

lay out and open, change, widen or extend any street, lane, alley, public ground, square, *park* or other place, or to construct or open, alter, enlarge or extend any drain, canal or sewer, or alter, widen or straighten any watercourse, or take *any* ground for any street, lane, alley, public ground, square, *park* or other place, or for sewers or drainage purposes, or for the use or improvement of a harbor, as well as by the provisions of their respective charters; and the provisions of the sections aforesaid shall be taken as applicable to such cities and villages, *and the board of trustees of any such village and the common council of any such city is hereby authorized and empowered to levy and collect the expense, including all damages and costs incurred for the taking of private property as provided in this section and in said sections 895 to 904 inclusive and the acts amendatory thereof, either in the manner provided in section 903 of the statutes of 1898, or in the manner provided in sections 925—190 to 925—197a inclusive of the statutes of 1898, for the payment for street improvements, as such board of trustees or the common council may determine.*

Conflicting laws repealed. SECTION 2. All acts and parts of acts, contravening the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 17, 1905.

No. 127, S.]

[Published June 20, 1905.

CHAPTER 395.

AN ACT making further provisions for the Interstate Park of the Dalles of the St. Croix, and appropriating money therefor.

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

Title to land, authority to acquire; mineral rights. SECTION 1. The governor of the state of Wisconsin is hereby authorized

and empowered to continue the work of acquiring title to the following described lands in Polk county, Wisconsin, for the purposes of said park, the respective parcels containing the number of acres, more or less, set opposite each description thereof, according to the United States government survey thereof and as shown by a map or plan on file in the office of the secretary of state, also in the office of the secretary of said commission at St. Croix Falls, Wisconsin, made by Frank H. Nutter, Esq., Landscape Artist, and entitled "Plat of lands proposed to be taken by the State of Wisconsin for an Interstate Park at the Dalles of the St. Croix," to-wit: In section 31 town 34 north of range 18 west: Part of southeast quarter of northwest quarter, 33 acres; part of northeast quarter of southwest quarter, 5 acres; part of northwest quarter of southwest quarter, 34 acres; part of southwest quarter of southwest quarter, 15 acres. Also southwest quarter of northwest quarter, 41.02 acres. Also lot 1 section 35 town 34 north of range 19 west, 3.08 acres. And in section 36 town and range last aforesaid: lot 3, 45.38 acres; lot 5, 46.5 acres; lot 6, 20.4 acres; also southeast, quarter of northeast quarter, 40 acres. southeast quarter of southwest quarter 40 acres; and the southeast quarter 160 acres. Provided that all mineral rights shall be reserved to and by the owner of the northwest quarter of the northwest quarter of section 31, township 34, range 14, also known as the "Berger Forty" for the term of eight years from January 1st, 1905, and if no minerals shall be found and mined in paying quantities on or in said land within said term, then immediately upon the expiration thereof the title thereto shall vest absolutely in the state of Wisconsin in fee simple absolute, without any reservation whatever, but said reservation shall in no way change the status of the appeal in condemnation proceedings now pending between the state and the owner of said land; provided further, that during the term of said reservation, all prospecting for and mining of minerals, if any, on said land, shall be done with as little damage thereto and to the natural growth and any park improvements thereon as shall be practical and consistent with the reasonable and careful exercise of said privilege so reserved; and provided further that the Interstate Park Commission be and hereby is fully empowered and authorized to acquire by mutual agreement, all mineral rights of said owner in said land.

Wahlquest property. SECTION 2. In respect to the 15 acre parcel last above described and designated on said map as the

“Wahlquist” property, if it shall appear upon inspection of said premises by said commission that improved lands have been unnecessarily included within said park boundaries and designated to be taken for said park purpose and the same shall appear to be unnecessary therefor, said commission is authorized and empowered to purchase or condemn under the laws applicable hereto, less than said 15 acres, the same being unimproved portion thereof and to cause a resurvey of the boundary lines through said premises in accordance with such readjustment and to cause a map of the changes so made in said park boundary to be filed in each of the aforesaid offices.

Commission, how designated. SECTION 3. In order to continue such commission and the work thereof, the governor shall in the month of June, 1905, appoint a successor to the present commissioners, a commission consisting of three persons which shall continue to be known and designated as “The Commission of the Interstate Park of the Dalles of the St. Croix” and each of which commissioners so appointed shall hold his office for the term of two years and until the appointment and qualification of his successor.

Compensation and expenses. SECTION 4. The commissioners shall qualify and organize, have the powers and be entitled to compensation and expenses the same in all respects as now provided in said chapter 305, laws of 1901.

Duty of commission. SECTION 5. Said commissioners shall continue the work of acquiring the title to said lands for said park purposes and all lands so acquired shall be under the regular care and supervision thereof subject to such rules and regulations as the governor may from time to time prescribe.

Powers conferred. SECTION 6. Said commission is hereby authorized and empowered to dispose of, subject to the approval of the governor, all or any of the dwelling houses and other structures now belonging to, and on the lands heretofore acquired by the state for said park purposes, for such amount in cash as in their judgment said buildings shall be worth, the net proceeds thereof to be paid in to the secretary of state and by him deposited in the state treasury to the credit of the park fund.

Contracts, how made. SECTION 7. All contracts for the purchase of real estate for the purpose of said park, shall be submitted to the governor and upon being approved by him the amount specified therein to be paid shall forthwith be paid to the person entitled thereto, out of the state treasury. If in view of any such contemplated purchase, there shall not be sufficient funds in the state treasury to the credit of the park fund, to pay for such lands said commission may, subject to the approval of the governor, contract with the owners thereof for an option thereon on such terms as may appear suitable and proper under the circumstances and the money consideration for such option may be lawfully paid by said commission out of any available funds appropriated for said park.

Plans, commission authorized to procure. SECTION 8. As soon as all of said park lands shall have been acquired by the state, said commission is authorized to procure suitable working plans for the reforestation of said park lands; also for roads, driveways, firelines and other improvements therein, and, subject to the approval of the governor, to cause said plans to be executed and improvements to be made.

Appropriation. SECTION 9. For the purposes of carrying out the provisions of this act there is hereby appropriated from the money in the state treasury, not otherwise appropriated, the sum of \$10,000.00.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved June 17, 1905.