

No. 134, S.]

[Published June 27, 1907.]

CHAPTER 409.

AN ACT to authorize Max Sells, his heirs, associates and 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 certain lands in the county of Florence, state of Wisconsin, and extending thereon and therefrom in and across the Menominee 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 of dam. SECTION 1. Max Sells, his heirs, associates and assigns, are hereby authorized to build and maintain so much of a dam as may be within the limit of the state of Wisconsin to be located on section two (2) or section twelve (12) township thirty-nine (39) north, range nineteen (19) east in Florence county, Wisconsin, and extending thereon and therefrom in and across the Menominee river to and upon section twelve (12) township forty (40) north, range thirty (30) west in Dickinson county, 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. Said dam shall not be built or maintained of a height greater than shall be sufficient to raise the water of said river to a height more than thirty-two feet above its normal level at the east and west quarter line in section two (2) township thirty-nine (39) north, range eighteen (18).

Condemnation proceedings. SECTION 3. For the purpose of acquiring the necessary lands, or rights, easements and privileges in lands necessary for flowage so that the complete construction of said dam and improvement under this act, may be successfully carried out, the said Max Sells, his heirs, associates and assigns, may have and enjoy all the rights granted to and conferred upon corporations by sections 1777a, 1777b, 1777c and 1777d of the statutes of 1898.

Free passage of logs, etc. SECTION 4. Said Max Sells, his heirs, associates and assigns, shall build and 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 other timber products destined to other 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 stoppage 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.

Free flood passage. 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 the dam authorized by this act, and the owners of said dam shall so maintain it 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 6. No corporate powers are granted by this act and the same shall not be construed or deemed to grant such powers.

Fishway. SECTION 7. 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 an amendment reserved. SECTION 8. The right is hereby reserved to the legislature to repeal or amend this act at any time.

Conditioned on acceptance. SECTION 9. This act shall take effect and be in force from and after its passage and publi-

cation, and the filing in the office of the secretary of state by the person or persons to whom the franchise is hereby granted, of a written acceptance of the conditions herein contained.

Approved June 26, 1907.

No. 256, A.]

[Published June 27, 1907.

CHAPTER 410.

AN ACT to create section 1465, of the statutes, making an annual appropriation to the Wisconsin Tobacco Growers' and Dealers' Association.

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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Approved June 26, 1907.

(In effect July 1, 1907.)

No. 235, A.]

[Published June 27, 1907.

CHAPTER 411.

AN ACT to amend section 1786e, statutes of 1898, relating to the organization of mutual co-operative corporations.

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

SECTION 1. Section 1786e, statutes of 1898, is amended to read:

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Approved June 25, 1907.

(In effect July 1, 1907.)