

of one hundred dollars, to be collected as provided by law for the collection of such forfeitures.

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

Approved July 11, 1911.

No. 434, A.]

[Published July 13, 1911.

CHAPTER 651.

AN ACT to amend section 1222a of the statutes, relating to annual statements of telephone companies and license fees.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1222a of the statutes is amended to read: Section 1222a. 1. Any person, copartnership, association, company or corporation owning and operating or operating any telephone line in this state with appliances for the transmission of messages of speech or sound, and engaged in the business of furnishing telephone service for compensation as owner, lessee or otherwise, shall be deemed and held a telephone company, and shall on or before the first day of March, in each year, make and return to the state treasurer, in such form and upon such blanks as he shall prescribe and furnish, a true statement of the gross receipts from the operation of the business during the preceding calendar year, which statement shall be verified by the president, treasurer and secretary of such company so operating, or two of the other principal officers thereof, or the person so operating the telephone business. The statement shall show separately the amounts of gross receipts from the toll line service, which shall include all receipts on toll line business, beginning and ending within the state, and a proportion based upon the mileage within the state to the entire mileage over which such business is done, of receipts on all interstate business passing through, into or out of the state, and from the service of the exchange property of the company and the town, city or village in which such exchange is located with the true amount of the gross receipts of each such exchange. The duplicate of such statement shall be filed with the treasurer of each town, city or village in which any exchange of the company may be located.

2. Every person, copartnership, association, company or corporation operating telephone exchange or toll line, or both, shall pay an annual license fee to be computed upon the total gross receipts as herein required to be shown in said statement, as follows:

(1) * * * Five per cent * * * of the total gross receipts, if such gross receipts equal or exceed five hundred thousand dollars.

(2) * * * *Four per cent* * * * of the total gross receipts, if such gross receipts equal or exceed three hundred thousand dollars and are less than five hundred thousand dollars.

(3) Three per cent * * * of the total gross receipts, if such gross receipts equal or exceed one hundred thousand dollars and are less than three hundred thousand dollars.

(4) Two and one-half per cent * * * of the total gross receipts, if such gross receipts are less than one hundred thousand dollars.

3. The amount arising from such license fees *based upon gross receipts* shall be paid by the company as follows, viz.:

The license fee upon eighty-five per cent of the gross receipts from the exchange service or business shall, on or before the first day of March, in each year, be paid to the treasurer of the town, city or village in which the exchange is located, for the use and benefit of said town, city or village; the balance of the license fee upon fifteen per cent of such gross receipts from exchange service shall be paid to the state treasurer and become a part of the general fund for the use of the state. The license fees on all of the gross receipts from the toll line service shall be paid to the state treasurer and become a part of the general fund for the use of the state. Every such person, copartnership, association, company or corporation, upon filing such verified statement with the state treasurer and the filing of such duplicate with the treasurer of the respective town, city or village treasurers, and upon the payment of the license fees herein prescribed to the state treasurer and to the respective town, city and village treasurers, shall apply for and receive from the state treasurer a license to carry on such business for the calendar year commencing on the first day of January preceding and ending on the succeeding 31st day of December, unless sooner revoked.

4. *Any person, copartnership, association, company or corporation owning and operating or operating any telephone line in this state, with appliances for the transmission of messages of speech or sound, and engaged in the business of furnishing telephone service for compensation as owner, lessee or otherwise, shall, on or before the first day of March each year pay to the state, when the annual license fee upon the total gross receipts is less than five cents for each telephone instrument, owned and operated or operated within this state by any such person, copartnership, association, company or corporation, a sum equal to five cents for each telephone instrument owned and operated or operated within this state by any such person, copartnership, association, company or corporation, as an annual license fee.*

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

Approved July 12, 1911.

No. 81, S.]

[Published July 13, 1911.

CHAPTER 652.

AN ACT to amend section 1596, and to create section 1596a of the statutes, relating to the construction and maintenance of dams in or across navigable waters, and to create sections 1596—1 to 1596—76, both inclusive, of the statutes, relating to the granting of franchises authorizing the improvement of navigation and the development of hydraulic power created by such improvement, providing for a franchise fee therefor, and making an appropriation.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1596 of the statutes is amended to read:

Section 1596. 1. All rivers and streams which have been meandered and returned as navigable by the surveyors employed by the government of the United States and all rivers and streams, meandered or non-meandered, which are navigable in fact for any purpose whatsoever are hereby declared navigable * * * to the extent that no dam, bridge, or other obstruction shall be made in or over the same without the permission of the legislature; but this section shall not be construed to impair the powers granted by law to towns, counties, or cities to construct bridges over such rivers and streams. The consent of this state is hereby given to the acquisition by the United States of all lands and appurtenances in this state which have been or may be acquired by the United States for the purpose of erecting thereon dams, abutments, locks, lockkeeper's dwellings, chutes, or other structures necessary or desirable in improving the navigation of the rivers or other waters within and on the borders of this state, and the United States may hold, use, and occupy such lands and other property and exercise exclusive jurisdiction and control over the same subject to the right of this state to have civil and criminal process issued out of any of its courts executed within and upon said lands.

2. Any dam, bridge or other obstruction constructed or maintained in or over any navigable waters of this state in violation of the provisions of this section is hereby declared to be a public nuisance, and the construction of any such dam, bridge or other obstruction may be enjoined or its maintenance abated by action at the suit of the state or any citizen thereof,