

Fishway. SECTION 6. Said dam shall be provided with a sufficient fishway or fishways, to be approved by the board of commissioners of fisheries, and such fishway or fishways shall at all times be kept and maintained in good repair and open for the free passage of fish up and down said river.

Amendment and repeal reserved. SECTION 7. The right of the legislature to amend or repeal this act any time, is hereby reserved.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 25, 1907.

No. 260, A.]

[Published April 30, 1907.

CHAPTER 59.

AN ACT to amend section 959—76 and 959—77. statutes of 1898, relating to the construction of breakwaters by counties, towns, villages and cities.

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

SECTION 1. Section 959—76, statutes of 1898, as created by section 6, chapter 293, laws of 1905, is amended to read:

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SECTION 2. Section 959—77, statutes of 1898, as created by section 7, chapter 293, laws of 1905, is amended to read:

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Approved April 29, 1907.

(In effect July 1, 1907.)

such lighting or water plant for such use, built and constructed in such town beyond the limits of any such village a dam, power-house or other structures for the creation and transmission of power necessary for their operation and used within any such village for the purpose aforesaid, whenever in any such case, a division is made of the territory of any such town by the creation of new towns or otherwise, any such dam, power-house or other structure and any line or lines of transmission used in connection therewith shall, upon any such division of territory being made be and remain the property of the town containing such village where such lights or water are furnished and used for public purposes as aforesaid and the right of such town containing such village to continue to maintain and operate any such dam, power-house or other structure or any line or lines of transmission connected therewith shall not be in any manner affected by any such division of territory.

(Ch. 281, 1907.)

Balance of benefits and damages. SECTION 959—76. If the balance between the benefits *and damages* accruing to property within such assessment district shall not be sufficient to pay the costs of the improvement, the balance shall be paid by the county, town, village or city out of any general fund or special fund created for that purpose, and any county, town, village or city shall have the power and authority to issue its negotiable bonds to pay for such improvement in the same manner as the issue of bonds is provided for by section 942—944 inclusive of the statutes of 1898. The cost of protecting the ends of streets, roads and public highways or other public grounds or places shall be paid wholly out of the general or special fund of such municipality.

(Ch. 59, 1907.)

Co-operation of municipalities. SECTION 959—77. Whenever the erection of such breakwater or protection piers shall be deemed necessary, the same may be done by any county, town, village or city, separately, or by two or more acting together. When two or more municipalities propose *to* work together in making such improvement, they shall first meet and adopt a method of procedure which shall be adopted by resolution of the county, town or village board and common council of any city.

(Ch. 59, 1907.)