

No. 29, S.]

[Published May 15, 1901.

CHAPTER 375.

AN ACT to appropriate a sum of money for the further prosecution of the geological and natural history survey of the state.

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

Appropriation of \$5,000 annually. SECTION 1. There is hereby appropriated for the further prosecution of the geological and natural history survey, out of any money in the treasury not otherwise appropriated, the sum of five thousand dollars annually. This money shall be expended by the commissioners of said survey for the purpose of executing the duties assigned to them by chapter 297 of the laws of 1897, and any other duties which may be assigned to them by the legislature.

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

Approved May 13, 1901.

No. 8, S.]

[Published May 16, 1901.

CHAPTER 376.

AN ACT relating to the construction of viaducts over railroad tracks crossing public streets or highways in cities of the first class and providing funds for the construction thereof, and authorizing the issue of bonds therefor.

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

Power of council to construct viaduct over tracks. SECTION 1. Whenever in any city of the first class whether organized under the provisions of the general law, or under a special charter,

there shall now or hereinafter be located railroad tracks which shall cross the public streets or highways, the common council of such city may erect, construct and maintain suitable viaducts, so as to furnish means of travel for the public, over and above such railroad tracks, and whenever necessary, draw or lift bridges in connection with such viaducts shall be provided, as well as suitable approaches and stairways at both termini of said viaduct, and at such intermediate points as may be necessary for safe and convenient access thereto.

Plans, specifications and estimates; damages to abutting property. SECTION 2. Whenever the common council of such city shall have determined to erect and construct such a viaduct it shall cause to be made a complete profile plan and detailed specifications for the work, with an estimate of the cost thereof, and as soon thereafter as practicable the city may enter upon the construction of said viaduct, bridges, stairways and approaches in conformity thereto, and all provisions of law relative to public work or improvements in said city, which are not inconsistent with the provisions of this act shall apply to the work hereby authorized, and all official acts incidental thereto. If by the construction of such viaduct in the manner so provided any damages shall be sustained by the owners of abutting property, to the property owned by them, such damage shall be ascertained and determined in the manner provided by law for the determination and assessment of damages for the alteration of the grade of a street in said city and shall be paid as hereinafter provided.

Negotiations with owners of tracks. SECTION 3. After such plan and detailed specifications for the work of the construction of said viaduct, with an estimate of the cost thereof, shall have been prepared and approved by said common council, the said common council is hereby authorized to enter into negotiations with any person, firm or corporation owning or operating the railroad tracks over which such viaduct is to be constructed, for the payment of such proportion of the expense of the construction of said viaduct by such owners or operators of said railroad tracks as may be agreed upon between said common council, and said owners or operators. After said viaducts shall have been constructed the expense of maintaining and keeping in repair that portion thereof erected over such railroad tracks, and the right-of-way therefor, shall forever be borne and defrayed by the owners or operators of said railroad tracks.

No exclusive privileges to be granted in use of viaduct. SECTION 4. The said viaduct and approaches thereto shall forever remain under the absolute control and management of said city,

and no exclusive rights, franchises, privileges or immunities shall ever be granted over the same or any part thereof by said city to any person or corporation whatever.

Issue of bonds; application of proceeds from. SECTION 5. Whenever the erection and construction of a viaduct shall have been determined upon by the common council of said city agreeably to the provisions of this act, and a plan and detailed specifications for the work of the construction of said viaduct with an estimate of the cost thereof shall have been prepared, and approved by said common council as hereinbefore provided, the said common council is hereby authorized to issue the corporate bonds of said city to an amount not exceeding one-fifth of one per cent. of the value of all taxable property of said city as determined by the last assessment and equalization for city taxes next prior to the issue of said bonds. The proceeds of said bonds are to be applied to the construction and erection of such viaduct and necessary or convenient approaches thereto, and the payment of all damages which may result to abutting property owners from the construction of said viaduct. The common council of said city may also levy such tax or taxes upon all the taxable property of said city as may be found necessary from time to time to pay the balance of the expense or cost of such construction and the damages aforesaid, provided, however, that such tax or taxes so levied in any one year shall not exceed one mill upon each dollar of said equalization valuation of said taxable property. All provisions of law relating to the method of issuing corporate bonds for public improvements in said city as to form and execution of bonds, the issue and sale thereof, and levy of taxes creating a sinking fund, and all other details not inconsistent herewith are made applicable to the bonds hereinbefore provided for, to be issued for the purposes named in this act.

Rights of city not impaired to compel other conveniences. SECTION 6. Nothing contained in this act shall be construed to in any way lessen, abridge or impair the right of said city to require or compel the owners or operators of said railroad tracks to construct and maintain at their own expense in said city, bridges, viaducts, tunnels, or other conveniences at public railroad crossing or to in any way amend, modify or repeal any provisions of law requiring railroad companies to construct and maintain at their own expense in said city such bridges, viaducts, tunnels or other conveniences at public railroad crossings as the common council may deem necessary.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 192, S.]

[Published May 16, 1901.

CHAPTER 377.

AN ACT to regulate the sale and analysis of concentrated feedings stuffs.

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

Term "concentrated feeding stuffs" defined. SECTION 1. The term "concentrated commercial feeding stuffs" as used in this act, shall include linseed meals, cotton seed meals, peameals, cocoanut meals, gluten meals, oil meals of all kinds, gluten feeds, maize feeds, starch feeds, sugar feeds, sucrose hominy feeds, cerealine feeds rice meals, oat feeds, corn and oat feeds, ground beef or fish scraps, mixed feeds of all kinds, also all condimental stock foods, patented and proprietary stocks foods claimed to possess nutritive as well as medicinal properties and all other materials intended for feeding to domestic animals; but shall not include hays and straws, the whole seeds nor the unmixed meals made directly from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, dried brewer's grains, wet brewer's grains, malt sprout, sorghum, and broom corn. Neither shall it include wheat, rye and buckwheat brans or middlings, not mixed with other substances, but sold separately, as distinct articles of commerce, nor pure grains ground together.

Duty of manufacturer, etc., as to recital on packages. SECTION 2. Every manufacturer, company or person who shall sell, offer or expose for sale or for distribution in this state any concentrated commercial feeding stuff, used for feeding farm live stock, shall furnish with each car or other amount shipped in bulk and shall affix to every package of such feeding stuff in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly certifying the number of net pounds in the car or package sold or offered for sale, the name or trade