

## CHAPTER 306.

[Published April 5, 1876.]

AN ACT to authorize Leonard Guenther and his successors and assigns to erect and maintain a system of piers and booms on the Wisconsin river, in the town of Knowlton, Marathon county.

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

SECTION 1. Leonard Guenther and his successors, representatives, heirs, and assigns, is hereby authorized and empowered to construct, erect, place, establish and maintain such a system of piers and booms on, in and along the Wisconsin river on sections twenty (20), twenty-one (21), twenty-eight (28), and twenty-nine (29), in township twenty-six (26), north of range seven (7), east of the 4th principal meridian, in the town of Knowlton, in Marathon county, in this state, as shall be most suitable and convenient for the purpose of stopping, holding, booming, dividing out and assorting all logs, timber and other materials in the general lumber manufacturing business on said river, and may use and enjoy the same for such purpose; *provided*, a passage way of convenient width is kept open, or convenient to open, at all times past and along the same for the passage of logs, timber and rafts.

Authority to erect piers and booms.

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

Approved March 11, 1876.

## CHAPTER 307.

[Published March 29, 1876.]

AN ACT to facilitate the artificial propagation and preservation of fish, and appropriating a certain sum therein named for that purpose, and to purchase a site for a state hatching-house and the erection thereof.

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

SECTION 1. There is hereby appropriated to the fish commissioners of the State of Wisconsin the sum of ten thousand dollars, out of any money in the state

Appropriation for purchase of site for state hatching house

treasury not otherwise appropriated, to enable the said fish commissioners to purchase, in the name of the state, and for its use, a suitable site for the erection of a state fish hatching-house, such site to be located as near as practicable to some railway station, and so as to afford easy access to the public waters of the state.

Commissioners to purchase such site, and to erect tenement.

SECTION 2. It shall be the duty of the fish commissioners to purchase such site, and to erect a hatching-house thereon, as soon as practicable after the passage of this act, taking a perfect title to the state of such site, and to equip such hatching-house with the most modern and approved appliances for hatching purposes, and to erect and maintain all necessary ponds and fixtures in and about the same. Also to erect, if in their judgment necessary, a cheap tenement house thereon, such tenement house not to cost a sum exceeding one thousand dollars (\$1,000.)

Commissioners to let contract for construction of hatching house.

SECTION 3. It shall be the duty of the said commissioners to procure plans and specifications for such hatching-house, and for such tenement, if deemed necessary, at a cost for the same not exceeding one hundred dollars, and to let the building of the same, upon giving four weeks public notice in some newspaper printed in the county where the same is to be erected, to the lowest and best bidder. The said commissioners shall have the right to reject any and all bids for such work if, in their judgment, the best interests of the state require it, and to re-advertise the letting thereof.

Hatching house to be placed in charge of superintendent.

SECTION 4. So soon as such site is purchased and said hatching-house is completed, the said commissioners shall have the power to place the care of the same under the superintendence of some practical pisciculturist, who shall be superintendent, and whose duty it shall be, under the direction of such commissioners, to receive and hatch all spawn for the use of the state, and to distribute the same in the public waters thereof, and as equitably as practicable. The said commissioners shall have the power to lease, for a term of years, to such superintendent, the secondary use of the water and appliances and fixtures of such hatching-house, to be used exclusively for hatching purposes, and for a tenement, and upon terms reasonable and just; *provided*, that such leasing shall in no manner interfere with the hatching of spawn for the use of the state. The salary of such superintendent shall not exceed one thousand dollars per annum, including the use of such tenement house and neces-

Commissioners may lease secondary use of water and fixtures.

Salary of superintendent.

sary ground for the purpose of a residence. The rental for such use shall be deducted from such salary, and the residue of such salary, if any, together with the expenses of distributing the fry of spawn in the public waters of the state, shall be paid from the general appropriation. The superintendent shall give a bond to the state in the penal sum of five thousand dollars, with sureties to be approved by said commissioners, conditioned for the faithful discharge of his duties as such superintendent, and which bond shall be filed with the secretary of state.

SECTION 5. It shall be the duty of the fish commissioners to receive from the United States commissioners of fish and fisheries, all spawns of fish donated to the state by the United States government, and to cause the same to be hatched and the fry to be distributed in the public waters of the state; and also to procure, in all practical ways, spawns and fish to be disposed of in such a manner as to forward the objects contemplated by this act.

Duty of fish commissioners.

SECTION 6. The said commissioners, or any two of them, shall have authority, to draw upon the state treasurer from the said appropriation, as the same may be required to defray expenses incurred, and shall report to the governor of the state all and singular the items of such expenditure, together with the business transacted under their commission, such report to be made on or before the commencement of each fiscal year.

Commissioners to draw money and make report.

SECTION 7. The fish interests of the state shall be entrusted to a board of five commissioners, of which board the governor shall be ex-officio one member, and the remaining four commissioners shall be hereafter appointed by the governor, and shall hold their place for a term of four years unless sooner removed, except that of the four first commissioners to be appointed under this act, the term of one shall expire April first, 1877; the term of another shall expire April first, 1878; of another shall expire April first, 1879; and the term of the fourth shall expire April first, 1880; *provided, however*, that the present commissioners shall continue to act until their successors are appointed as herein provided. The commissioners shall receive no compensation for their services, but shall be repaid the expenses necessarily incurred by them while discharging their duties, and their accounts shall be audited by the secretary of state.

How board of fish commissioners constituted.

SECTION 8. This act shall take effect and be in force from and after its passage.

Approved March 11, 1876.

## CHAPTER 308.

[Published March 31, 1876.]

AN ACT to provide for the more efficient protection from trespassers of certain lands embraced in the grants made by congress to the State of Wisconsin, by acts approved respectively June 3, 1856, and May 5, 1864, and of the timber standing and growing thereon.

*The people of the State of Wisconsin represented in senate and assembly do enact as follows:*

Action to be brought in name of state against trespassers.

SECTION 1. Whenever it shall be ascertained that any person or persons threaten to cut, fell or remove, or is or are engaged in cutting, felling or removing any timber of any kind upon or from the lands, or any of them, belonging to the State of Wisconsin, or in which the state has an interest, granted by congress to the said state, by acts approved respectively June 3, 1856, and May 5, 1854, [1864] to aid in the construction of a railroad from St. Croix river or lake, between townships twenty-five (25) and thirty-one (31), to the west end of lake Superior, and to Bayfield, commonly known as the "St. Croix grant," or is or are committing or threatening to commit any other trespass of any kind or nature upon said lands, or any of them, the agent or agents or any of them, appointed under the authority of the laws of Wisconsin, to protect said lands from the trespassers, may bring an action in the name of the State of Wisconsin, against such person or persons, in the circuit court of the county where such trespass or trespasses is or are threatened to be committed, or is or are being committed, to enjoin and restrain the party or parties so threatening to trespass or so trespassing, from trespassing or further trespassing upon said lands or any of them, and from removing any timber or logs therefrom, and upon presentation to the judge of said court or to any court commissioner in said circuit, of the complaint in said action, duly verified by said agent or agents, or any of them, or by any person, cognizant of the facts, an injunction shall issue in favor of the State

Threatened trespass to be prevented by injunction.