

No. 204, S.]

[Published June 21, 1907.]

CHAPTER 276.

AN ACT to amend section 4163 of the statutes, relating to evidence.

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

SECTION 1. Section 4163 of the statutes is amended to read:
* * * * *

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 20, 1907.

No. 255, S.]

[Published June 21, 1907.]

CHAPTER 277.

AN ACT to amend section 1777a, of the statutes, as amended, relating to additional powers of certain corporations.

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

SECTION 1. Section 1777a of the statutes, is amended to read:
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SECTION 2. (Following Sec. 1777a.)
* * * * *

Approved June 20, 1907.

(In effect July 1, 1907.)

the costs of publication. In case said report is not filed by said January first, the corporate rights and privileges granted to such corporation shall be forfeited and the secretary of state shall enter such forfeiture on the records of his department.

The cost of publishing the notice above set forth shall be paid out of the state treasury, and shall be at the same rate as legal notices.

The secretary of state shall during the month of December of each year forward to every corporation required to make an annual report under the provisions of this chapter, blanks therefor.

Whenever any change is made in the officers of such corporation, the names and addresses of the officers elected shall be filed with the secretary of state within twenty days after such change. No forfeiture shall be declared under this section prior to the first day of March, 1907.

The failure to file such report in the time specified herein and proof of publication of the notice herein provided, shall be sufficient evidence on which the secretary of state is authorized to declare the forfeiture of corporate rights, and privileges herein provided. This act shall apply to forfeitures entered March 1st, 1907.

The secretary of state may rescind the forfeiture provided in this section on presentation of an affidavit signed by the president and secretary of a corporation to the effect that such corporation has not suspended its ordinary and lawful business since its organization or since the date of forfeiture; or that the corporation at the time the forfeiture was declared held title or transferable interests in real estate. The secretary of state may demand such other and further proof as he may deem necessary. For rescinding such forfeiture there shall be paid the secretary of state a fee of twenty-five dollars.

(Ch. 562, 1907.)

Electric corporations, public and private, may flow lands. SECTION 1777a. 1. Any corporation created and existing under any laws of this state in whole or in part for any or either of the purposes above specified and any corporation owning or controlling dams, booms or improvements designed in whole or in part to accomplish any of the purposes above specified or any municipality or any other corporation organized under the laws of the state of Wisconsin for the purpose of furnishing and supplying electric light and current to the inhabitants of any city

or other municipality, or supplying electric power for other public purposes, shall have the power to overflow all such lands as shall be necessary for its use for ponds and reservoir purposes and to acquire title thereto for such purpose by purchase as hereinafter provided, but in case such corporation and the owners of any such lands cannot mutually agree for the purchase, lease or use thereof or any easement therein that may be necessary for such corporation or the compensation to be made for taking any property for the use of said corporation, then either the said corporation or the owner of lands so required may apply by petition to the circuit court of the county in which such land shall be situated or to the presiding judge thereof, which petition shall be signed and verified by the owner of such land or his attorney or the attorney or some officer of such corporation, and shall contain a description of the land sought to be taken, used, overflowed or acquired for such purpose, the names of the parties who own and occupy the same, and if any such persons are infants their age, as near as may be, and if any are of unsound mind or unknown such facts shall be stated, with such other facts as may be material, which petition shall be filed in the office of the clerk of the circuit court of the county in which such real estate is situated and shall be the commencement of a suit in such court.

2. The court or the presiding judge thereof shall, by order, prescribe the notice to be given of the time and place of hearing such petition, which order shall state the date of filing such petition and the object thereof, and shall contain a description of the lands described therein, and be directed to the parties therein named and to all persons interested in said lands so far as known, and may be served personally on such owner or owners or parties interested or at their usual abode not less than five days before the time fixed for such hearing or by publication in some newspaper, to be designated by said court or presiding judge not less than ten days before the time so fixed for the hearing thereof.

(Sec. 1, Ch. 277, 1907.)

Reservations: Brule river; Ch. 460, 1905. * * *
Nothing in this act shall be construed as granting the right or power to construct or maintain a dam or overflow any land upon or along the Brule river in Douglas county, Wisconsin, or as repealing or contravening any provision of chapter 460, laws of 1905.

(Sec. 2, Ch. 277, 1907.)