

birds, shall be punished by a fine of not less than twenty nor more than one hundred dollars and costs for each offense, or by imprisonment in the county jail of the county where the offense was committed, for a period of not less than ten nor more than sixty days.

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

Approved April 11, 1891.

No. 681, A.]

[Published April 15, 1891.

CHAPTER 215.

AN ACT to regulate booming of logs at Beef Slough and prescribing charges therefor.

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

Fixing tolls for rafting, etc., logs at Beef Slough.

SECTION 1. It shall be the duty of all persons and corporations engaged in driving, brailing, rafting, booming and sluicing logs at Beef Slough, this state, to receive, brail, boom and raft logs for all persons desiring the same to be so received, brailed, boomed and rafted therein, and to deliver the same to the owner or person entitled thereto, securely and properly brailed, in a suitable and safe and at a practicable place in said slough, or in water adjacent thereto, at and for the rate of seventy-five cents per thousand feet, which said sum shall be in full of all services in so driving, running, booming and brailing said logs at such safe and practicable place aforesaid. All of said logs shall be so received, sluiced, boomed, brailed and delivered to the owner or person entitled thereto at the place aforesaid, as speedily as the same is reasonably practicable and the said price of seventy-five cents per thousand feet, aforesaid, shall be payable within thirty days after such logs shall have been so delivered at such place to the owner or person entitled thereto as aforesaid.

SECTION 2. All acts and parts of acts conflicting with or contravening the provisions hereof, are hereby repealed.

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

Approved April 11, 1891.

No. 768, A.]

[Published April 17, 1891.

CHAPTER 216.

AN ACT to amend section 3769, of chapter 160, of the revised statutes, entitled, "Of appeals."

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

SECTION 1. Section 3769, of chapter 160, of the revised statutes, is hereby amended so as to read as follows: Section 3769. Upon the hearing of the appeal, when there is no new trial in the appellate court, such court shall give judgment according to the weight of the evidence and the justice of the case, without regard to technical errors which do not affect the merits and without regard to the finding of the justice, and may, if necessary for that purpose, amend the pleadings therein, and in giving judgment, may render an affirmative judgment, or may affirm or reverse the judgment of the court below in whole or in part, either as to damages, or to costs, or both, as to any or all of the parties, and for errors of law or fact. To the copy of every such judgment upon an appeal, there shall be annexed the return upon which it was heard, which shall be filed with the clerk of the court, and constitute the judgment roll, and the judgment shall be docketed in, and shall be executed by the process of the appellate court.

Amends section 3769 of revised statutes, 1878.

Appeals in circuit court from courts of justices of the peace.

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

Approved April 11, 1891.