

No. 210, S.]

[Published April 18, 1893.

## CHAPTER 167.

AN ACT relating to the restoring of streams, highways, etc., to their original state of usefulness, by railway corporations, and amendatory of section 1836, of the Revised Statutes of the state of Wisconsin.

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

Amends sec.  
1836, R. S.

SECTION 1. Section 1836, of the Revised Statutes of the state of Wisconsin, is hereby amended by adding at the end of said section the words following: "Provided, that where any railroad in the state of Wisconsin shall be built along, upon, or near navigable rivers, the improvement of which is in charge of the United States government, this act shall not apply to sloughs or bayous thereof closed by the government to aid the navigation of such rivers. Provided further, that in case such sloughs or bayous shall hereafter be closed by any railroad company, such railroad company shall be liable in damages, in case any such accrue, to any person or persons, corporation or corporations, owning lands thereon, injured thereby; and all provisions of the statutes of the state of Wisconsin for acquiring land by right of eminent domain and compensation therefor, shall apply in assessing damages for such closing, and for injury to lands thereon," so that said section, as amended, shall read as follows: Section 1836. Every corporation constructing, owning or using a railroad, shall restore every stream of water, water course, street, highway, plank road, turnpike, or canal, across, along or upon which such railroad may be constructed, to its former state, or to such condition as that its usefulness shall not be materially impaired, and thereafter maintain the same in such condition against any effects in any manner produced by such railroad. When any lands shall be required in order to change any highway, street, turnpike, or plank road, the same may be condemned, taken, and compensation made in the manner provided in this chapter, and when

Railroad corporations not to materially impair water-courses, streets, etc.

so taken, shall become a part of such highway, street, turnpike, or plank road, to the same extent as, and by the same tenure by which the adjacent parts thereof are held. Provided, that where any railroad in the state of Wisconsin shall be built along, upon, or near navigable rivers, the improvement of which is in charge of the United States government, this act shall not apply to sloughs or bayous thereof, closed by the government to aid the navigation of such rivers. Provided further, that in case such sloughs or bayous shall hereafter be closed by any railroad company, such railroad company shall be liable in damages, in case any such accrue, to any person or persons, corporation or corporations, owning lands thereon, injured thereby; and all provisions of the statutes of the state of Wisconsin for acquiring land by right of eminent domain, and compensation therefor, shall apply in assessing damages for such closing, and for injury to lands thereon.

When lands may be taken.

Navigable rivers in charge of general government.

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

Approved April 13, 1893.

No. 827, S.]

[Published April 18, 1893.

## CHAPTER 168.

AN ACT to legalize the acts and proceedings of the Watertown Shoe Company, and certain shares of stock issued by it, pursuant to the authority and direction of a meeting of the stockholders of said company duly convened and held on the nineteenth day of December, 1891.

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

SECTION 1. All of the acts and proceedings of the stockholders of the Watertown Shoe Company, a corporation duly organized and existing

Legalizes certain acts of the Watertown Shoe Company.