

[No. 355, A.]

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CHAPTER 320.

AN ACT to provide for the assessment of damages to lands taken or overflowed by works of improvement of the Fox and Wisconsin rivers, prosecuted or maintained by the United States government.

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

Assessment of
of damages.

SECTION 1. In case the lands of any person have been overflowed, injured or taken by the United States government, in the prosecution or maintenance of any of the works of improvement of the Fox and Wisconsin rivers in this state, or if it shall be found necessary or proper to hereafter overflow, injure or take the lands of any person in the prosecution or maintenance by the United States government of any of the works of improvement of said rivers, the damages for such overflow, injury or taking may be assessed and determined in the courts of this state in accordance with the provisions of an act of congress approved March 3, 1875, entitled, "an act to aid in the improvement of the Fox and Wisconsin rivers in the state of Wisconsin;" such damages shall be assessed and determined by proceedings in the manner, as near as may be, provided by chapter eighty-seven of the revised statutes of this state, relating to acquiring land by railroad corporations by right of eminent domain, and all of the provisions of said chapter eighty-seven, relating to acquiring land by railroad corporations by right of eminent domain, are hereby made applicable, as near as may be, to such assessment and determination of such damages: provided, that nothing herein shall be so construed as to authorize the commencement of or continuance of any proceeding by or against the United States government for any assessment or determination of any such damages, when, by reason of lapse of time or any other cause, the United States government, would not be liable therefor: provided that the state of Wisconsin shall never become or be held liable for the payment for any services performed, or expenses incurred by said commissioners, rendered, incurred or expended, pursuant to the provisions of this act, nor for any damage or damages ascertained or assessed by them as hereinbefore provided.

Proviso.

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

Approved April 2, 1881.