

hereby authorized to construct, maintain and keep a dam in and across Black river in Clark county, not exceeding twenty feet in height, at any point between the quarter line running east and west through said section twenty-two, in township twenty-four north, range two west, and the quarter line running east and west through said section twenty-six in said town; said dam to be constructed and maintained for power, manufacturing and boomage purposes, and provided with suitable slides or chutes and fishways, so as to allow the free passage of fish and saw logs through the same.

**Piers and booms; no charge for toll.** SECTION 2. In connection with said dam, said L. B. Ring, his heirs or assigns are further authorized and empowered to build and maintain suitable piers and booms in and along said river, not more than five thousand feet therefrom, provided that no charge for tolls on logs passing through said booms or over said dam shall be charged or collected; and provided further that such piers and booms shall be so constructed, operated and managed, as not to materially obstruct or retard the free passage of logs down said Black river.

**Right to alter or repeal, reserved.** SECTION 3. The right to alter, amend or repeal this act is hereby reserved.

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

Approved May 4, 1901.

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No. 350, A.]

[Published May 7, 1901.

## CHAPTER 295.\*

AN ACT to detach certain territory from the towns of Big Bend and Strickland, in Chippewa county, and to create the town of Atlanta, to provide for town meetings therein and for a final settlement between said towns.

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

**Territory of Atlanta defined.** SECTION 1. All that portion of the present town of Big Bend and all that portion of the present

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\*See chapter 456.

town of Strickland in Chippewa county, in the state of Wisconsin, described as follows to-wit: All that part or portion of the townships number thirty-five and thirty-six north, of range seven west, and lying west of the Chippewa river, and all of townships number thirty-five and thirty-six north, of range number eight west, and now forming a part of the town of Big Bend, and all of township number thirty-six north, of range number nine west, now forming a part of the town of Strickland, are hereby set off and detached from the said towns of Big Bend and Strickland and duly created and organized as a separate town, to be known and designated as the town of Atlanta in said county of Chippewa.

**Creation and rights of town.** SECTION 2. The said town of Atlanta is hereby created and organized with all the rights, powers and privileges conferred upon and granted to other towns in the state of Wisconsin and shall be subject to all the general laws enacted for town government therein.

**Apportionment of assets and liabilities.** SECTION 3. The assets and liabilities of the said towns of Big Bend and Strickland shall be apportioned to the said town of Atlanta pro rata in proportion as the valuation of all the taxable property detached from each of said towns bears to the whole of the assessed valuation of said towns according to the assessment roll for the year A. D. 1900.

**First town meeting, when and where held.** SECTION 4. The first town meeting of said town of Atlanta shall be held on the second Tuesday of May, A. D. 1901, in the dwelling house formerly owned by one James Arrance, on the southeast quarter of the northwest quarter of section number thirty-one in township number thirty-five north, of range number seven west of the fourth principal meridian in the state of Wisconsin.

**Town officers, election of; election officers; how chosen.** SECTION 5. The qualified electors of said town of Atlanta shall, at such town meeting, held as provided for in section number 4 of this act, in the manner provided by law, elect town officers for the said town and for the purpose of such election the qualified electors of said town of Atlanta shall, between the hours of nine and eleven o'clock in the forenoon of said day, choose three of their number to act as inspectors of said election, and such inspectors shall, before entering upon their respective duties, severally take the usual oath of office and file the same with their returns; and such inspectors shall respectively canvass and return the votes cast at such election in all respects as provided by

law for inspectors at annual town meetings. A clerk, or the necessary clerks of said election shall be appointed by said inspectors, or a majority thereof, to assist said inspectors in conducting said town meeting and in canvassing and returning the votes cast at such election.

**When town deemed organized.** SECTION 6. When said town meeting shall have been held as herein provided and the town officers required by law duly elected, the said town of Atlanta shall be deemed and shall be duly organized and shall possess all the rights, powers, privileges and authority, and shall be subject to all the liabilities of other towns in the state of Wisconsin. After said first town meeting, all annual town meetings shall be held on the day provided by law for the holding of town meetings in other towns of the state of Wisconsin.

**Notice of first town meeting, how given.** SECTION 7. Notice of said first town meeting shall be given by the posting of a copy of this act in at least six public places in said town of Atlanta, at least ten days prior to the time of holding said first town meeting, by any duly qualified elector of said town, who shall make a proper affidavit of such posting and file the same on the day of said first town meeting, with the inspectors elected to conduct said first town meeting.

**Settlement between towns involved, when and how made.** SECTION 8. The supervisors of the town of Big Bend and the supervisors of the new town of Atlanta shall, on the twenty-first day of May, A. D. 1901, meet at the office of the town clerk of the town of Big Bend, for the purpose of making a settlement between said two towns according to the provisions of this act, and the supervisors of the town of Strickland and the supervisors of the new town of Atlanta shall on the twenty-eighth day of May, A. D. 1901 meet at the office of the town clerk of the town of Strickland for the purpose of making a settlement between said two towns according to the provisions of this act, and at either and all of said meetings any three of the supervisors shall have full power and authority to send for persons, books, papers and records of any other town necessarily involved in such settlement; and the clerk of the town from which any territory is detached by the terms of this act, shall be the clerk of such meeting and the town clerk of the new town of Atlanta shall assist, and sufficient duplicates of all proceedings had, shall be made, in order that each town shall have one for the use and information of the town clerk thereof. Each town shall be chargeable with the expense and for the services and per diem of its own officers only.

SECTION 9. This act shall take effect and be in force, from and after its passage and publication.

Approved May 4, 1901.

No. 562, A.]

[Published May 7, 1901.

## CHAPTER 296.

AN ACT to amend section 2877 of the statutes of 1898, relative to the settlement of bills of exceptions after the death, incapacity or removal of the judge.

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

**Settlement before expiration of period limited by statute; settlement after expiration; on prejudice of judge.** SECTION 1. Section 2877 of the statutes of 1898, is hereby amended so as to read as follows: Section 2877. Whenever the judge before whom the issues in an action or special proceeding shall have been tried, shall die, remove from the state or for any cause become incapacitated to act, after judgment in such action or special proceeding, and before the expiration of the period limited by statute, rule, stipulation or order for serving a bill of exceptions, the same may be settled and made a part of the record by stipulation of the parties, with the same effect as if duly settled and signed. If the parties cannot agree on such bill of exceptions, then the judge of said court where the action was tried, shall settle such bill of exceptions, and may, if he deem it necessary, take testimony and determine any disputed question of fact which may arise between the parties relative to the proceedings had on the trial in which such bill is to be settled. In case of the death, removal from the state or incapacity of such judge, after the time limited by statute, rule, stipulation or order for serving a bill of exceptions shall have expired, the judge of said court where said action was tried may in his discretion upon notice, and on such terms as shall be just, extend the time for settling the bill of exceptions in the same manner as the judge before whom said action was tried might have done. If the judge of said court where the action was tried shall have been on account of prejudice or other cause, disqualified from