

[No. 261, A.]

[Published April 22, 1887.]

CHAPTER 273.

AN ACT to improve Devil's creek in the county of Sawyer and state of Wisconsin, and to grant to Malcom Dobie, his heirs and assigns, certain powers and privileges.

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

SECTION 1. For the purpose of improving Devil's creek, so called in the county of Sawyer and state of Wisconsin, so as to aid and facilitate the driving, running and floating of logs and timber down said creek into Lac Court Orriell's river, Malcom Dobie, his heirs and assigns, are hereby authorized and empowered, and right and authority to him, his heirs and assigns, hereby granted, to build, erect and maintain a dam or dams in and across said Devil's creek in such number and of such height as may be necessary; provided, that the water of said Devil's creek shall not be raised by reason of the construction of said dam or dams, to exceed twelve feet above ordinary water level, at the point where said dam or dams shall be erected and maintained; one of said dams to be built on the northeast quarter of the northwest quarter of section three, of township number thirty-eight north, of range eight west, with suitable gates, slides and chutes for the passage of logs and timber over and through said dams, and also to build and maintain such other dams, booms and other improvements by closing sloughs, cleaning and straightening the channel thereof, building and maintaining side dams and booms as may be necessary to render log driving down and out of said Devil's creek reasonably convenient and certain; and for the purpose of acquiring any flowage rights that Malcom Dobie, his heirs and assigns may deem necessary in carrying out the provisions of this act, may exercise all powers granted to corporations by section 1777, of the revised statutes of Wisconsin.

Malcom Dobie, authorized to improve Devil's creek. Sawyer county.

Proviso.

SECTION 2. Malcom Dobie, his heirs and assigns, are to keep said dam or dams and other improve-

To keep dam, etc., in repair.

ments in repair, and to operate and use the same during the log-driving season for flooding, driving and floating of all logs and timber that may be put into said Devil's creek or tributaries thereof, in a way to afford the greatest facility to all parties.

When may collect and receive tolls.

SECTION 3. Whenever the said Malcom Dobie, his heirs and assigns, shall have expended the sum of three thousand dollars in building said dam or dams, and such other improvements as above mentioned, the said Malcom Dobie, his heirs and assigns, in consideration of the building, maintaining and operating said dam or dams and other improvements, and the facilities thereby obtained for floating and driving logs and timber on and out of said Devil's creek, is, and hereby shall be authorized and permitted to charge, and entitled to receive, and sue for and collect, for the use of said improvements, and for the increased facilities of navigation thereby created, tolls as follows: Five cents per thousand feet, board measure, for and upon all logs and timber put into the said creek below said dam on said section three and intended to be floated and run out of said creek, and twenty cents per thousand feet, board measure, for and upon all logs and timber put into said creek above the said dam, and intended to be run over said dam, and out of said creek; and the amount of logs and timber to be determined by the government scaler, or the lumber inspector of the district in which said stream is situated, or by mutual agreement of the parties.

Lien for tolls.

SECTION 4. Malcolm Dobie, his heirs and assigns, shall have a lien upon all logs and timber put into said Devil's creek, that may be driven, floated down and out of said stream according to the lien laws of the state of Wisconsin, for and at the rate of the charges for toll mentioned and allowed in section 3, of this act; and any and all charges for toll, Malcolm Dobie, his heirs and assigns, shall have, on account of the erection, maintaining and operating said dam or dams and other improvements on said stream as a lien upon such logs or timber; and unless paid on or before ten days after the same are driven or floated out of said Devil's creek, all of such charges may be enforced by Malcolm Dobie, his heirs and assigns, in the same manner as other liens for services and

labor performed on logs are enforced under the laws of this state.

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

Right to
amend, alter
and repeal,
r. served.

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

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated, within the time prescribed by the constitution of the state, has become a law without his approval.

ERNST G. TIMME,
Secretary of State.

April 2, 1887.

[No. 507, A.]

[Published April 7, 1887.]

CHAPTER 274.

AN ACT to revise, consolidate and amend chapter 280, laws of 1883, entitled, "an act to incorporate the city of Marshfield."

(See Vol. 2.)

[No. 473, A.]

[Published April 29, 1887.]

CHAPTER 275.

AN ACT to amend section 558, of chapter 28, of the revised statutes, entitled, "of the distribution of the school fund income."

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

SECTION 1. Section 558, of chapter 28, of the revised statutes, entitled, "of the distribution of

Amending section 558, R. S.