

No. 433, A.]

[Published March 25, 1903.]

CHAPTER 23.

AN ACT to amend section 1299i of chapter 52 of the statutes of 1898, relating to temporary logging highways.

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

How laid; expenses and liability. SECTION 1. Section 1299i of chapter 52 of the statutes of 1898 is hereby amended by striking out all after the word "cease" in the twelfth line of said section to the word "such" in the twenty-first line of said section, so that said section when so amended shall read as follows: Section 1299i. Whenever one or more owners of any timbered land shall present to the supervisors of the proper town a written petition for the laying out of a temporary highway to give them access to such land or therefrom to a stream or railroad, and describe in such petition the land owned by him or them and also that over which they desire such highway laid, such supervisors shall proceed to lay out such highway in the manner in which public highways are laid out except as otherwise provided herein; they shall view the premises described and determine the necessity for laying out such highway for the purpose of removing saw logs, timber or lumber from the land, and the length of time such highway will be required, which time shall be stated in their order, and at the expiration thereof the highway shall cease. Such highways shall be public and all the expense of laying them, including all damages which may be awarded on account of taking land therefor, shall be paid to the supervisors by such petitioners, and shall be by him or them paid to the person in whose favor the award was made. Upon such payment being made the petitioners may enter upon, open and work such highways at their own expense and construct logging railroads thereon, subject to such restrictions and regulations as shall be made in writing by the supervisors, but no tree shall be cut thereon except such as it shall be necessary to remove to make a track or tracks. The petitioners for such highways shall be liable in damages for any injury resulting to persons or property on account of defects therein in the manner and to the extent that towns are liable for injuries caused by defective highways; such liability shall follow the ownership of

the lands for the benefit of which the highway was laid, and the town in which it was situated shall not be liable on account thereof.

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

Approved March 24, 1903.

No. 118, A.]

[Published March 25, 1903.

CHAPTER 24.

AN ACT to authorize St. Croix Falls Wisconsin Improvement Company, its successors and assigns, to build and maintain a dam across the St. Croix river at or near the village of St. Croix Falls, Polk county, Wisconsin.

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

Location of; purpose. SECTION 1. St. Croix Falls Wisconsin Improvement Company, its successors and assigns, are hereby authorized to build and maintain a dam across the St. Croix river, at such point as it or they may select, at or near the St. Croix Falls, so-called, in said river, for improving navigation on said river, and for developing water power therein for the purposes of manufacturing, generating electricity, supplying municipalities and their inhabitants with light, heat and power, and for any lawful purpose whatever.

Size; sluiceway; fishway; control of. SECTION 2. Said dam shall not exceed in height fifty (50) feet above low water mark at the point where said dam is built, provided, however, that flashboards may be used to a height of not exceeding four (4) feet above the crest of said dam, and provided, always, that said dam shall have a sluiceway, or other fixture, sufficient and so arranged as to permit the free passage of logs, timber and lumber around, through or over said dam, without unreasonable delay or hindrance, and available at all times when said river is at a driving stage and there are logs, timber or lumber to be passed, and provided, further, that there shall be erected and