

No. 77, S.]

[Published May 4, 1891.

CHAPTER 282.

AN ACT to authorize the location and construction of railroads in tunnels or underways, and to authorize condemnation of right of way therefor.

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

Underground
railways may
be constructed.

SECTION 1. Any railroad corporation organized under any general or special law of this state shall, in addition to all other powers vested in it, have authority to locate and construct its line of railway in whole or in part, in such manner that the same, when constructed shall, in whole or in part, be wholly beneath the surface of the ground and may use in the construction, maintenance, and operation of its said railway, such underways, tunnels or other means as may be necessary or expedient.

Compensation
to be made to
owners of land
through which
railroad passes.

SECTION 2. All rights and easements necessary to be acquired, had and enjoyed by any railroad corporation, which shall or may hereafter locate its line of railway, or any part thereof, pursuant to the authority contained in section 1 of this act, may be condemned and permanently appropriated to the use of such corporation in the manner prescribed by chapter 87, of the revised statutes, and the acts amendatory thereof and supplementary thereto; provided, however, that the owners of any land traversed by any tunnel or under way shall be entitled to compensation for all land taken therefor as well as for all damages sustained by reason of the taking thereof and the construction, maintenance and operation of a railway in any such tunnel or under way at whatsoever depth below the surface such tunnel or under way may be constructed, operated and maintained.

Chapter 255,
laws of 1889
not repealed.

SECTION 3. Nothing in this act contained shall be so construed as repealing chapter 255, of the general laws of 1889, or as depriving any municipal corporation of any power now vested in it by law.

SECTION 4. If such tunnel or underway be constructed across or under any street or highway, all owners of lots or property abutting upon that part of the street or highway occupied by such tunnel or underway, shall be entitled to recover all actual damages, if any, by them sustained to the said lots or property.

Across streets
and highways.

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

Approved April 17, 1891.

No. 220, S.]

[Published May 12, 1891.]

CHAPTER 283.

AN ACT to amend section 1775, chapter 86, revised statutes, as amended by chapter 133, laws of 1881, and chapter 70, laws of 1883, relating to corporations.

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

SECTION 1. Section 1775, chapter 86, of the revised statutes of Wisconsin, as amended by chapter 133, of the laws of 1881, and by chapter 70, of the laws of 1883, is hereby further amended by inserting therein after the word "corporation," where it occurs in the twelfth line of said section 1775, the following: "Except upon and with the assent of the holders of three-fourths of the capital stock of both the corporation proposing to take such stock, and the corporation in which it is proposed to be taken." So that said section when so amended, shall read as follows: Section 1775. Every such corporation, when so organized, shall be a body corporate by the name designated in its articles, and shall have the powers of a corporation conferred by these statutes, necessary or proper to conduct the business or accomplish the purposes prescribed by its articles, but no other or greater; and may take by gift, devise, purchase or otherwise, and

Amends sec.
1775, R. S. 1878.

May purchase
stock in other
corporation,
when.