

[No. 194, A.]

[Published March 19, 1880.]

CHAPTER 201.

AN ACT to authorize G. W. Cate and N. N. McLeod to build a dam across, for flooding purposes, and otherwise improve, Spirit river, in Price county, Wisconsin.

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

Location of dam.

SECTION 1. George W. Cate, N. N. McLeod, their associates and assigns, are hereby authorized to build and maintain a flooding dam across Spirit river on lot number four, in section number thirty-two, in township thirty-four north, in range three east, in Price county, Wisconsin, for the purpose of raising and holding water in said river and in Spirit lake, and using the same so as to facilitate the floating of logs down said river below said dam.

When tolls may be charged.

SECTION 2. Whenever the said George W. Cate, N. N. McLeod, their associates and assigns, shall have completed said dam and provided the same with suitable gates to control the water in said stream, and hold the same in sufficient quantities to materially assist the driving of logs on said river, and shall keep up and maintain the same, and shall so improve said river as to make driving reasonably certain, they are hereby authorized and empowered to demand, receive and collect from the owners of all logs and timber driven out of said river by the aid of said dam, as compensation for such aid and increased facilities thereby afforded to the navigation of said river with logs, the sum of five cents per thousand feet, board measure; and the said G. W. Cate, N. N. McLeod, their associates and assigns, shall have a lien on all logs and timber run out of said river by the aid of said dam, until the tolls thereon are paid, and may enforce the same under the provisions of chapter one hundred and forty-three of the revised statutes of 1878, in the same manner as the lien of laborers on logs, except that the petition may be filed at any time within six months after the logs against which such claim is filed shall be driven out of said river, and shall be prior to all other liens, except for labor.

Tolls.

Penalty for injuring or destroying dam.

SECTION 3. Any person or persons who shall willfully break or destroy said dam, or shall injure the same, shall be liable to the proprietors aforesaid in an action of trespass, to the amount of damages done, in addition to the penalties already provided by law to be recovered before any court of competent jurisdiction.

Approved March 11, 1880.