

## CHAPTER LXVI.

*An Act in relation to the driving of logs, timber and lumber.*

- SECTION 1.** Rights of persons hindered from floating logs or timber to market.
2. How claims on logs or timber may be collected.
  3. Booms not to be interfered with.
  4. When act to be inoperative.
  5. When act to take effect.

*Be it enacted by the Legislature of the State of Minnesota:*

**SECTION 1.** That any person who shall desire to float to market or place of manufacture, any logs or timber in any of the streams in this State, except the river St. Croix and its tributaries, and who shall be hindered and obstructed in so doing by the logs or timber of another, or any person whose logs or timber, in any of the waters of this State, are so intermixed with the logs or timber of another, that the same cannot be conveniently separated for the purpose of being floated to the market or place of manufacture, may drive all logs or timber with which his own is or may be obstructed or intermixed, towards such market or place of manufacture, to some point where the same can be conveniently separated from his own, and shall be entitled to a reasonable compensation therefor from the owner of such logs or timber, and upon filing in the office of the surveyor general of the district where such logs may be, within thirty days after the completion of such driving of any such logs or timber, a statement, setting forth when and where the same were driven, the amount of his claim therefor, together with the mark borne upon any such logs or timber, and verified by his oath or affidavit, such person shall have and retain a lien upon any logs or timber bearing such mark, for the amount of such claim, from the time of filing the same, and may have and maintain a civil action for

Rights of persons hindered from floating logs or timber to market

the amount of such claim, or for the enforcement of such lien against the owner of such logs or timber, or any person in whose name such mark shall be recorded, at the time of filing such claims. *Provided*, That a failure to commence such action within thirty days after the filing of such claim, shall operate as a discharge of said lien.

How claims on logs  
or timber may be  
collected

SEC. 2. Any person having a claim or lien upon any logs or timber, as provided in the preceding section, properly adjudicated before any court having jurisdiction thereof, may proceed to sell at public auction a sufficient quantity of such logs or timber to pay and satisfy such claim or lien, first giving at least six days' notice of the time and place of such sale, and amount of such claim, by posting notices of such sale in three of the most public places in the city or town where such logs may be, and where such sale shall take place, and any sheriff, constable or other person, may act as auctioneer and execute proper bills of sale, without incurring personal liability on account thereof.

Booms not to be  
interfered with

SEC. 3. Nothing in this act shall be so construed as to interfere with any boom or booms necessarily erected for the safe keeping of logs or timber.

When act to be in-  
operative

SEC. 4. This act shall be inoperative and void after November 1st, 1864.

SEC. 5. This act shall take effect on and after its passage.

Approved March 3, 1864.