

Towns authorized to appropriate money.

SECTION 2. The town boards of supervisors of the towns through which this stream runs, are hereby authorized to appropriate such portion of the drainage fund of their respective towns for the erection and maintenance of said dam as in their judgment may be for the interest of the inhabitants of said towns.

Penalty for destroying dam.

SECTION 3. Any person or persons who shall willfully break or destroy said dam, or shall open the same, shall be liable to the proprietors thereof in an action of trespass to the amount of damage done, in addition to the penalty already provided by law, to be recovered before any court of competent jurisdiction.

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

Approved February 20, 1877.

[Published February 26, 1877.]

CHAPTER 24.

AN ACT to prevent the killing or disturbing wild pigeons while on their brooding grounds.

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

Unlawful to disturb pigeons when nesting.

SECTION 1. It shall be unlawful for any person or persons to use any gun or guns or fire arms, or in any manner to maim, kill, destroy or disturb any wild pigeon or pigeons at or within three miles of the place or places where they are gathered for the purpose of brooding their young, known as pigeon nestings. Nor shall any person or persons fire at or attempt to kill or destroy any such wild pigeon or pigeons, or disturb their nests within said limits anywhere within this state, at any time from the beginning of such nesting or brooding until the last hatching of such birds, and every person offending against the provisions of this section, shall be punished by a fine of not more than fifty dollars nor less than twenty dollars for each and every offense, together with the costs of suit, and shall be imprisoned in the county jail of the county wherein such offense was committed until such fine and costs are fully paid, or until discharged according to law; and in all convictions under this act one-half of all fines shall be paid over, by the justice of the peace before whom such trial is brought, to the person who shall have made the complaint in such case.

Penalty for violation of act.

SECTION 2. Justices of the peace shall have jurisdiction to hear, try and determine all cases arising under the provisions of this act; *provided*, the defendant shall not be deprived of a jury trial, nor of the right of appeal as in other cases. Jurisdiction of Justices.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved February 20, 1877.

[Published February 24, 1877.]

CHAPTER 25.

AN ACT in relation to the paving of Chestnut street, from the Milwaukee river to Fifth street, in the second ward of the city of Milwaukee.

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

SECTION 1. The common council of the city of Milwaukee, with the concurrence of three-fourths of the aldermen elect and of a majority of the aldermen of the second ward of said city, is hereby authorized and empowered to cause Chestnut street, from the Milwaukee river to Fifth street, in the second ward of said city, to be paved with such kind of pavement as may be recommended by a majority of the aldermen of said second ward, and to cause the cost of such paving to be charged and assessed in the following proportions, to wit: one-third to the lots, parts of lots and parcels of land fronting on said improvement, and two-thirds to the ward fund of said second ward; *provided, however*, that all damages to property arising from any change of the established grade of said Chestnut street shall be assessed, charged and paid as now provided by law, and *provided, further*, that all provisions of the charter of said city, and the several acts amendatory thereof, in relation to the ordering of public improvements, and to the improving of streets in said city, not inconsistent with the provisions of this act, shall apply to the ordering and the doing of the work herein authorized. Council authorized to procure paving of Chestnut street
Proviso.

SECTION 2. The common council of said city is hereby authorized to levy, assess and collect in the year 1877, at the same time and in the same manner as other city taxes are levied, assessed and collected for said year, and in addition to the amount authorized by Council authorized to levy tax.