

Waterworks to be under the management of mayor and common council.

to establish a general system of water works in the said city of Appleton, and the same to be under the direct management of the said mayor and common council until otherwise provided by law, and to adopt such rules and regulations for the management of the same as may be necessary for the purpose of carrying out the provisions of this act.

Sinking fund.

SECTION 5. The said mayor and common council may provide for a sinking fund from the collection of water rates, or in such other manner as they may determine, to meet the interest and principal on said bonds provided for in this act, and they are hereby authorized to establish a uniform system of water rates, and to provide for the collection of the same.

Bonds—how to be disposed of.

SECTION 6. The said bonds provided for in this act to be signed by the mayor of said city and countersigned by the clerk thereof, and to be disposed of as the common council shall direct.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 4, 1875.

CHAPTER 195.

[Published March 11, 1875.]

AN ACT to authorize J. H. McCourt to maintain a dam on the south fork of the South Fork of Clam River, in Polk county.

The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:

Authority to maintain dam.

SECTION 1. J. H. McCourt, his heirs and assigns, are hereby authorized to maintain and keep up a dam across the south fork of the South Fork of Clam River, at a point on the northwest quarter of the northeast quarter of section thirty-six (36), in township thirty-seven (37) north, of range sixteen (16) west, in Polk county; *provided*, that such dam shall not raise the water to exceed sixteen feet.

Corporators to build slides and to keep same open at certain times.

SECTION 2. The aforesaid person, his heirs and assigns, shall build suitable slides in said dam for running logs, timber and lumber over the same, and shall keep the same in repair. The same shall be kept open at all times when the river is in a driving stage and there are logs, timber or lumber to run

over said dam, and when it is not necessary to hold the water back for the purpose of driving or flooding logs, timber or lumber below the dam, for which purpose flood-gates shall be kept in repair and built in such manner as to be shut or opened as the case may require to flood the said logs, timber or lumber.

SECTION 3. The aforesaid person, his heirs or assigns, shall enjoy the privilege granted in this act for the term of fifteen years.

Term of grant.

SECTION 4. When the aforesaid person, his heirs or assigns, shall have completed the said dam as aforesaid, they are hereby authorized and empowered to receive and collect from the owners of all logs, timber and lumber passing over such slides, or driven by the aid of such dam, as a compensation for keeping and maintaining such dam, the sum of ten cents per thousand feet, board measure, the amount to be ascertained by scale on the landings in the woods; and the aforesaid person, his heirs and assigns, shall have a lien upon all logs, timber and lumber run over said dam, or driven by the aid thereof, until the charges aforesaid shall be fully paid; *provided*, that the said McCourt shall at all times comply with the provisions of section two of this act.

Rates of toll.

SECTION 5. The control of said dam, the slides and gates of the same, shall belong to the aforesaid McCourt, his heirs and assigns, but subject always to the provisions of section two, of this act.

Control of dam.

SECTION 6. Nothing in this act shall be so construed as to give the party aforesaid, his heirs or assigns, any right to shut down the gates of said dam during the months of July, August and September, in each year, but the said dam and gates thereof shall remain open during said months, and the waters of the said south fork of the South Fork of Clam River shall flow full and unobstructed through said dam during the months aforesaid.

Dam and gates to remain open at certain times

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved March 4, 1875.