

legislature may at any time alter, modify, amend or repeal this act.

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

Approved March 2, 1889.

[No. 194, A.]

[Published March 4, 1889.]

## CHAPTER 45.

AN ACT to authorize the erection of a dam across Red river in Shawano county, Wisconsin, and to grant certain powers and privileges to persons therein named.

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

Aug. L. Schmidt authorized to build dam across Red river, Shawano county. —

SECTION 1. Aug. G. Schmidt, his heirs and assigns, are hereby authorized and empowered to erect, keep and maintain a dam, not exceeding fourteen feet in height, across the Red river, in Shawano county, Wisconsin, at a point in said river where is now located the rolling dam, being on the northwest quarter of the northeast quarter of section three, township twenty-seven, range fourteen east. Said dam to be erected and constructed for manufacturing and boomage purposes; provided, that said dam shall be provided and furnished with suitable slides or chute, so as to allow the free and unobstructed passage of saw logs and timber, as well below the dam as through the same; and provided further, that no charge for toll upon logs passing through said dam or said boom shall ever be collected or received by said party aforesaid, his associates or assigns.

Control of dam.

SECTION 2. The control of said dam and slides shall belong to Aug. G. Schmidt, his associates, heirs and assigns, but subject to the provisions herein stated.

Subject to provisions of ch. 146 R. S.

SECTION 3. The dam so erected shall be subject to all the provisions of chapter 146, of the revised statutes of 1878, and the acts amendatory thereof,

so far as said chapter and acts amendatory may be applied in like manner, or if such provisions were incorporated in this act; provided, however that the aforesaid person, his associates, heirs and assigns, for the purpose of ascertaining the compensation to be made for overflowing or otherwise injuring the lands of others, may within one year from and after the construction of said dam and the placing of gates therein, proceed accordingly to the provisions of chapter 318, of the laws of 1882, and the acts amendatory thereof, and the commencement of such proceedings shall, during the pendency thereof, and after an award thereunder be a bar to any action commenced by the owner or owners of such overflowed or injured lands, or any part thereof or any interest therein, and for said purpose the said chapter 318, and acts amendatory thereof, are hereby made applicable as fully as if the provisions thereof were incorporated in this act.

SECTION 4. The legislature hereby reserves the right to alter, amend or repeal the franchises granted in this act, whenever in the judgment of the legislature it is necessary or proper to do so. Rights reserved.

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

Approved March 2, 1889.

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[No. 177, A.]

[Published March 7, 1889.]

## CHAPTER 46.

AN ACT to amend the charter of the city of  
Kaukauna.

(See Vol. 2.)