

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

Approved March 18, 1878.

[No. 189, S.]

[Published April 6, 1878.]

CHAPTER 257.

AN ACT to protect lumber interests.

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

SECTION 1. Every person who shall willfully take, carry away or otherwise convert to his own use, without the consent of the owner, any log or cant suitable to be worked into plank, boards, joist, shingle or other lumber, the property of another, whether the owner thereof be known or unknown, lying and being in any river within this state, or in any of its tributaries, or on or near the banks of any such river, or any of its tributaries, for the purpose of being driven or floated to market, shall be deemed guilty of the crime of larceny, and on conviction thereof shall be punished by a fine of not less than fifty dollars and by imprisonment in the county jail not less than three months; and on a second conviction for a like crime shall be punished by a fine of not less than one hundred dollars and by imprisonment in the penitentiary not more than two years. Penalty for larceny.

SECTION 2. Every person who shall cut out, alter or destroy any mark made or caused to have been made by the owner on any log, cant or other lumber lying and being as described in the first section of this act, without the consent of the owner thereof, shall, on conviction, be punished by a fine not less than fifty dollars, and by imprisonment in the county jail not less than three months, and on a second conviction for like crime shall be punished by a fine not less than one hundred dollars, and by imprisonment in the penitentiary not more than two years. Penalty for destruction of marks.

SECTION 3. Every person guilty of either of the offenses described in the preceding sections of this act shall, whether convicted thereof in a criminal prosecution or not, be liable to pay the owner of such log, cant or other lumber, respecting which the offense was committed, double the amount of the value of the same, to be recovered in an action. Liabilities.

Presumptive
evidence.

SECTION 4. In any prosecution under the preceding sections of this act, if any such log or cant shall be found in the possession of the defendant, with the mark cut out or destroyed, or partly cut out or destroyed, or partly sawed or manufactured into lumber of any kind, fence posts, or rails, such possession shall be presumptive evidence of his guilt.

Search for lum-
ber.

SECTION 5. The owner of any such log, cant or other lumber, may at any time, lawfully, by himself or his agent, enter, in a peaceable manner, upon any mill or mill-boom, or raft of logs, cant or other lumber, in any river or in its tributaries within this state, or on or near the banks of such rivers or their tributaries, in search of any such log, cant or other lumber, which he may have lost, and any person who shall willfully prevent or obstruct such search, shall forfeit for such offense not less than twenty dollars nor more than fifty dollars, to be recovered in the name and for the use of the person by whom or on whose account such entry was made.

Penalty for ob-
structing
search.

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

Approved March 18, 1878.

[No. 182, S.]

[Published March 28, 1878.]

CHAPTER 258.

AN ACT to provide for the sale of the reports of the decisions of the supreme court now owned by the state.

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

Sale of reports
authorized.

SECTION 1. The state librarian is hereby authorized to sell and deliver to any resident of this state, who desires to purchase the same for his own use, one set, and no more, of the volumes of the reports of the supreme court of this state; and to any resident of this state, for his own use, one each of the odd volumes, and no more, of the said reports not required to make complete sets owned or to be owned by the state, at the price of two dollars per volume. The money realized and received by said librarian from such sales, shall be paid by him into the treasury of the state, to the credit of the general fund; but such sales shall not be made further than to reduce the number of each volume of said reports to seventy-five: *provided,*