of said river may be improved, and if it shall be found by said parties, their heirs and assigns, that the natural channel of said river, as the same existed ten years ago, has been obstructed, diverted or changed by reason, in whole or in part, of any canal or canals, or works of any kind, dug or constructed upon the Wisconsin side, or any part of said river, without authority from the Legislature of Wisconsin, it shall be the duty of said parties, their heirs and assigns, and they are hereby empowered for that purpose, to take possession of any such canal or canals, and to exclusively use the same in such manner as to restore to navigation the natural channel of said river, or to fill up the same or any part thereof, if necessary to the restoration of the navigation of said channel, and to enter upon and take possession of said works of whatever kind the same may be, and remove the same in so far as they obstruct or con-

Where booms may be placed.

tribute to the obstruction of said natural channel or any part thereof.

Object of act. SECTION 3. It is hereby declared to be the object and purpose of this act to secure through the said parties, their heirs and assigns, the restoration to navigation of the natural channel of said river, and the maintenance of the same hereafter free from obstructions.

Shall appoint agents. SECTION 4. The said parties, their heirs and assigns, shall appoint one or more agents whose duty it shall be to deliver to the owner or owners of each particular mark of logs, all logs rafted or in rigging by said parties, their heirs and assigns, from said boom or booms, and whereof a true and accurate account of its number and mark of logs delivered to each owner or owners by said parties, their heirs and assigns, from said boom or booms, shall be kept in a book to be provided by said parties, their heirs and assigns, and kept for that purpose, which shall be subject at all times to the inspection of loggers and log owners upon the said river St. Croix. Which said book shall at all times be and remain in the possession and be the property of said parties, their heirs, and assigns, and the account so kept shall be evidence of the delivery of said logs, and of the number and marks so delivered, and to whom the same shall have been delivered. It shall also be the duty of said agent or agents in case of any dispute between said parties, their heirs and assigns, and any owner or owners of logs passing through said boom or booms, as to the length of time such logs shall have been so brilled [brailed] and ready for delivery, to determine how long such logs shall have been brilled [brailed] and ready for delivery. It shall also be the duty of said agent to keep as accurate an account as possible of all rigging delivered, and to note when the same is returned.

Shall sort out and brail logs and timber. SECTION 5. The said parties, their heirs and assigns, shall sort out the said logs and timber according to their several marks; shall brail [brail] the same in rigging out of said boom or booms, to the owner or owners thereof. *Provided*, That the said parties, their heirs and assigns, shall not be obliged to retain any logs or timber at the foot of said boom or booms for a longer time than twenty-four hours after the same shall have been brilled [brailed] and ready for delivery, as aforesaid, at the expiration of which time they may be removed by said parties, their heirs and as-

signs, who shall use all reasonable care and exertion to secure said logs or timber in a safe place, there to remain until otherwise disposed of: *Provided further*, That the rigging or warp used by said parties, their heirs and assigns, shall be of good quality and of ordinary size used for such purposes, and said rigging or warp shall be and remain the property of said parties, their heirs and assigns. And it is further provided, that all rigging as aforesaid shall be returned to the parties, their heirs and assigns, within seven days from its delivery as aforesaid.

SECTION 6. The said parties, their heirs and assigns, shall demand, collect and receive, and are hereby authorized by law to demand, collect and receive the sum of sixty cents per thousand feet board measure for every thousand feet of logs or lumber so sorted out and brilled [brailed] and made ready for delivery, as aforesaid, at the foot of said boom or booms; *provided*, that if any logs or timber shall not be taken away from the foot of said boom or booms, as aforesaid, within twenty-four hours, as in the preceding section mentioned, then the said parties, their heirs and assigns, are authorized and empowered to tote away and secure such logs or timbers, between the foot of said boom or booms and the city of Hudson, at such place or places on said river or lake as they may select, unless the said owner or owners shall have previously designated some place between St. Croix Falls and the city of Hudson, where he or they shall desire the same to be delivered, in which case the request shall, in all cases when practiceable, be complied with by said parties, their heirs and assigns; and they may demand, collect and receive therefor a reasonable compensation for such delivery, in addition to boorage and other charges which may be due said parties, their heirs and assigns, as aforesaid.

