

Kind of nets  
which may be  
used.

SECTION 5. No kinds of nets, except a gill net, with meshes not smaller than three and three-eighths inches, stretch measure, for catching fish and a dip net for catching bait, shall be set, used or placed in the waters of Lake Winnebago, and no net except a gill, a hoop and a dip net shall be used, set or placed in the waters of the Wolf and Fox rivers, as described in section 1, of this act, or in Lakes Winneconne, Butte Des Morts and Poygan.

Nets across  
mouth of chan-  
nel prohibited.

SECTION 6. No net of any kind shall be set, used or placed across the mouth of any channel, stream or river tributary to the waters described in section 1, of this act.

SECTION 7. All other acts heretofore passed in reference to fishing in the waters above set forth, and the territory described, are hereby repealed.

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

Approved April 23, 1891.

No. 636, A.]

[Published May 23, 1891.

## CHAPTER 399.

AN ACT to authorize and empower the city of Eau Claire to purchase, sell, mortgage, operate and lease a system of water works.

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

May purchase  
water works  
now existing.

SECTION 1. In addition to the powers by law heretofore possessed by or conferred upon the city of Eau Claire, there is hereby given and granted unto said city full power, right and authority to acquire by deed, gift or purchase, and to contract for, lease or purchase, the pipe system of water works now in existence in said city, together with all additions and extensions that shall be at any time hereafter made or added thereto, together with all rights, privileges, benefits, franchises, property rights or appurtenances in anywise connected with said system of water works,

or any extension thereof or additions thereto; and also to convey, grant, bargain, sell, contract to sell, mortgage, rent or lease said system of water works and additions and extensions, rights, privileges, benefits, franchises, property rights and appurtenances, on such terms and conditions as to them shall seem fit.

SECTION 2. For the purpose of enabling said city to acquire such system of water works additions, extensions, appurtenances more particularly specified in section 1, of this act, and to pay for the same, and so that the money needed for such purpose may be secured on said water works, but shall not constitute indebtedness of said city, but simply a mortgage lien on said works, said city is hereby authorized and empowered to procure any and all sums of money that may be needful or necessary to make or complete said purchase, and to make full and final payment of the purchase price of said works, additions, extensions and appurtenances, and may make and issue bonds evidencing the amount of money so obtained. And for the payment of such bonds and of all moneys so procured by it, together with the interest thereon, the said city is hereby empowered and authorized to mortgage said system of water works, together with the extension and additions thereto which may or shall be, at any time added thereto, and all rights, privileges, franchises, benefits, property rights or appurtenances thereunto belonging, appertaining or in anywise connected, and to make, issue, execute and deliver to the lenders of such moneys, such bonds, contract and mortgage thereon. Said bonds, mortgage, and contract shall refer to this act by the title and date of its passage, and shall be in such form and contain such covenants and conditions as the common council of said city of Eau Claire shall by ordinance for that purpose adopt and direct, and when approved as to form and amount by the common council, shall be signed by the mayor and countersigned by the city clerk, and have the corporate seal of said city thereto affixed.

May mortgage same and issue bonds.

SECTION 3. No contract or mortgage or bond made, executed, issued or delivered by said city pursuant to the provisions of this act, shall create or constitute any liability or indebted-

Bonds to create no liability against city; to be lien only on property purchased.

ness against said city, and no action at law or in equity shall be maintained against said city, for the recovery of any sum or amount of money procured by said city pursuant to the provisions of this act, on such bonds, contract or mortgage; but the same shall be a valid mortgage lien on the property and things so mortgaged, and nothing in this act contained shall be construed as preventing the maintenance of an appropriate action for the foreclosure of any contract or mortgage made, executed or delivered by said city pursuant to the provisions of this act for the breach of any of the covenants or conditions thereof.

Provisions of act to apply to bonds of same character to be issued hereafter.

**SECTION 4.** The provisions of this act shall extend and apply to all bonds, mortgages and contracts which the common council of said city shall at any time deem it necessary or expedient to make for the purpose of securing the ownership and control of said system of water works and appurtenances, whether such mortgages or contracts be given or executed to secure the original purchase price of said works or for the purpose of renewing or extending the time of payment of any other bond, mortgage or contract given for the purpose.

Exercise of rights and powers optional with common council.

**SECTION 5.** The rights and powers by this act conferred upon said city, may be exercised whenever in the opinion of its common council it would be for the interest of the city so to do.

**SECTION 6.** This act shall take effect and be in force from and after its passage and publication.  
Approved April 23, 1891.

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No. 839, A.]

[Published June 15, 1891.]

## CHAPTER 400.

AN ACT to amend chapter 221, laws of 1882, entitled "An act to reduce the act incorporating the city of Janesville, and the several acts amendatory thereof into one act, and to amend the same."

(See Vol. 2.)