

[No. 292, A.]

[Published April 17, 1883.]

## CHAPTER 326.

AN ACT to authorize J. F. Ellis and E. W. Allen to build a dam across Yellow river, in Taylor county.

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

SECTION 1. J. F. Ellis and E. W. Allen, their heirs and assigns, are hereby authorized and empowered, to build, erect, keep up and maintain a dam to be used for manufacturing and boomage purposes, across the Yellow river, in township thirty-one (31) north, of range four (4), west, in Taylor county, on lands owned by them, on section number twenty-seven (27), or as near thereto as practicable or most suitable; provided that said dam shall not be constructed if the same will interfere with the rights granted by chapter 247, of the laws of Wisconsin for the year 1877, without the consent of the party or parties owning, controlling and operating the improvements constructed pursuant to said chapter, which fact shall be determined before said dam is constructed.

Authorized to build a dam.

SECTION 2. Said Ellis, E. W. Ellis, their heirs or assigns, shall build suitable slides in said dam for running logs and timber over the same, and shall, at all times, maintain a free and unobstructed channel above said dam, of suitable width so that the driving of logs down said stream will not be impeded, and shall maintain suitable piers and booms in the backwater of said dam to preserve unimpaired the navigability of said river and to guide the logs through said back-water and over said dam, and shall put through said dam free of expense all logs and timber destined for points below the same.

Shall build suitable slides.

SECTION 3. Any person or persons who shall wilfully break or destroy said dam, when the same, and said improvements shall have been so constructed, shall be liable to the proprietors thereof in an action for trespass for double the amount of damages done in addition to the penalties already provided by law, to be recovered before any court of competent jurisdiction. The legislature reserves the right to repeal this act.

Penalty for injury to dam.

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

Approved April 3, 1883.