

[No. 309, A.]

[Published April 18, 1882.]

CHAPTER 316.

AN ACT to authorize Henry Stearns, his associates and assigns to construct and maintain a dam across the Embarrass river, on lands owned by him in Shawano county.

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

SECTION 1. Henry Stearns, his heirs and assigns are hereby authorized and empowered to construct and maintain a dam across the middle branch of the Embarrass river, on lands owned by him, upon the southwest quarter of section nine (9) township twenty-seven (27) range twelve (12) east, in the county of Shawano. Said dam to be constructed for hydraulic and manufacturing purposes, and for the purpose of facilitating the driving of logs and timber down said stream; provided, that said dam shall be subject to all provisions of law relating to the flowing of lands, and shall not interfere with the rights of any person heretofore acquired. The aforesaid person, his successors, heirs and assigns shall build a suitable slide or chute in said dam of sufficient width for running logs, timber or lumber over the same, and shall keep the same in repair. Said dam shall not be more than fourteen (14) feet in height at low water.

May maintain a dam.

SECTION 2. The control of said dam, the slides, gates, and chutes, of the same, shall belong to said Henry Stearns, his heirs and assigns, and be under his exclusive control, subject always to the provisions of section 1 of this act.

Control of said dam.

SECTION 3. Any person or persons who shall willfully or wantonly break, destroy or in any way injure said dam, the slides, gates or chutes of the same, or shall open the same, shall be liable to the proprietors of the same, in an action to the amount of the damages done, in addition to the penalties already provided by law, to be recovered before any court of competent jurisdiction.

Penalty for destroying company's property.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

ERNST G. TIMME,

March 30, 1882.

Secretary of State.