

CHAPTER 136

AN ACT to amend 88.38 (1) of the statutes, relating to culverts and outlets to permit natural drainage.

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

88.38 (1) of the statutes is amended to read :

88.38 (1) Whenever any county, town, city, village * * *, railway company or the state highway commission shall have heretofore constructed and now maintains or hereafter shall construct and maintain any public highway or road grade through, over and across any marsh, lowland or other natural depression over or through which surface water naturally flows and percolates, and the stopping of the said flow and percolation of said water by said highway or road grade cause any crop or land to be flooded, watersoaked or otherwise damaged, such county, town, city, village * * *, railway company or the state highway commission shall construct, provide and at all times maintain a sufficient ditch or ditches, culverts or other outlets to allow the free and unobstructed flow and percolation of said water from said lands, and to prevent said lands from becoming flooded, watersoaked or otherwise damaged by said water. * * * The foregoing shall not apply to public highways or road grades now or hereafter used to hold and retain water for cranberry purposes.

Approved May 23, 1955.
