

lage of Misha Mokwa, in the county of Buffalo, thence running on the most feasible route to the village of Pepin, in the county of Pepin.

SECTION 2. Said commissioners shall have the same powers as are conferred by law on county boards of supervisors to award damages and settle with any parties who may feel aggrieved or sustain damages by the laying out and establishing said state road.

SECTION 3. Within thirty days after said commissioners shall have laid out said state road, or such part thereof as in their opinion the public good requires, but the same shall in any event be in both of said counties, they shall cause to be filed in the office of the town and county clerks of the counties through or into which the said road extends, a correct copy of the field notes and plat of the survey thereof, and on and after the filing of the said copy of the field notes and plat of the survey by said commissioners, as above provided, said road shall be a public highway and be deemed to be opened and established as a public highway.

Compensation.

SECTION 4. Such commissioners shall be entitled to such compensation as the board of supervisors of each county through which such road shall pass shall deem proper, and the same shall be paid by the said counties respectively, in proportion to the distance of said road in each county; provided, that no compensation shall ever be allowed from the state treasury for such purposes.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 25, 1892.

[No. 183, S.]

[Published April 12, 1892.]

CHAPTER 224.

AN ACT for the improvement of the St. Croix river.

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

Improvement
of St. Croix
river.

SECTION 1. Joel F. Nason, G. B. Burrows, W. J. Vincent, William Amery and J. S. Baker, and their assigns, are hereby authorized and empowered to erect, keep and maintain a dam in and across the St. Croix river at or near the St. Croix Falls, in the county of Polk, state of Wisconsin, and to extend and maintain said dam from shore to shore in said river, and to improve said river so as to make the same navigable for

the driving of saw-logs from the bridge across said river, near the village of Taylor's Falls, and below said dam in the rapids of said river known as Big Rock, the entire distance being within the said county of Polk, and for such purpose they shall have full power and authority to enter upon and take any lands necessary for such purpose, and to build dams and wing dams upon said river, and by removing obstructions within the bed of said river, and to raise the water upon said river so as to float logs over the rapids above said dam, and below Big Rock rapids in said river, said rapids to be flooded over by said dam, being known as Tuttle's Falls and Pine Island rapids, and to direct the current thereof; provided, that all damages which the owner or owners of the land adjacent thereto may sustain by reason thereof, shall be assessed, settled and ascertained in the manner provided in chapter 146 of the revised statutes of 1878, entitled of mills and mill dams; provided that the franchise hereby granted shall be subject to the right of the legislature at any time to alter or repeal the same, when, in its judgment, the public interest shall require.

SECTION 2. That said dam shall be so constructed ^{Dam.} as to permit the rapid and easy passing of logs through said dam, and so as not to unreasonably interfere with the use of the water flowing in said river for the purpose of propelling any mills or machinery that may hereafter be erected upon said river.

SECTION 3. The said persons above named, and their assigns shall be entitled to receive and collect for all logs passing through said dam or floated over said rapids above named by aid of the water collected in said dam, or the flooding of said rapids by means of said dam or dams, a sum not to exceed seven cents per thousand feet as compensation for maintaining and keeping up said dam and the improvement of said river; and in case said persons above named, and their assigns do not fix and re-establish any other or different toll than that above mentioned, then the said charges or toll shall be seven cents per thousand feet. ^{Fees to be paid.}

SECTION 4. The said persons above named and their assigns shall have a lien upon all logs floated over said rapids by the aid of said dam or the improvement of said river by the persons above named, and their assigns as herein provided in compliance with the provisions of this act; provided, that said persons above ^{Lien.}

named, and their assigns shall, within sixty days after said logs shall pass over or through said dam, or be floated over said rapids by the aid of said dam, file a notice of such lien in the office of the inspector of logs and lumber of the fourth lumber district of Wisconsin, setting forth the marks of the logs passing through said dam or floated over said rapids and the amount claimed to be due thereon, and such lien shall attach and be held valid to the entire mark of such logs, and each and every log of such mark shall be held and considered subject to the lien of said persons above named, and their assigns for said sum so due, and all logs of the same mark which shall have passed through said dam or floated over said rapids by the aid of said dam or said improvements herein authorized.

Filing notice.

SECTION 5. The filing of the notice in section 4 of this act mentioned, within the time therein set forth shall be constructive notice to all parties purchasing or holding the mark of saw logs in said notice described, of the right, title and interest of said persons above named and their assigns in the mark of the logs specified; and the said persons above named and their assigns shall have the right to attach any and all of the saw logs of such mark mentioned in such notice, in whose-soever hands the same may be found, in an action commenced by said persons above named, and their assigns against the person in whose name such mark is recorded for services in floating said logs over said rapids by aid of said dam, as in this act mentioned, and the improvement of said river, as herein permitted; and the said parties above named, and their assigns, may collect the sum so due to them in a civil action against the owner or owners of such logs, and against any and all parties claiming any right, title or interest in said logs; and the lien herein provided shall have preference over all other liens except laborers' liens or claims of laborers on said logs.

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

Approved March 25, 1882.