

benefits that might have accrued to him from its passage.”

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

Approved March 18, 1864.

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## CHAPTER 157.

[Published March 26, 1864.]

AN ACT to amend chapter thirty-five of the private and local laws of 1862, entitled “an act to incorporate the Eau Claire river log-driving company.”

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

SECTION 1. Section seven of chapter thirty-five of the private and local laws of 1862, entitled “an act to incorporate the Eau Claire river log-driving company,” is hereby amended, by adding to said section as follows: “*Provided*, that nothing in this act contained shall be construed to require or in any manner oblige said company to drive any logs, timber, lumber, cants or shingle bolts, except when there is sufficient water in said river or its branches to run the same; and if said company shall drive any logs, timber, lumber, cants or shingle bolts part way down said river or its branches, and shall be unable to drive the same to their destination on account of the insufficiency of water in said river and its branches, said company shall be entitled to be paid by the owner or owners thereof, *pro rata*, for the distance driven, and shall have all the rights, remedies and liens provided for in said seventh section of said act, and to recover the same in the same manner as if said logs, timber, lumber, cants and shingle bolts had been driven to their destination.”

Company not obliged to drive logs, &c. in low stage of water.

SECTION 2. The directors of said company may hereafter have the right to contract with or charge any person or persons or their agent owning logs on said river or its tributaries, for the driving of the same down

Tariff of prices for driving logs.

said river and its branches, at the following rates per thousand feet, viz.:

From the mouth of Muskrat creek to Chapman and Thorp's upper boom,	twenty cts.;
From the forks of main river	to said boom, twenty-five cents;
From the falls on south branch	" " " thirty cents;
From sec. 36, township 27, range 4	" " " forty cents;
From north line sec. 16, town 27, range 3	" " " sixty-five cents;
From " " " township 27, " 3,	" " " seventy-five cents;
From the mouth of the Wolf river,	" " " thirty cents;
From north line sec. 16, town 27, range 4,	" " " forty-five cents;
From north " " 22, " 28, " 4,	" " " fifty cents;
From " " " 19, " 28, " 4,	}
on the Wolf branch,	" " " forty cents;
From north line sec. 36, town 29, R. 6,	" " " seventy cents;
From " " " 23, " 29, " 6,	" " " ninety cents.

Tariff of prices for driving old logs.;

And for driving of all logs in along said river, put in previously to the logging season of 1863 and 1864, which are called "old logs," as follows, viz.: From below the mouth of the south branch, called the forks of main river, to said boom, thirty cents; from above said mouth of south branch of forks of main river, to all points given above the said boom, forty cents; and for hauling in with teams such logs as are thrown out by high water along said river and its branches, fifty cents; meaning such prices or rates as given above per thousand feet, board measure, to be computed by "Scribner's rule," of the logs so driven or hauled, and may collect for said driving and hauling at the above rates when so agreed upon with other persons or parties, in the same time and manner as hereinbefore provided for the driving of said company logs.

Logs, lumber, &c. which the company may drive.

SECTION 3. Said company at their own option may have the right to drive the logs, timber, lumber, cants and shingle bolts belonging to parties or persons owning mills, or who have their logs and timber manufactured or sawed in mills on the Chippewa river, at or below West Eau Claire, on said Chippewa river, from the upper boom of said Chapman and Thorp down and out of said Eau Claire river, to the boom or booms at the West Eau Claire, on the Chippewa river, and may collect and receive therefor from such owner or owners, such additional price as shall be deemed reasonable and right; and said company shall have the same lien and control on and over all such logs as shall be from any cause or in any manner run below said boom of Chapman and Thorp, for all dues for the hauling and driving of such logs, as if they had been held in the said boom of Chapman and Thorp or in the Eau Claire river.

Litcs.

Company mark.

SECTION 4. The directors of said company shall choose and adopt a company "mark," which may be

changed at pleasure by said directors, which said mark shall be put upon all logs when assorted at the dividing boom of Chapman and Thorp, which shall be found without any mark upon the same, unless in actual possession of parties owning the same, whereupon said logs shall be regarded as prize logs. The same shall be held by said company and sold either at public or private sale by said company, and the proceeds thereof be placed in the general fund, to be used in defraying the expenses of said company; and it shall not be lawful for any person to mark or cause to be marked any of such logs with other than said company mark.

SECTION 5. At any regular meeting hereafter of the members of the Eau Claire river log-driving company, by a two-thirds vote of all the members present at such meeting in favor thereof, the said company may organize themselves into a stock company, with a capital not to exceed five thousand dollars, which shall be divided into one hundred shares of fifty dollars each, and shall be deemed personal property, and may be transferred in such manner as the by-laws of said company may direct; and the then existing directors of said company shall continue directors, with all previous rights and privileges granted them, and also as incorporators under the new organization, until directors are elected by the stockholders as hereinafter provided, when their offices shall cease.

SECTION 6. If the said members of this company shall have voted to make it a stock company, the directors, or a majority of them, shall open books for subscription to the capital stock of said company, at such time and places as they shall designate, of which they shall give notice in such manner as they may deem best, at and after which time, subscriptions may be received under the direction of said directors, or a majority of them, until fifty shares or more of said capital stock shall have been subscribed, and fifty per cent. thereon paid in by the subscribers to the same; the remainder to be paid as by resolution or by-laws said directors may direct, to the treasurer of said company. The said directors shall give notice to all the subscribers to the stock of said company, in such manner as the may deem proper, to meet at such time and place as shall be designated in said notice, for the purpose of electing five of their number as directors of said company, to

hold their office one year, or until their successors are elected; and the said five directors, after they are elected by the stockholders, shall thereafter perform the same duties and exercise the same rights as the directors holding under the former organization of this company, together with such other and further rights and duties as they may be entitled to exercise under the provisions of this act.

Annual meet-  
ings.

SECTION 7. The annual meeting of this company shall hereafter be held on the first Tuesday in February, of each year, in the village of Eau Claire, at which meeting the directors shall be elected, each stockholder being entitled to one vote on each share of stock held by him, which vote may be given either in person or by proxy, when duly authorized, and every director shall be a stockholder in said company.

When to take  
effect.

SECTION 8. The provisions of this act, so far as they provide for the organization of the said Eau Claire [river] log-driving company as a stock company, shall not take effect until said company shall have organized as a stock company, in pursuance of the provisions of this act; and when said company may have so organized as a stock company, all the provisions of chapter 35 of the private and local laws of 1862, which conflict with or contravene the provisions of this act, are hereby repealed.

SECTION 9. That this act shall take effect from and after its passage.

Approved March 18, 1864.

## CHAPTER 161.

[Published March 24, 1864.]

AN ACT to authorize Charles Warner to construct and maintain a boom on the Chippewa river, in the county of Eau Claire.

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

Authority to  
build boom and  
pier.

SECTION 1. That Charles Warner, his associates, successors and assigns, are hereby authorized and empowered to construct and maintain such number and