

lay such track, be first obtained; and further provided, that the manner of laying such track and the method of running such street cars shall be subject to such provisions as the said common council, town and village board may prescribe by the terms of their consent to the laying of the same. In case, however, any common council, town or village board, shall consent to the laying of any street car track upon any such toll road, or part thereof for any fixed time, the right to maintain and use such track shall not be withdrawn by any common council, town or village board until the expiration of such fixed time without making compensation therefor.

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

Approved April 8, 1889.

[No. 458, A.]

[Published April 9, 1889.]

CHAPTER 299.

AN ACT providing for compelling the attendance of commissioners summoned in proceedings to lay out drains and for filling vacancies in such commission.

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

Justice of
peace may
compel attend-
ance of com-
mission, etc., to
lay out drains.

SECTION 1. Whenever any justice of the peace shall have issued a summons directing the summoning of persons to serve as commissioners and such summons has been served and returned pursuant to section 1362, of the revised statutes, and any of such persons shall fail to appear in obedience to said summons, such justice shall have the same power to enforce the attendance of such persons as to compel the attendance of jurors in justice court, and providing further that if it is impossible for any person so summoned to appear, or serve, or in case such justice shall deem it inexpedient on account of delay or other cause to compel the attendance of any person

failing to attend, or in case any of the persons summoned are found to be unqualified to act, then the justice shall proceed to fill the vacancy by making a list of three persons having the qualifications required by said section for each vacancy in said commission, from which list each party shall strike one, the justice striking for the supervisors if none are present, and the person whose name remains on the list, shall be summoned to fill such vacancy. The proceedings may be adjourned or held open by the justice until the vacancy or vacancies can be filled, but no adjournment shall be taken for more than one week unless by consent of all the parties to the proceeding.

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

Approved April 8, 1889.

[No. 490, A.]

[Published April 9, 1889.]

CHAPTER 300.

AN ACT to authorize Henry Bauerfiend, Joseph Bauerfiend and Christ Bauerfiend, their heirs and assigns, to build and maintain piers and a boom in and across the Wolf river in the city of Shawano, Wisconsin.

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

SECTION 1. Henry Bauerfiend, Joseph Bauerfiend and Christ Bauerfiend, their associates, heirs and assigns, are hereby authorized to construct and maintain piers and booms in the Wolf river, in the city of Shawano, Shawano county, Wisconsin, on the east side of said river from the railway bridge of the Milwaukee, Lake Shore and Western Railway company, up said river to a point where West Green Bay street intersects said river, or to a point on the north end of Fred Schweer's island in said river, for the purpose of dividing, booming, holding, sorting and handling

Henry Bauerfiend et al. authorized to build piers and booms in Wolf river, Shawano county.