

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

Approved April 16, 1897.

No. 596, A.]

[Published April 19, 1897.

CHAPTER 251.

AN ACT to define and establish the rights and powers of cities and villages over toll roads within their limits.

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

The right of a city or village over toll roads within their limits defined.

SECTION 1. Every city and village in this state, whether incorporated under special charter or the general laws of the state for the incorporation of cities and villages, having within its corporate limits the whole or any part of any plank or toll road, is hereby granted the same rights, powers and privileges, and made subject to the same liabilities over such plank or toll road within its corporate limits as exists in favor of or against any such city or village, either by special charter or by the general law, over public streets or highways in such city or village, including the right to levy and collect by special assessments upon the land that may front upon any portion of such plank or toll road within the said corporate limits that may be improved, for any improvements or work done thereupon, including assessments for laying water pipes and sewers, grading and graveling such road, paving the same, making gutters and laying sidewalks and for other improvements, in the same manner and to the same extent and for the same kind of work that said city or vil-

lage may be authorized by law to levy special assessments for any work or improvement done upon any other highway in said city or village, and from and after the date of the passage of this act, such plank and toll roads shall be relieved from all liability to maintain and keep in repair such portion of such roadway that shall lie within the corporate limits of any such village or city; provided, however, that no franchise or rights shall be granted by any such city or village by virtue hereof, over any such plank or toll road or any part thereof, to any person or corporation, for the purpose of operating a street railway, and no such franchise shall be granted except in the manner provided for by chapter 298, of the laws of 1889. Nothing in this act shall prejudice the right of any plank or toll road, having any portion of its road within any city or village as aforesaid, from collecting at its toll-gates, as now located, or as they may be hereafter relocated from time to time, by the directors of the company or persons operating such plank or toll road, toll for travel over such portions of said plank or toll road as may lie within the corporate limits of said village or city, to the full extent and in the manner now authorized by law for travel over the other portions of said plank or toll road, and every plank and toll road company is hereby authorized to collect such toll as aforesaid and to remove and relocate its gates from time to time; provided, however, that nothing herein contained shall be understood as requiring the removal of any toll-gate as now located, and nothing herein shall authorize any person or company, operating any plank or toll road, to remove any of its present gates and locate the same within the corporate limits of any village or city, or to relocate any toll-gate within three miles of another gate.

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

Approved April 16, 1897.