

No. 535, A.]

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## CHAPTER 261.

AN ACT to authorize John Daly, J. E. Ingraham, Joseph Treat, their associates and assigns, to connect by a canal the waters of Rocky Run with the stream known as Little Yellow.

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

SECTION 1. John Daly, J. E. Ingraham, and Joseph Treat, and their associates and assigns, are hereby authorized and empowered to build, construct and maintain a canal for the purposes of transportation, irrigation and drainage, connecting the waters of the stream know as Rocky Run, in Wood county, with the creek known as Little Yellow in said county.

John Daly, et al., authorized to build canals.

SECTION 2. The head of said canal shall be located on the stream known as Rocky Run, at the north line of section fourteen, in township twenty-two north, of range two east, and shall extend thence southerly over the most feasible route to a point on section thirty-two, in township twenty-one north, of range three east, near where the said Little Yellow crosses the right of way of the Chicago, Milwaukee and St. Paul railway.

Location of canal.

SECTION 3. From the point where said canal shall cross the right of way of the Green Bay, Winona and St. Paul railway, to the terminus near the right of way of the Chicago, Milwaukee and St. Paul railway above described, said canal shall be maintained of sufficient width and depth, to float small boats, drawing not to exceed elve inches of water, and having a width of not exceeding four feet.

Width and depth.

SECTION 4. For the purposes of supplying this canal with water, the said John Daly, J. E. Ingraham, and Joseph Treat, their associates and assigns, are hereby authorized to build, construct and maintain a dam on Rocky Run, at the line of section fourteen, and to draw water therefrom, to supply said canal, at the head of said canal, but they shall draw from said stream

May build dam.

at no time a quantity of water exceeding one-half the amount flowing therein.

Canal, when to be open; rates for transportation.

SECTION 5. Said canal shall be open to all persons for purposes of transportation of freight between the points named in section 2, of this act, from May 1st to October 20th, of each year, and the rates that may be charged for the use of said canal, for the purposes of transportation of freight thereon, shall not exceed one cent per hundred for each mile of transportation.

Adjacent cranberry growers may acquire interest, etc.

SECTION 6. All persons owning lands along the line of said canal, that are used for the cultivation of cranberries, may, at any time prior to the construction of said canal, acquire an interest therein. But the interest and control that may be acquired by any one in said canal, shall be to the whole interest, as the number of acres of cranberry vines that he has under cultivation is to the whole number of acres owned by all the parties interested therein; and when not needed for navigation therein, he may draw from said canal of the surplus water therein, in proportion to his interest, under such rules and regulations as may be agreed on by the parties interested.

Land for canal, how acquired.

SECTION 7. The persons above named, their associated, heirs and assigns, for the purpose of constructing and maintaining said canal, may acquire by purchasing or by condemnation proceedings, in accordance with the provisions of section 1379a, of the Annotated Statutes of Wisconsin, a strip of land two rods wide on each side of the center line of said canal, and the legislature reserves the right to amend, alter or repeal this act at any time.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 18, 1893.