

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

Approved March 11, 1874.

CHAPTER 261.

[Published March 24, 1874.]

AN ACT to amend chapter 446 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin Railroad Farm Mortgage Land Company.

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

Duty of commissioners.

SECTION 1. Section five of chapter 446 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin Railroad Farm Mortgage Land Company, is hereby amended by adding to said section the following: *provided*, said commissioners shall make a dividend of not less than five per cent., to be applied and paid to the persons entitled to receive the same as aforesaid, on or before the first day of July next.

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

Approved March 11, 1874.

CHAPTER 262.

[Published March 24, 1874.]

AN ACT to improve Nail creek, in Chippewa county.

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

Who may improve river.

SECTION 1. For the purpose of improving that branch of Chippewa river known as Nail creek, so as to facilitate and insure the driving and floating of logs and timber down and out of said creek, it is hereby provided and enacted: That any person, association, company or corporation, their successors or assigns, that shall have improved said Nail creek by erecting dams for the purpose of flooding and creating reservoirs

of water for driving purposes, 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 creek practicable and reasonably certain, shall be entitled to receive, and may charge and collect for such service in toll, ten cents per thousand feet, board measure, for and upon all logs and timber put in said creek, designed and intended to be run out of the same, the amount of said logs and timber to be determined by and under the direction of the lumber inspector for the district in which said creek runs, or by the mutual agreement of both parties: *provided, however*, that such persons, association, company or corporation having undertaken the improvement of said creek for the purposes herein stated shall not be entitled to receive tolls as hereinbefore provided until at least three thousand dollars shall have been expended on said improvements by such party or parties.

May receive toll.

When may receive toll.

SECTION 2. It shall be lawful for any person, association, company or corporation, their successors or assigns, having improved said Nail creek, as provided in section one of this act, to take possession of all logs and timber put into said creek to be floated down and out of the same, the owners or agents of which shall not have made adequate provision 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 out of said creek without hindering the main drives and to drive the same down and out of said creek, and shall be entitled to charge, receive and collect for such service the sum of thirty cents per thousand feet for all logs so driven out of said creek, the amount to be ascertained in the same manner provided in section one of this act: *provided, however*, that for all logs driven a distance of less than five miles on said creek, no more than fifteen cents per thousand feet shall be charged or collected.

May take possession of and run logs.

Collect fees for same.

SECTION 3. For any tolls or charges as herein provided, which shall remain due and unpaid, the party to whom such tolls or charges shall be due and owing shall have a lien on all logs upon which such tolls or charges, or any part thereof, shall remain unpaid, and on all other logs on said creek owned by the party from whom such tolls or charges are due, and may enforce the same, in the same manner as other liens for services and labor upon logs are enforced, and for this purpose may hold and detain such logs at any place in the Chippewa river, until such tolls and charges are paid: *provided, however*, that the said per-

Shall have a lien on logs for tolls.

son, association, company or corporation, their heirs or assigns, shall not be entitled to collect or receive any toll, unless the cost of driving logs out of said Nail creek shall be reduced by the use of said dam.

SECTION 4. The provisions of this act shall not apply to logs put into said creek during the present logging season of 1873 and 1874.

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

Approved March 11, 1874.

CHAPTER 263.

[*Published March 24, 1874.*]

AN ACT to amend chapter 132 of the laws of 1865, relating to the adoption of children.

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

Consent to be first obtained.

SECTION 1. Section one of chapter 132 of the laws of 1865 is hereby amended to read as follows: Section 1. No such adoption shall be made without the consent in writing of such of the parents of said child as may be living, unless it appears to the judge that either of the parents has abandoned the child or gone to parts unknown, when the consent may be given by the parent, if any, having the charge and care of the child. And in case when neither of the parents is living, or if the only living parent has abandoned the child or neglected to provide therefor, such consent may be given by the guardian of such child, if it have any, and if there be no such guardian, such consent may be given by any of the next of kin of such child residing in this state, or by some suitable person to be appointed by such judge; and in case of a child not born in lawful wedlock, such consent may be given by the mother, provided she is living and has not abandoned such child.

Who may give consent.

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

Approved March 11, 1874.