

No. 888, A.]

[Published June 26, 1907.]

## CHAPTER 384.

AN ACT to authorize James J. Pontbriand, his heirs or assigns, to erect and maintain so much of a dam as may be within the limit of the state of Wisconsin, to be located on sections nine, ten, fourteen and fifteen (9, 10, 14 and 15), township forty (40) north, range eighteen (18) east, in the county of Florence, state of Wisconsin, and extending thereon and therefrom in and across the Brule river to and upon certain lands in the county of Dickinson, state of Michigan.

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

**Location and use of dam.** SECTION 1. James J. Pontbriand, his heirs and assigns, are hereby authorized to build and maintain so much of a dam as may be within the limits of the state of Wisconsin to be located on sections nine, ten, fourteen and fifteen, (9, 10, 14 and 15), township forty (40) north, range eighteen (18) east in Florence county, Wisconsin, and extending thereon and therefrom in and across the Brule river between the state of Wisconsin and the state of Michigan and to make use of the hydraulic power furnished by said dam as he, or they, may from time to time see fit.

**Height.** SECTION 2. The said dam shall not be built or maintained of a greater height than shall be sufficient to overflow lands owned by the said James J. Pontbriand, his heirs or assigns, or which may be hereafter acquired by him or them before the erection of the said dam.

**Free passage for logs, etc.** SECTION 3. The said James J. Pontbriand, his heirs or assigns, shall build and maintain and keep in repair suitable slides and chutes in said dam for the running of 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 other timber products destined to other points below said dam when they reach the flowage thereof or reach any jam that may be caused by the stoppage of logs by the works or ponds of the owner of

said dam and shall be driven by said owner free of charge and with reasonable dispatch through said flowage and over said dam.

**Free flood passage.** SECTION 4. 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 the dam authorized by this act, and the owner of said dam shall so maintain and operate it as to permit the free passage of all such floods without substantial impairing of their effectiveness in assisting in the driving of logs and timber products down said river, and shall be liable to damages to any person or corporation injured by failure of compliance with this section.

**No corporate powers.** SECTION 5. No corporate powers are granted by this act and the same shall not be construed or deemed to grant such powers.

**Fishway.** SECTION 6. The dam erected under the authority hereby granted 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 up and down said dam.

**Repeal and amendment reserved.** SECTION 7. The right is reserved to the legislature to repeal or amend this act at any time.

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

Approved June 25, 1907.