

made part of the records of the municipal court of the city of Beloit and the judge of said municipal court is hereby authorized to issue executions on and transcripts of any judgment now shown on the records of said police court in the same manner as if said judgments had been rendered by said municipal court.

Judge's affidavit before receipt of salary. SECTION 2. Section 33 of chapter 423, laws of 1905, is amended to read: Section 33. 1. The salaries and expenses connected with the court, for which the county and city are proportionally liable, shall be paid by the county treasurer quarterly at the end of each quarter; all other expenses of the court chargeable to the city of Beloit alone shall be paid by the city treasurer as are other city expenses.

2. *Before the judge of said court shall receive or be allowed to draw any salary for any quarter, he shall take and subscribe an affidavit before an officer entitled to administer oaths similar to that required of judges of the circuit courts by chapter 107, laws of 1899, which affidavits shall be presented to and filed with the officer whose duty it shall be to pay such salary.*

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 27, 1907.

No. 887, A.]

[Published July 1, 1907.

CHAPTER 449.

AN ACT to authorize Soren C. Frost, his heirs, executors, administrators and assigns, to build and maintain a dam across the north branch of the Oconto river, for the purpose of creating hydraulic power.

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

Location of dam; height; purpose. SECTION 1. Soren C. Frost, his heirs, executors, administrators and assigns, are

authorized to build and maintain a dam across the north branch of the Oconto river, of a height not to exceed twenty feet above low water mark, in the northwest one-fourth of the southwest one-fourth of section ten, township thirty-one north of range sixteen east, in the county of Oconto, for the purpose of creating hydraulic power, and the said Soren C. Frost, his heirs, executors, administrators and assigns are authorized to use such hydraulic power for any lawful public purpose.

Fishway. SECTION 2. The dam shall be provided with a good and sufficient fishway to be approved by the state board of commissioners of fisheries, and said fishway shall, at all times, be kept in good repair and open for the free and easy passage of fish.

Land flowage damages. SECTION 3. In case it shall be necessary to take, flow or injure any lands and property, or either thereof, for the purpose or purposes of the construction or use of the dam hereby authorized, Soren C. Frost, his heirs, executors, administrators or assigns, shall be subject to all of the provisions, remedies and liabilities in that behalf, and entitled to all the benefits, privileges, remedies and provisions of chapter 146 of the statutes of 1898, entitled "Of Mills and Mill Dams," as applicable and not inconsistent with this act, but nothing contained in this section shall be taken to preclude said grantee, his heirs, executors, administrators or assigns from acquiring title to, or the right to use any and all such lands and property, or of either thereof, or any part thereof, by purchase, lease, license, or any usual method or means of acquisition of title by act of parties.

Condemnation proceedings. SECTION 4. Also for the purpose of acquiring the necessary lands or rights, easements or privileges in lands necessary for flowage so that the complete construction of said dam and improvement of navigation under this act, or any law heretofore passed, may be successfully carried out, said party, his heirs, executors, administrators and assigns, may enjoy the rights granted to and conferred upon corporations by section 1777 to 1777e, both inclusive, of the statutes of 1898, and such amendment, or amendments thereto as may have been or may be made, and also may enjoy the rights granted to and conferred upon corporations by sections 1850 to 1857, both inclusive, of the statutes of 1898, and such amendment or amendments, as may have been or may be made thereto.

Express conditions: SECTION 5. This act is passed in consideration of and upon the following expressed conditions:

Time of beginning. 1. The construction of the dam herein authorized shall be commenced within two years from the date of the passage of this act.

Operation. 2. If so built and constructed it must be maintained and operated continuously, and its maintenance and operation must not be discontinued or cease for any length of time exceeding two years at any one time.

Law observance. 3. The water power acquired under and by virtue of this act shall not be operated or its operation suspended pursuant to any contract, agreement or understanding, expressed or implied in violation of any law of this state or of the United States.

Rentals. 4. In case the owners thereof desire to let, lease or rent, or furnish any hydraulic power or accumulation of water procured or created under this act, for public purposes or any lawful private purpose, they shall not charge or collect more than a reasonable rental therefor. In case the owner of such dam and the lessee of any part of said hydraulic power or accumulation of water shall be unable to agree upon the price to be paid for the use of the same, they shall submit the matter to arbitration, and for this purpose the owner of such power or accumulation of water shall select an expert engineer, the lessee shall select another expert engineer, and the two engineers so chosen shall select a third, who together shall constitute the arbitrators, and have full authority to determine the price that shall be paid for the use of such power or accumulation of water. Their decision shall be reduced to writing, and signed by a majority of such arbitrators, and shall be final and conclusive upon the parties in interest.

Arbitration of rentals, pain of forfeiture. SECTION 6. The refusal of any owner to submit to arbitration as herein provided, the question of the price at which hydraulic power or accumulation of water shall be rented as herein provided, or his failure to furnish such power or accumulation of water at the price fixed by said arbitrators as hereinbefore provided, if such power or accumulation of water is not needed for other use, or his failure to comply with all the conditions of

this act, shall terminate and forfeit the franchise hereby granted, and the failure of the lessee of such hydraulic power or accumulation of water to submit the question of price to be paid for the same to arbitration, as herein provided, or after submission, to pay the price determined by said arbitrators, shall work a forfeiture of his lease, if any he had, of such power or accumulation of water.

No corporate powers. SECTION 7. No corporate powers are granted or intended to be granted by this act, and the same shall not be construed or deemed to grant such powers.

Amendment and repeal reserved. SECTION 8. The power to alter, amend or repeal this act is reserved.

Conditioned on acceptance. SECTION 9. This act shall take effect and be in force from and after its passage and publication, and the filing in the office of the secretary of state by the person to whom the franchise is granted of a written acceptance of the conditions herein contained.

Approved June 29, 1907.

No. 402, A.]

[Published July 1, 1907.]

CHAPTER 450.

AN ACT To add section 1496a to the statutes, to enable the commissioners of fisheries to complete, maintain and operate the fish hatcheries established by law and to establish subordinate hatching stations and making an appropriation therefor.

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

SECTION 1. There is added to the statutes a new section to read:

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

Approved June 27, 1907.
