

ter 119, laws of  
1872, amended.

dred and nineteen, of the laws of 1872, entitled "an act in relation to railroads, and the organization of railroad companies," is hereby amended to read as follows: All existing railroad corporations within this state shall respectively have and possess all the powers and privileges contained in this act and in their respective charters, and they shall be subject to all the duties and liabilities prescribed by this act.

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

Approved March 12, 1874.

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### CHAPTER 293.

[Published March 26, 1874.]

AN ACT to provide for the disposition of the moneys derived from license to sell intoxicating liquors in the counties of Monroe and Richland.

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

Moneys to be  
disposed of in  
same manner  
as is the  
general fund.

SECTION 1. All moneys hereafter derived from licenses granted in the several towns, cities and villages of Monroe county in pursuance of chapter thirty-five of the revised statutes or any statutes amendatory thereof, shall, when paid into the treasuries of the several towns, cities and villages of said county where such licenses are granted, be held and disposed of in the same manner as the general town, city and village funds are now disposed of by law, any law to the contrary notwithstanding.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 12, 1874.

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### CHAPTER 294.

[Published March 26, 1874.]

AN ACT to amend sections one and two of chapter twelve of the laws of 1873, entitled "an act to provide for the improvement of Yellow river for log driving purposes."

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

Sec. 1 of chap.

SECTION 1. Section one of chapter twelve of the

laws of 1873, is hereby amended so as to read as follows: "For the purpose of improving that branch of the Chippewa river known as Yellow river, so as to facilitate and insure the driving and floating of logs and timber down and out of said river, it is hereby provided and enacted, that any person, association, company or corporation, their successors or assigns, who shall have improved said Yellow river by clearing and straightening its channel, closing sloughs, erecting side, rolling and flooding dams, and shall keep in repair and operate the same, so as to render the floating and driving of logs and timber down and out of said river practicable and reasonably certain, shall be entitled to receive and collect for such services and expenditure the following tolls, to wit: For and upon all logs and timber put in said river, not more than twenty miles from its mouth, designed to be run out of the same, seven cents per one thousand feet, board measure; for and upon all logs and timber put in said river with in a distance of fifty miles and more than twenty miles of its mouth, designed to be run out of the same, fifteen cents per thousand feet; for and upon all logs and timber put in said river beyond a distance of fifty miles from its mouth, designed to be run out of the same, twenty-five cents per thousand feet; the distance to be computed by the channel of the river, and the amount of said logs and timber to be determined by or under the direction of the lumber inspector for that district, or by the mutual agreement of parties: *provided*, that such person, association, company or corporation having undertaken the improvement of said river for the purposes herein stated, shall not be entitled to receive tolls, as hereinbefore provided, until at least ten thousand dollars shall have been expended on said improvements by such party or parties.

12, laws 1873 amended.

Who may improve said river.

May collect tolls.

Rates of tolls.

Proviso.

Sec. 2 of chap. 12, laws 1873, amended.

Powers of incorporators.

SECTION 2. Section two of said chapter twelve, of the laws of 1873, is hereby amended so as to read as follows: It shall be lawful for such person, association, organization, their successors or assigns, having improved said Yellow river as provided in section one of this act, to take possession of all logs and timber put in said river, to be floated down and out of the same, the owners or agents of which shall not have made adequate provisions for driving the same, by furnishing all necessary tools, men, teams and provisions for breaking rollways at the proper time and making a thorough drive of said logs and timber, out of said river without hindering the main drives, and to drive the same down and out

May collect  
tolls.

Rates of tolls.

May retain  
possession of  
logs and timber  
until tolls are  
paid.

of said river, and to receive and collect for such service for all logs and timber driven a distance of twenty miles or less, fifteen cents for each thousand feet; for all logs and timber driven a distance of twenty miles, and less than forty miles, thirty cents for each thousand feet; for all logs and timber driven forty miles, and less than sixty miles, fifty cents for each thousand feet; and for all logs and timber driven sixty miles or more sixty-five cents for each thousand feet board measure; the distance of driving to be computed and the amount of logs and timber so driven to be determined in the same manner as provided in section one of this act, and may continue in possession of all logs and timber floated or driven out of said river until all charges for toll or driving the same shall have been liquidated or paid.

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

Approved March 12, 1874.

## CHAPTER 295.

[Published March 26, 1874.]

AN ACT in relation to evidence when either party becomes insane.

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

When party  
may not be ex-  
amined in his  
own behalf.

SECTION 1. A party to a civil action or proceeding shall not be examined as a witness on his trial when the opposite party or parties, either or any of them are insane, or sues or defends as guardian or representative of an insane person; nor shall he or they be examined in relation to any matter in controversy in such action or proceeding in which the plaintiff or defendant claims as assignee, when the original assignee or assignees, or either of them, is or are insane; *provided*, that a party may in all cases be examined in relation to any conversation, transaction or matter as to which the opposite party has given evidence upon the trial, and which did not occur or take place with, or in, the presence of such insane person. The judge or other officer before whom any such action or proceeding is pending, shall take such proofs of the insanity of any such person as he shall deem necessary to establish the fact.

Proviso.

Proofs of insan-  
ity may be  
taken.