

CHAPTER 312.

[Published April 25, 1860.]

AN ACT to legalize certain State roads therein named.

(See Supplement to Local Laws.)

CHAPTER 313.

[Published April 20, 1860.]

AN ACT to empower cities, towns, and villages to grant the use of the streets therein to certain railway companies.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Municipal corporations may grant use of streets to street railway companies.

SECTION 1. Any municipal corporation within this State is hereby authorized and empowered to grant such use, as it shall deem proper, of any street or streets, within the limits of such corporation, to any street railway company, organized under any general or special act of the Legislature of this State, or to any individual, or association of individuals, for the purpose of establishing and maintaining a single or double track of iron rail, and running cars thereon, to be propelled by animal power, for the carriage of passengers only, along an [and] upon such streets of such municipal corporation, and such grant may include the right to lay and maintain in, along and upon any such street or streets, a single or double track, with all the necessary curves, turn-outs, and switches, in the usual and customary style and manner of constructing street railroads of the first class in other cities; and to equip the same with any number of passenger cars or vehicles, to be drawn by animals, and run over such road; such grant to be made by the common council of any such municipal corporation, upon such terms and conditions as they may impose; and with such privileges as may be necessary, reasonably, to secure the objects of the grant.

Such companies may extend their railways into adjoining towns.

SEC. 2. Any street railroad company, which is or may be so organized, for the purpose of constructing a street railroad, to be operated by animal power, within the limits of any municipal corporation in this State, is hereby

authorized to extend its railroad to any point or points within any town adjoining such municipal corporation; and to enable any such street railroad company to construct and extend its road into a town adjoining such municipal corporation, such street railway company is hereby authorized, with the consent of a majority of the supervisors of such town, to lay down and maintain the track of its railway in, upon, over, and along any common highway in such adjoining town; but such railway company shall construct such railroad in such manner as not obstruct the common travel of the public over the same.

May use highways by consent of supervisors.

SEC. 3. Any street railroad, which may be constructed pursuant to any authority which may be granted, according to the provisions of this act, shall be constructed upon the most approved plan for the construction of city railroads, and shall be run as often as the convenience of passengers shall require, and shall be subject to such reasonable rules and regulations in respect thereto, as the common council of the city, in which such railroad shall be constructed, may, from time to time, by ordinance, prescribe, and to the payment of such license fee to the city in which such road may be constructed, for each and every car run thereon, as may be prescribed by the common council of such city.

Regulates construction and running of such railways.

Subject to ordinances and payment of license fee.

SEC. 4. Any grant or grants, heretofore made by any municipal corporation (and not yet repealed or rescinded), of the use of any street or streets therein, to any street railway company, organized for the purpose mentioned in the first section of this act, are hereby decided valid and binding upon such municipal corporation, and any and all obligations imposed by the terms of such grant or grants upon any such railway company, or by them assumed as a condition of or in consideration of such grant or grants shall, in like manner, be binding upon such company, as fully and to the same extent, as if such grant had been made and such obligation assumed subsequently to the passage of this act.

Grants heretofore made declared to be valid.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 31, 1860.