SECTION 7. All the aforesaid charges for booming, sorting brilling [brailing] and delivering logs or timber as aforesaid, shall be deemed due and shall be paid to the said parties, their heirs and assigns, when the said logs or timber shall be ready for delivery as aforesaid, and the said parties, their heirs and assigns shall have a complete lien upon and a special property in the said logs and timber so boomed and sorted out for all boorage and charges that may be due to said parties, their heirs and assigns upon said logs or timber, by the respective owners thereof, and the said parties, their heirs and assigns, are authorized

Remuneration.
Shall have
lien upon logs,
&c.

and empowered to retain possession of all logs and timber of any particular mark or marks for boomage and all other charges that may have accrued on said logs, or any portion of said logs, which may have been previously delivered, and to sell the same as hereinafter provided, and each mark shall be liable and responsible to said parties, their heirs and assigns, for all expense and charges that may have accrued on said mark of logs, or any portion thereof, and logs of such mark, or a sufficient portion thereof, shall be taken by said parties, their heirs and assigns, from year to year, as the same may be received in said boom or booms aforesaid, and sold as hereinafter provided, until all said expenses, demands and charges shall be paid in full to the parties, their heirs and assigns; *provided*, that when any sum or sums of money shall have accrued or become due to said parties, their heirs and assigns, for the booming of logs or timber, or other charges as aforesaid, which shall not be paid on demand by the owner or owners thereof, after the same becomes due, the said parties, their heirs and assigns, are hereby authorized and empowered to take and sell at public auction, after giving twenty days' printed notice thereof, at St. Croix Falls, or at any other place designated in said notice, a sufficient quantity of logs or timber, belonging to the same owner or owners, which may be in the possession of said company, or may come into their possession thereafter, to pay all charges and demands of whatsoever nature that may have accrued or become due as aforesaid.

When two or more parties shall demand same logs.

SECTION 8. When two or more adverse claimants shall demand from the said parties, their heirs and assigns, logs of a particular mark or marks, the said parties, their heirs and assigns, shall retain possession of and secure such logs so claimed in some suitable place until the title thereto shall be finally determined, according to law or mutual agreement, and shall sell, from time to time, such portion thereof as may be necessary to pay all charges for boomage or otherwise, which may have accrued or become due thereon, according to the provisions of this act.

Duty of parties.

SECTION 9. It shall be the duty of the said parties, their heirs and assigns, to drive, or cause to be driven, all logs which may have come into the limits of their said boom or booms through said boom or booms, and assort and brill [brail] the same ready for delivery as soon as the same can be done, the said

parties, their heirs and assigns, using due diligence in performing the same.

SECTION 10. All logs coming into or through said boom or booms, not claimed by the owner or owners thereof, shall be taken by the said parties, their heirs and assigns, and secured in a safe place; and the said parties, their heirs and assigns, may at any time, by giving ten days' public notice in two or more places, proceed and sell the same at public auction, and, after deducting all charges and reasonable expenses, shall hold the balance of the proceeds of such sale subject to the order of the owner or owners thereof. Unclaimed logs.

SECTION 11. All logs having no mark or marks, known as prize logs, coming into or within the limits of said boom or booms, shall be collected by said parties and sold, at any time, at public auction, upon giving ten days' notice of the time and place of sale, by written or printed notices posted up in two or more public places, and the proceeds thereof, after deducting boomage and all reasonable expenses and charges, shall at the close of the season be divided among the loggers pro rata. Prize logs.

SECTION 12. The said parties, their heirs and assigns, are authorized and permitted to place and hang sheer or trip booms across the entrance of all sloughs, and booms upon said river or Lake St. Croix and along all places where logs may be liable to run or float out of the main river or lake, during high water when the same may become necessary to prevent logs running or being driven down said river or lake within the limits of said boom or booms, from being caught or being stopped by said sloughs or said boom or booms. May place sheer booms.

SECTION 13. This act shall take effect and be in force from and after its passage.

Approved February 20, 1875.