

[No. 538, A.]

[Published April 23, 1889.]

## CHAPTER 402.

AN ACT to provide for the opening and laying out of temporary highways.

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

Laying temporary highways, when.

SECTION 1. Whenever any two or more owners of any pine or other timbered lands shall wish to have a temporary highway laid out, they may, by writing under their hands, make application to the supervisors of the proper town for that purpose, who shall proceed to lay out such temporary highway in all respects as provided by law in relation to laying out public highways, except as hereinafter provided.

Application for, how made.

SECTION 2. When any such application shall be made, the supervisors shall proceed to view the premises described, and ascertain and determine the necessity of laying out such highway for the purpose of removing the saw-logs, timber or lumber from any pine or other timbered lands, and the length of time that such highway will be necessary, and they shall state such time in the record, and at the expiration of said time such highway shall cease.

How laid.

SECTION 3. No such highway shall be laid out along and upon, and so as to occupy, any road made or caused to be made by the owner of any land, or by any person with the consent of such owner, and used by the person or persons who made the same, unless such owner shall consent thereto in writing. If the owner of the land across which any such highway is desired shall appear before the supervisors at the time and place of hearing, and shall designate a route for such highway which shall be in the opinion of such supervisors reasonably direct and practicable for the purpose desired by such applicants, it shall be the duty of the supervisors, in case they determine such highway to be necessary, to lay the same upon the route designated by such owner.

To be public.

SECTION 4. Such temporary highways shall be public highways, and all the expenses of their lay-

ing out, shall be paid to the supervisors, and all damages that may be awarded on account of the taking of the lands therefor shall be paid to the person or persons owning such lands by the persons applying for the same, and upon such payment they may enter upon, open and work such highways at their own and sole expense, but no trees shall be cut therein, except such as shall be necessary to make a track or tracks.

SECTION 5. The persons applying for such highways shall be liable in damages for any injury resulting to persons or property on account of defects therein, in the same manner and to the same extent that townships are by law made liable for injuries resulting from defective highways; and such liability shall follow the ownership of the lands for the benefit of which such highways were established, and the town or municipality in which such highways may be situated shall not be liable.

Liability of parties for damages.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1889.

[No. 753, A.]

[Published April 18, 1889.]

## CHAPTER 403.

AN ACT to amend section 664, of the revised statutes, as amended by chapter 199, of the laws of 1882, relating to meeting of county boards.

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

SECTION 1. Section 664, of the revised statutes, as amended by chapter 199, of the laws of 1882, is hereby amended by adding to said section as follows: Provided, that the county clerk of any county shall, upon receiving a request in writing, signed by a majority of the county board, adjourn the annual meeting of such board to such day as a majority of those joining in such request may designate, not more than three weeks nor less

Amending sec. 664, R. S.

When county clerk to adjourn annual meeting and give notice of.