

or for the purpose of procuring any extension of credit already given, shall be punished by imprisonment in the state prison not more than three years nor less than one year, or by imprisonment in the county jail not more than one year or by a fine not exceeding five hundred dollars (\$500.00).

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

Approved May 25, 1905.

No. 53, S.]

[Published May 27, 1905.

CHAPTER 266.

AN ACT to amend section 1863a of the statutes of 1898, as amended by chapter 465 of the laws of 1901, relating to condemnation proceedings by street and electric railway companies.

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

Proceedings for condemnation by street railways; crossings; fence and cattle guards. SECTION 1. Section 1863a, of the statutes of 1898, as amended by chapter 465 of the laws of Wisconsin for the year 1901, is hereby amended so as to read as follows: Section 1863a. *Any street or electric railway corporation shall have the power to lay out its right of way not exceeding 100 feet in width and acquire the same by condemnation and to construct its railway thereon. For the purpose of cuttings and embankments and of obtaining gravel or other material such railway may take as much more land as may be necessary for the proper construction, operation and security of the road and cut down any standing trees that may be in danger of falling on the road, making compensation therefor as provided in chapter 87 of the statutes of 1898, for lands taken by railroad companies, and any such street or electric railway corporation may acquire by purchase, grant or condemnation and may hold or use such real estate or other real or personal 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 in-*

corporation; and when reasonably necessary may take and acquire by condemnation or otherwise the right to run its cars over any bridge owned by any city of the second, third and fourth classes, towns and villages, and the approaches thereto on the rails of any other street or electric railway which it may meet, join, intersect or cross. All the provisions of subdivision 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. *And such railways shall have the power to cause such examination and surveys for its proposed railroad to be made as may be necessary to the selection of the most advantageous route, and for such purpose, by its officers or agents and servants, to enter upon the lands or waters of any person, but subject to responsibility for all damage which shall be done thereto.* All the provisions of these statutes relating to the exercise of eminent domain by railroad companies, shall apply to street and electric railway corporations, provided that nothing herein shall apply to any park or boulevard in any city or village, nor to any street, alley, bridge or viaduct therein, unless the use of such park, boulevard, street, alley, bridge 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 *park, boulevard, street, alley, bridge* or viaduct within its limits. *Provided further, that as far as applicable the provisions of sections 1810, 1811, 1812, 1813 and 1814 of the statutes of 1898, relating to the construction and maintenance of fences and cattle guards by railroad companies, shall apply to street and electric railways.*

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

Approved May 25, 1905.

CHAPTER 267.

No. 730, A.]

[Published May 27, 1905.

AN ACT to amend chapter 301 of the laws of 1903, entitled "An act relative to the establishment of a municipal court in and for the county of Dunn."

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

Civil and criminal jurisdiction of; judgment by confession.

SECTION 1. Section 2 of chapter 301 of the laws of 1903, is hereby amended so as to read as follows: Section 2. Said municipal court and the judge thereof shall take cognizance of and shall have jurisdiction to hear, try and determine all actions and proceedings at law, wherein the amount of the debt, damages and demand and penalty of forfeiture shall not exceed the amount of five hundred dollars; all actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars; all actions arising under chapter 145 of the statutes of 1898, when the amount claimed shall not exceed five hundred dollars; all charges for criminal offenses, including bastardy, arising within said county which are not punishable by commitment to state prison, and all offenses arising under the charter and ordinances of all duly incorporated cities and villages within said county; said judge shall have power and jurisdiction throughout the county to cause to be brought be-