

town five north, of range number twenty-two, east of the fourth principal meridian, and to erect and maintain all necessary appendages, to enable him to use said water for the purpose of making a small artificial lake on his said land; provided, however, that said dam shall not be erected over four feet in height above high water mark.

To pay damage caused by flowage.

SECTION 2. In the event that such a dam shall cause the water to flow back on any lands not owned by said Joseph Lindenmann, or others authorized to build and maintain said dam, then he or they shall pay to the owner or owners of such land, such sums of money as such land so overflowed by reason of the keeping up and maintaining said dam, may be reasonably worth, irrespective of any enhancement of the value thereof, on account of the erection of said dam, and such value if not agreed upon between said Joseph Lindenmann, his associates, successors and assigns, and the owners of said lands, to be ascertained by the verdict of a jury, in an action of trespass, and by no other mode, to be by such owners brought in any court of record within said county of Milwaukee.

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

Approved April 6, 1891.

No. 160, S.]

[Published April 11, 1891.

CHAPTER 171.

AN ACT authorizing the county judge of Winnebago county to employ a phonographic reporter, in probate cases.

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

Phonographic reporter, Winnebago county court.

SECTION 1. The county judge of Winnebago county may, in his discretion, employ the phonographic reporter appointed for the county court of Winnebago county, to take testimony in probate matters in said court, and said reporter

shall be paid in the same manner, and at the same per diem, as now provided for attendance upon the county court, in the trial of civil cases.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.
Approved April 6, 1891.

No. 222, S.]

[Published April 11, 1891.

CHAPTER 172.

AN ACT to amend the charter of the city of Plymouth, and the several acts amendatory thereof.

(See Vol. 2.)

No. 292, S.]

[Published April 11, 1891.

CHAPTER 173.

AN ACT to authorize the city of Menomonie to appropriate a sum of money.

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

SECTION 1. It shall be lawful for the common council of the city of Menomonie, to appropriate a sum of money not to exceed three hundred and fifty-eight dollars, in payment of the indebtedness due and unpaid upon the bridge built across the Red Cedar river, near Irvine creek, in the town of Menomonie.

Common council may pay for bridge across Red Cedar river.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.
Approved April 6, 1891.