

[No. 17, A.]

[Published February 26, 1887.]

CHAPTER 12.

AN ACT to authorize William H. Bradley, his associates, heirs and assigns, to erect and maintain a dam and booms in the Wisconsin river, in Lincoln county, and to prohibit interference therewith.

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

Authorizing construction of a dam on Wisconsin river in Lincoln county.

SECTION 1. William H. Bradley and his associates, heirs and assigns, are hereby authorized and empowered to erect, keep up and maintain a dam across the Wisconsin river, not less than twelve nor more than fifteen feet in height above low water mark, on section ten, in township thirty-four, range six east, in Lincoln county, Wisconsin, on lands now owned by him or which he shall hereafter acquire by purchase, lease or condemnation, for hydraulic, manufacturing, flooding and booming] purposes; and also to erect and maintain mills, machinery, booms and piers, and other suitable structures and appendages, to enable him and them to use the water of said river raised by said dam for the purposes aforesaid; and shall have power to overflow all such lands as shall be necessary for such purposes, and to acquire title thereto for such purposes by purchase or lease; but in case the said Bradley, his associates, heirs and assigns, and the owners of any such lands required by them, cannot mutually agree for the purchase, lease or use thereof, or of any easement therein, that may be necessary for such purposes, or as to the compensation to be made, for taking any such lands for such purposes as aforesaid, then they, the said Bradley, his associates, heirs and assigns, may acquire the same by proceedings for condemnation, in the manner provided and set forth in section 1777, of the revised statutes as amended by chapter 318, of the laws of 1882, which provisions are hereby made applicable for the purpose of acquiring said lands.

SECTION 2. Said William H. Bradley and his associates, heirs and assigns, shall build and maintain suitable slides and chutes in said dam for running logs and timber over the same, and shall keep the same in repair; and the same shall be kept open at all times, when there are logs or timber to run over said dam. Said William H. Bradley, his associates, heirs and assigns, may also erect and maintain piers and booms in said river, for assorting, dividing, holding and delivering logs passing into the pond hereby authorized to be created; provided that said booms shall be so constructed as to leave a sufficient channel for the free passage of logs, timber and lumber through said pond; and all logs destined to points on said river below said dam shall be taken by the owners of said dam when they reach the flowage thereof, or the rear of any log jam which may be caused by the stopping of logs at the upper dividing works of said booms, and shall be driven by said owners, free of charge, and with reasonable dispatch, through the pond and flowage created by said dam, and over the same; and suitable gates, not less than twelve feet in depth from the top of said dam, shall be placed in said dam for the purpose of flooding said river below the same, to facilitate the running of logs down said river, and said gates shall be open whenever necessary for said purpose; but the height of the water in the pond created by said dam, shall not, for that purpose, be reduced below eight feet above low water mark. On or before the first day of March in each year, the owners of said dam shall select one person, and the governor of the state of Wisconsin shall select another, and the two so selected shall, within ten days after receiving notice of such selections, select a third, or in case of any failure to select as aforesaid, the governor of the state, on application of any person or corporation interested, and upon previous notice of ten days, in writing, to the said owners, may fill the places of the persons not yet selected, by the appointment of disinterested persons for that purpose, and the three persons so selected or appointed, or a majority of them, in case of any dispute or disagreement as to the time or times of opening or closing said gates, shall decide and determine when and how long said gates shall be

To build and maintain suitable chutes and slides, same to be kept open at all times.

opened or closed for flooding purposes; provided, that said gates shall not be opened or remain open for flooding purposes when the height of the water in said pond shall not exceed eight feet above low water mark. The persons so selected or appointed shall continue to act as such umpire for one year from the first day of March of the year in which they are appointed. The owners of such dam shall not be entitled to compensation for the use of said dam or the waters of such pond for flooding purposes in the manner above provided.

The Wisconsin River Improvement Co. not to hinder construction of dam, etc.

SECTION 3. The Wisconsin River Improvement Company shall not in any manner hinder, obstruct or interfere with the construction, maintenance, use, or enjoyment of the dam hereby authorized, or of the pond thereby created, or of any booms, piers, or other structures, which may be constructed or maintained in said pond, or in connection therewith, so long as said dam shall be maintained under the authority conferred by this act.

SECTION 4. Any and all acts or parts of acts, conflicting or inconsistent with the provisions of this act, are hereby repealed.

SECTION 5. The legislature may at any time amend or repeal this act.

SECTION 6. This act shall take effect and be in force from and after its passage and publication. Approved February 25, 1887.

[No. 225, A.]

[Published February 26, 1887.]

CHAPTER 13.

AN ACT relating to the Wisconsin River Improvement company, and amendatory of section 6, of chapter 292, of the laws of 1880.

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

SECTION 1. Section 6, of chapter 292, of the laws of 1880, is hereby amended by adding thereto