

No. 588, S.]

[Published May 24, 1951.

CHAPTER 235.

AN ACT to amend 32.03 (1) of the statutes, relating to condemnation of city property for railroad purposes.

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

32.03 (1) of the statutes is amended to read:

32.03 (1) The general power of condemnation conferred in this chapter does not extend to property owned by the state, a municipality, public board or commission, nor to the condemnation by a railroad, public utility, or electric co-operative of the property of either a railroad, public utility, or electric co-operative unless such power is specifically conferred by law, *provided that property not to exceed 100 feet in width owned by or otherwise under the control or jurisdiction of a public board or commission of any city, may be condemned by a railroad corporation for right of way or other purposes, whenever such city by ordinance consents thereto.* This chapter does not apply to the acquisition

by municipalities of the property of public utilities used and useful in their business, nor to any city of the first class, except that every such city may conduct any condemnation proceeding either under this chapter or, at its option, under other laws applicable to such city.

Approved May 18, 1951.
