

To collect tolls.

SECTION 3. The said J. D. W. Heath, his heirs and assigns, are hereby authorized and empowered to demand, receive, levy, sue for and collect such sums or amounts per thousand feet, board measure, on all logs or timber sluiced or driven through or over such dams constructed and maintained by him or them as shall be reasonable and in proportion to the benefits received and derived by persons who have the use of said improvements in running, driving and passing their logs or timber over the said stream; provided, that such toll shall not exceed ten cents per thousand feet, board measure.

May exercise powers granted by section 1777, R. S.

SECTION 4. Said J. D. W. Heath, his heirs and assigns, for the purpose of acquiring any flowage rights that may be necessary in carrying out the provisions of this act in improving said stream, may exercise all the powers granted to corporations by section 1777, of the revised statutes, and the acts amendatory thereof.

Right reserved.

SECTION 5. The right to alter, amend or repeal this act is hereby reserved.

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

Approved April 12, 1887.

[No. 628, A.]

[Published April 13, 1887.]

## CHAPTER 435.

AN ACT to prevent delays in the trials of actions or proceedings wherein prejudice of the circuit judge is alleged, and amendatory of chapter 119, of the revised statutes.

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

To prevent delays in trials of actions, etc.

SECTION 1. Whenever an application shall be made in any civil or criminal action or proceeding in any circuit court for a change of the place of trial on the ground of the prejudice of the judge of the court in which such action or proceeding is then triable, such judge, in his discretion, may retain such action or proceeding in the same court

without entry of an order to change the place of trial, until the last day of the then current term, if the application is made at a term at which the action or proceeding is triable, or the next term if it is made in vacation; and in the meantime shall call upon some other circuit judge or judges to attend and hold court during such current or next term, for the purpose of trying all such actions or proceedings in which applications for change of place of trial have been made on account of the prejudice of the circuit judge. And if such other judge or judges (as may be necessary or convenient) can so attend and hold court for such purpose, at such term then current or next ensuing to the time of such application, the same shall be done, with the same effect as if a change of venue to another circuit and a trial therein had occurred in each action or proceeding. But if no other circuit judge shall so attend and hold such trials, an order for a change of the place of trial shall be entered in each action or proceeding wherein due application has been made on the last day of such term; and thereupon such change shall be made as heretofore, pursuant to chapter 119, revised statutes.

When other circuit judge may be called upon to hold court.

SECTION 2. This act shall take effect from and after its passage and publication.

Approved April 12, 1887.

[No. 244, S.]

[Published April 15, 1887.]

## CHAPTER 436.

AN ACT to amend section 340, revised statutes of 1878, by increasing the number of collections to be printed for the State Historical Society of Wisconsin, decreasing the number of supplemental catalogues of its library and providing for the publication of occasional special catalogues thereof.

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

SECTION 1. Section 340, of the revised statutes of 1878, is hereby amended by striking out the Amending section 340, R. S.