

No. 10, S.]

[Published June 5, 1911.

**CHAPTER 224.**

AN ACT to authorize Albert Butscher, his associates, heirs, and assigns to erect and maintain a dam in and across Hay Creek, town of Delmar, Chippewa county.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the purpose of creating and maintaining a pond for park purposes for the free use of the public, Albert Butscher, his associates, heirs, and assigns are authorized to erect and maintain a dam not to exceed twelve feet in height in and across Hay Creek on the west one-half of the northwest one-quarter of section thirty-two, township twenty-nine north, range five west, in the town of Delmar, Chippewa county.

SECTION 2. Nothing in this act shall be so construed as to authorize Albert Butscher, his associates, heirs, and assigns to flow the lands of any person or corporation without full and just compensation being paid to such owner or owners for the damage done by such flowage.

SECTION 3. The legislature reserves the right at any time to alter, amend, or repeal this act.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved June 2, 1911.

No. 11, S.]

[Published June 5, 1911.

**CHAPTER 225.**

AN ACT to authorize Edward McCormick to repair, reconstruct, build, and maintain a dam at the outlet of Long Lake, on Government Lot three (3), section eighteen (18), township thirty-two (32) north, of range eight (8) west, Chippewa county.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. For the purpose of improving the navigation of and protecting the fish in Long Lake in the county of Chippewa, Wisconsin, by raising the water in said lake to its natural level, Edward McCormick of Chippewa Falls, Wisconsin, his heirs or assigns, is authorized to repair, add to, reconstruct, and maintain a dam now existing on the north shore of Long Lake on the southerly side of lot three (3), in section eighteen (18), township thirty-two (32), north, or range (8) west, at a point on said government lot three (3), at or near the outlet of said Long

Lake, or to erect and maintain a new dam upon or near the site and location of the dam now being at said outlet; provided that in the repair or reconstruction of the present dam, or the building or erecting of a new dam, the public highway extending over and across the present dam shall be kept and preserved in its present state of usefulness.

SECTION 2. The said Edward McCormick, his heirs or assigns, for the purpose of acquiring any flowage rights that he or they may deem necessary in carrying out the provisions of this act, may exercise all powers granted by sections 1777a to 1777d, inclusive, of the statutes of Wisconsin.

SECTION 3. The dam so erected shall be provided with a good and sufficient fishway to be approved by the state commissioners of fisheries, and said fishway shall at all times be kept in good repair and open and free for the ascent and descent of fish. In case the owner or owners of said dam shall neglect or refuse to keep in repair or keep open such fishway as required by the provisions of this act, they shall upon conviction thereof be fined not less than twenty-five dollars nor more than one hundred dollars.

SECTION 4. The right of the legislature at any time to amend or repeal this act is expressly reserved.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved June 2, 1911.

No. 21, S.]

[Published June 5, 1911.

## CHAPTER 226.

AN ACT to amend section 4256 of the statutes, relating to who may bring action for recovery for death by wrongful act and limiting the damages therefor.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 4256 of the statutes is amended to read: Section 4256. Every such action shall be brought by and in the name of the personal representative of such deceased person, and the amount recovered shall belong and be paid over to the husband or widow of such deceased person, if such relative survive him or her; but if no husband or widow survive the deceased the amount recovered shall be paid over to his or her lineal descendants and to his or her lineal ancestors in default of such descendants, but if no husband, or widow, or lineal descendant, or ancestor survive the deceased, the amount recovered shall be paid over to the brothers and sisters; and in