

of the failure of any such corporation sooner to comply with such law.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 25, 1907.

CHAPTER 428—S. F. No. 714.

An Act relative to the raising and floating of submerged, sunken or buried logs and other timber in the waters or the beds of any waters in this state, providing a lien therefor and amendatory of chapter 69, Revised Laws 1905.

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

Demand—payment.—Section 1. That chapter 69, Revised Laws 1905, be and is amended by inserting between sections 3535 and 3536 of said chapter two new sections which shall be designated as 3535a and 3535b and shall read as follows:

3535a. Any person desiring to raise or float any submerged, buried or sunken logs or other timber owned by him in any of the waters of this state and being hindered or obstructed in so doing by the logs or timber of another, and any person whose logs are sunken, buried or submerged, and so intermingled with those of another as to make it difficult to raise or float his own without raising and floating all, and who shall have filed in the office of the surveyor general of the log and lumber district wherein such logs or timber is situate a bond in the amount and with sureties approved by such surveyor general conditioned that such person will, on demand and on payment of any lien he may have thereon, deliver to the owners thereof at the nearest convenient place of separation, or the nearest advantageous market, all submerged, buried or sunken logs raised or floated by him in pursuance hereof, or in case such delivery be not so demanded, pay to the owner thereof, in pursuance of and according to the provisions of this section, and who shall from time to time renew such bond or give such additional bond as said surveyor general shall require, may raise and float all such obstructing or mingled logs or timber with his own and transport the same to some safe point where the same may be

conveniently sorted and separated or advantageously marketed. And he shall have a lien upon the logs or timber so raised or floated for the reasonable value of his services in raising and floating the same, which shall be asserted and enforced as in the case of other liens upon logs and timber. Any person who shall convert to his own use any logs or timber of another upon which he has a lien under the provisions of this section, and the delivery of which has not been demanded by the owner thereof, shall be liable to the owner of the logs or timber so converted for the full value thereof at the time of such conversion, with interest, less the amount of such lien and payment of the amount of such liability shall be full compensation for all logs or timber so converted.

3535b. Every person who shall engage in raising or floating logs or timber under the provisions of 3535a shall cause all logs and other timber raised or floated by him to be scaled at time of such raising or floating by the surveyor general of the log and lumber district within which such logs or timber is raised or floated, and shall place on each log and piece of timber so raised a suitable log mark, which mark shall only be used on logs or timber so raised or floated. The surveyor general of the proper log and lumber district shall attend in person or by deputy at the raising and floating of such logs or timber, and promptly scale the same, recording the size, kind, and all marks on each piece thereof. For such service said surveyor general shall receive in addition to all fees now allowed by law the further sum of five dollars for each day's attendance under the provisions hereof, and such fees shall be paid by the person so employing him and shall be taken and held to be a part of the cost of raising and floating such logs and timber.

Provided, however, that no such work shall be performed within the limits of any operating boom company organized under the laws of the State of Minnesota, except under the supervision and direction of some representative of the boom company within whose limits such work is being carried on.

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

Approved April 25, 1907.