

No. 463, A.]

[Published May 24, 1901.]

CHAPTER 465.

AN ACT to amend section 1863a of the statutes of 1898, as amended by chapter 306 of the laws of Wisconsin for the year 1899, relating to the condemnation of land.

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

Proceedings for condemnation by street railways; as to crossings. SECTION 1. Section 1863a of the statutes of 1898, as amended by chapter 306 of the laws of Wisconsin for the year 1899, is hereby amended so as to read as follows: Section 1863a. Any street or electric railway corporation, may acquire by purchase, grant or condemnation, or hold or use such real estate or other property as may be necessary for the construction, maintenance and operation of its railroad, and of the stations, depot grounds and other accommodations reasonably necessary to accomplish the objects of its incorporation. All the provisions of sub-division 6 of section 1828 of these statutes, relative to railroad crossings, shall apply to street and electric railways. The commissioners therein named shall have power to determine the place at, and manner in which grade or other crossings shall be made, and on an appeal from the determination and award of such commissioners to the circuit court as provided by this chapter, in condemnation proceedings, such court shall have power to review, reverse, modify or affirm such award, both as to the amount of compensation therein provided, and as to the manner of making such crossing, and may make such reasonable provisions as it shall deem necessary for public safety; provided the provisions of section 1808, of the statutes of 1898, shall not apply to trains operated by steam at crossings of such electric railways; and provided further that the appeal herein authorized, shall not prevent the construction of such crossing in the manner determined by the commissioners, and the use of the same by the petitioner upon the filing of such determination and award, with the clerk of the circuit court and the payment of the amount of compensation awarded to the railroad company, or to the clerk of the court for its benefit; but the circuit court may in its discretion

require the petitioning company, to maintain a flagman or other safeguard at such crossing pending the determination of such appeal. All the provisions of these statutes relating to the exercise of eminent domain by railroad companies, shall apply to street and electric railroad corporations, provided, that nothing herein shall apply to any park or boulevard in any city or village nor to any street, alley or viaduct therein, unless the use of such street, alley or viaduct shall first be granted to such street or electric railway company by a franchise duly passed by the board of trustees or common council of such village or city; and provided further that nothing herein shall apply to the right of the public or the title of any city or village, in and to any street, alley or viaduct within its limits.

Conflicting laws repealed. SECTION 2. All acts and parts of acts in conflict with this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force, from and after its passage and publication.

Approved May 14, 1901.

No. 7, S.]

[Published May 24, 1901.]

CHAPTER 466.

AN ACT to amend sections 1421c, 1421d, 1421e, 1421g, 1421h, and 1421j, of the statutes of 1898 relating to the inspection of illuminating oils and petroleum products in the state of Wisconsin.

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

Duties of supervisor; deputies; stamps and brands; use of.

SECTION 1. Section 1421c of the statutes of 1898 is hereby amended so as to read as follows: Section 1421c. It shall be the duty of said supervisor to devote his entire time to the duties of said office and under the direction of the governor to oversee all deputy inspectors of illuminating oils, instruct them in the performance of their duties, see that they faithfully perform the duties of their office, keep a record of their reports