

[No. 287, A.]

[Published April 24, 1889.]

CHAPTER 477.

AN ACT to provide fishways in Rock river, in the county of Rock and state of Wisconsin.

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

Fishways in dams of Fox river in Rock county, how constructed.

SECTION 1. It shall be the duty of all persons owning, occupying or having charge of any dam now erected or hereafter to be erected on and across Rock river, in Rock county, Wisconsin, to construct in or upon such dam a good and sufficient fishway, under the supervision of such person or persons as may be appointed by the fish commissioners of the state of Wisconsin, and according to plans approved by said fish commissioners. Such fishways to be so constructed as not to injure or weaken any such dam, and so as not to waste any water which would otherwise be available to furnish power for any duly authorized purpose. And it shall be the duty of all such persons owning or occupying or having charge of any dam as aforesaid to keep such fishways in good repair and open for the free passage of fish up and down said river from the first day of March until the fifteenth day of May in each and every year after such fishways are built. The said fishways shall be constructed as aforesaid within six months after said owner, occupant or person having charge of such dam shall have been notified in writing by the board of fish commissioners of the state of Wisconsin that good and sufficient fishways have been constructed in or upon all dams which would otherwise obstruct the passage of fish up and down said river between the southerly line of the state of Wisconsin and the Mississippi river; provided, that no person shall be required to build or construct any fishway under the provisions of this act, the necessary original cost of which shall exceed three hundred dollars, including royalty, if patent fishways are used.

Penalty for neglect or refusal.

SECTION 2. Any person owning, occupying, or having charge of any dam upon and across Rock

river, within said Rock county, who shall refuse or neglect to construct or to keep in repair, or to keep open a fishway in accordance with the provisions of section 1, of this act, shall be liable to a fine of one hundred dollars and costs of suit, but no action at law shall be brought against the owner or owners of any dam in said county, except upon the complaint and under the direction of the fish commissioners of this state.

SECTION 3. All acts and parts of acts inconsistent or conflicting with this act, are hereby repealed. Repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.
Approved April 17, 1889.

[No. 832, A.]

[Published April 24, 1889.]

CHAPTER 478.

AN ACT to amend section 2, laws of 1881, amendatory of section 1558, of chapter 66, of the revised statutes of 1878, relating to proceedings for revocation of license.

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

SECTION 1. When a writ of certiorari shall issue from the circuit court to the board of supervisors of a town, president or trustees of a village, or to the mayor or aldermen of a city, to certify up his or their proceedings, revoking licenses to sell liquors, or when an appeal is taken from the circuit court to the supreme court in such cases, it shall in no wise have the effect of suspending such order of revocation during the pendency of the matter in the court to which the same shall have been certified or appealed. But in any such case of certiorari or appeal, the person whose license has been so revoked may, on giving ten days' written notice to the party or parties revoking the same, have the circuit court hear and determine, at any court in its circuit, all

Amending sec.
1558, R. S.

Writ of certiorari to board of supervisors, etc., to certify up proceedings on revocation of license, not to suspend order.