

such contagious disease while going to, detained in or returning from any such hospital as in the judgment of the commissioner or board shall be necessary or convenient for the efficient or proper government of such hospitals, and all laws relating to health or defining the powers of jurisdiction of such commissioner or board in any such city, shall extend and apply to every such hospital the same to all intents and purposes as though such hospital were situated within the corporate limits of such city.

Conflicting laws repealed. SECTION 4. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1903.

No. 239, A.]

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CHAPTER 153.

AN ACT to authorize G. D. Jones and Neal Brown, their heirs, associates and assigns, to build and maintain a dam across the Wisconsin river in sections thirteen (13) or fourteen (14), in township thirty (30) north, range seven (7) east, in Marathon county, Wisconsin, for the purpose of improving the navigation of said river and of creating hydraulic and electric power and transmitting and using the same.

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

Location of dam. SECTION 1. G. D. Jones and Neal Brown, their heirs, associates and assigns, are hereby authorized to build and maintain a dam across the Wisconsin river on any lands they may now own or may hereafter own, possess, or control in sections thirteen (13) and fourteen (14), in township thirty (30) north, range seven (7) east, in Marathon county, Wisconsin.

Purpose. SECTION 2. They may use such dam for the purpose of driving, booming and storing of logs and timber and improving the navigation of said river. If any water power shall be created by said dam not necessary for the purpose of driving, booming and storing of logs and timber or the improvement of the navigation of said river, the said G. D. Jones and Neal Brown, their heirs, associates and assigns, shall have the right to use, lease and dispose of such surplus water power in conducting and carrying on any manufacturing business and electric lighting business, or in operating any street railway, and for that purpose may build raceways and flumes and all other equipment necessary to develop and use such surplus power for such purposes.

Powers conferred. SECTION 3. In order to build and maintain said dam and use the same for the purposes herein specified, the said G. D. Jones and Neal Brown, their heirs, associates and assigns, shall have the right to take and overflow and use any lands or riparian rights not owned or controlled by them, and may acquire title to any such lands or riparian rights, and the right to control and use the same for said purposes by and through proceedings of condemnation under the power of eminent domain as provided in sections 1777a, 1777b, 1777c, 1777d and 1777e of the statutes of 1898, and said statutes and acts amendatory thereof, are hereby made applicable to said dam and the acquisition of the title or right to use any lands or riparian rights for the purpose of building, maintaining and using said dam for the purposes hereinbefore specified.

How constructed. SECTION 4. Said dam shall be so constructed and maintained as not to hinder, impede or obstruct the free navigation of the Wisconsin river. And said G. D. Jones and Neal Brown, their heirs, associates and assigns, shall build, maintain and keep in repair suitable slides and chutes in said dam, for the running of logs and timber products over the same, sufficient in capacity to accommodate all logs and timber products that may be floated down said river, and shall maintain a sufficient unobstructed channel for the free passage of logs and timber products through the pond created by said dam; and all logs and timber products destined to points below said dam, shall be taken by the owners of said dam when they reach the flowage thereof, or reach any jam that may be caused by the stopping of logs by the works or pond of the owners of said dam, and shall be driven by such owners free of charge and with reasonable dispatch through

said flowage and pond, and over said dam. Provided, that the provisions of section 1601 of the statutes of 1898 shall not apply to the dam erected under this act.

Free passage for logs. SECTION 5. Said dam shall be so constructed and maintained as to be capable of permitting the free and uninterrupted passage through or over the same of any and all floods, discharged by any flooding dam further up said river for the purpose of assisting in and facilitating the driving of logs and other timber products below said dam authorized by this act, and the owners of said dam shall so maintain and operate it as to permit the free passage of all such floods without substantial impairment of their effectiveness, in assisting in the driving of logs and timber products down said river and shall be liable in damages to any person or corporation injured by failure to comply with this section.

Fishway. SECTION 6. The dam so erected shall be provided with a good and sufficient fishway to be approved by the state board of commissioners of fisheries, and said fishways shall at all times be kept in good repair and open for the free and easy passage of fish up and down said stream. In case the owner or owners of said dam shall neglect or refuse to keep in repair or to keep open such fishway, as required by the provisions of this act, they shall upon conviction thereof, be fined not less than twenty-five dollars nor more than one hundred dollars. The dam so erected shall be provided with such piers and guide booms as may be necessary for the free and safe passage of logs at the expense of the owners of said dam.

SECTION 7. The right is reserved to the legislature to repeal or modify this act at any time.

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

Approved May 2, 1903.