

price not exceeding the actual cost thereof, and authority to make such purchase is hereby granted: and provided further, that only five cents per thousand feet shall be so charged and collected upon, or for, all logs and timber floated or driven in said river only below the north line of town thirty-five.

SECTION 3. Section three of said chapter two hundred and eighty-eight, is hereby amended so as to read as follows: Section 3. For all such charges and sums which he or they are so entitled to receive, said Daniel Shaw, or his assigns, shall have a lien upon the said logs and timber so driven or floated in said river, and may enforce the same in like manner as other log liens are enforced, arising in Chippewa county, Wisconsin, pursuant to chapter one hundred and forty-three of the revised statutes. Charges to be
lien upon logs.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1881.

[No. 27, S.]

[Published March 24, 1881.]

CHAPTER 164.

AN ACT to authorize E. E. Le Claire to improve Saylor creek.

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

SECTION 1. E. E. Le Claire and his assigns are hereby authorized to build and maintain a dam or dams and otherwise improve Saylor creek, in township number thirty-nine, range one, east of the fourth principal meridian, by removing rocks, stumps, fallen timber and any other obstructions. Location of
dam.

SECTION 2. The said E. E. Le Claire shall build and maintain suitable slides and gates in said dams for the purpose of sluicing timber and logs over or through said dams and shall operate said improvements and dams for the purpose of driving down said stream such logs and timber as may be put into the same. Slides and
gates.

SECTION 3. When said E. E. La Claire shall have improved said stream so as to make it reasonably certain that logs can be driven down said stream, he may charge and collect as tolls for all logs or timber run down said stream, the sum of twenty-five cents per thousand feet, for the use of said dams or improvements. Tolls.

SECTION 4. All tolls authorized by this act shall be a lien upon all logs or timber so driven down said Tolls to be lien
on logs.

stream, which lien may be enforced as the leans of mechanics and laborers.

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

Approved March 23, 1881.

[No. 19, S.]

[Published March 24, 1881.]

CHAPTER 165.

AN ACT relating to depositions and amendatory of section four thousand and eighty-six of chapter one hundred and seventy-six of the revised statutes, entitled, "of evidence."

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

Depositions
may be taken.

SECTION 1. Section four thousand and eighty-six of the revised statutes, is hereby amended by adding thereto the following: And in all criminal or quasi criminal cases in courts of record, the defendant on notice of the district attorney, may apply to the court or the presiding judge thereof, for leave to take the deposition of any material witness within the state, who is in imminent danger of death, or, of any material witness who is without the state. And if it appears to the satisfaction of the court or presiding judge, that due diligence has been used in making such application, and that such witness is material, and is in such imminent danger, or without the state, and that his attendance cannot by the use of due diligence be procured upon the trial, then such leave may, in the discretion of such court or judge, be granted; and such court or judge shall determine whether such deposition be taken on verbal or written interrogatories and cross interrogatories, and the same when so taken may be used on the trial in the same manner as in civil cases.

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

Approved March 23, 1881.

[No. 142, S.]

[Published March 26, 1881.]

CHAPTER 166.

AN ACT to revise the charter of the city of Prairie du Chien.

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

Official oaths
and bonds.

SECTION 1. Section one of sub-chapter three of chapter fifty-nine of the laws of 1873, is hereby amended