

No. 557, A.]

[Published May 8, 1903.

CHAPTER 172.

AN ACT to authorize David R. Davis and William L. Davis, their heirs, associates and assigns, to build, construct and maintain dams across the Chippewa river, in Chippewa county, Wisconsin.

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

Location of dam. SECTION 1. David R. Davis and William L. Davis, their heirs, associates and assigns, are hereby authorized to build, construct and maintain a dam across the Chippewa river in Chippewa county, Wisconsin, on the south half of section thirty (30), in township thirty (30) north, of range seven (7) west; and also, another dam across said Chippewa river, in said county, on lot one (1), of section twenty-nine (29), and lot four (4) of section twenty, in township thirty (30) north, of range seven (7) west; such dams to be built, constructed and maintained for milling, manufacturing and hydraulic purposes; also to erect and maintain on and in said river near said dams, mills, machinery, booms, and piers and all other structures, appendages and improvements necessary and proper to enable the said David R. Davis and William L. Davis, their heirs, associates and assigns, to use the water of said river and the water power created by said dams for said purposes.

Slide. SECTION 2. The height of each of said dams shall not exceed twenty-eight feet above ordinary low water, but neither of said dams shall be built, constructed or maintained so high as to overflow, or in any manner, injure, damage or interfere with the full and complete enjoyment by the owners thereof, of the water power, dam site, or mill site, located on said Chippewa river in section eighteen (18), in township thirty-one (31) north, of range six (6) west, or so as to in any wise retard the free flowage of tail race water from any dam or other improvement which may hereafter be erected, built or constructed on or at any such water power, dam site, or mill site; and each of said dams shall be so built, constructed and maintained as not to obstruct or impede the running and driv-

ing of logs and timber down said river and over and through said dams, and a suitable log slide, sufficient in width, shall be built, constructed and maintained in each of said dams at the expense of the owner or owners thereof, together with such piers and guide booms as may be necessary and requisite to pass, free of charge, all logs and timber down said river and over and through said dams without delay, hindrance or waste whenever there shall be any logs or timber to pass down said river.

Fishway. SECTION 3. The dam so erected 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. In case the owner or owners of said dam shall neglect or refuse to construct or 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.

Powers conferred. SECTION 4. Said David R. Davis and William L. Davis, their heirs, associates and assigns, for the purpose of acquiring any flowage rights that they or either of them may deem necessary in carrying out the provisions and purposes of this act, may have and exercise all the rights and powers granted to corporations by sections 1777a to 1777d, inclusive, of the statutes of 1898, which are not inconsistent with the purposes and provisions of this act.

SECTION 5. The right of the legislature to alter, amend or repeal this act is hereby reserved.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved May 6, 1903.