PRIVATE AND LOCAL LAWS

PASSED BY THE

LEGISLATURE OF WISCONSIN,

IN THE YEAR

EIGHTEEN HUNDRED AND FIFTY-FIVE.

PUBLISHED BY AUTHORITY.

MADISON:

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1855.

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Chapter 301.

An Act to lay out a State Road therein named.

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

SECTION 1. H. C. Hobart, Casper Thurwachter and Augustus Huyssen are hereby appointed commissioners to lay out a state road from Chilton in Calumet county to Calumet village in Fond du Lac county. Commissioners.

SEC. 2. The above named commissioners shall receive such compensation for their services, as may be allowed them by the County Boards of Supervisors of the several counties through which the road shall run: *Provided*, no part of such compensation shall be paid out of the State treasury. Compensation. Proviso.

SEC. 3. This act shall take effect from and after its passage.

Approved March 29, 1855.

Chapter 302.

An Act to incorporate Beaver Dam Hydraulic Company.

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

SECTION 1. Thomas Mackie, William Farrington, Robert J. Norris, Robert V. Bogert, A. Scott Sloan, are hereby created a body corporate and politic by the name of the Beaver Dam Hydraulic Company, with perpetual succession to them and their successors and associates, and as such shall have all the powers and privileges incident to any incorporation in this state for the purposes hereinafter stated. Corporators and title.

SEC. 2. The affairs of the said corporation shall be managed by a board of five directors and the persons above named, are hereby constituted the first board of directors. They shall have and exercise all the powers of such corporation in its corporate name, and shall and may elect Management.

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Officers. and appoint a President, Secretary, and such other officers, agents and employees as they may deem proper, and fix the compensation for each and every one of them, and remove and dismiss them at pleasure, and appoint and elect others instead from time to time; may adopt, keep, use and alter at will a common seal, sue and be sued, implead and be impleaded, contract and be contracted with, purchase, hold, sell and convey real estate for the use of said company, the aggregate cost of which owned by them at any time shall not exceed one hundred thousand dollars, together with personal property not exceeding twice the amount aforesaid in addition to such real estate; may make, ordain, establish and alter at pleasure rules and by-laws for the government of themselves, their officers, agents and employees not inconsistent with any law of this state, may keep an office, record minutes of proceedings and determine the amount and number of shares of stock of said incorporation, and the amount of such shares severally which shall be uniform in amount and the mode of subscribing and time of payment therefore, and mode and place of issue and transfer of the same, and may forfeit such shares and all moneys paid thereon to the use of said company for non-payment in full therefor, according to the requirements of the by-laws of said company, and may provide by such by-laws for the time, place and manner of electing future Boards of Directors, and for filling any such vacancy in such board or any office where such vacancy is occasioned by death, resignation, inability or refusal to serve. But no omission or failure to elect directors at the time appointed for any such election, shall work an abatement, defeasance or forfeiture of any of the rights, privileges, immunities or franchises hereby conferred, but the directors hereby appointed or hereafter elected shall continue directors, with full powers until successors shall be appointed or elected.

Powers and limits. SEC. 3. Said company shall have exclusive power for thirty years from the passage of this act to use the powers and privileges conferred hereby in the village of Beaver Dam or within one mile of any portion of the limits of the present village of Beaver Dam under any name or description by which such village may be known, and no such powers or privileges as those conferred in this charter, shall be conferred upon or used by any other person or corporation whatever, but all such powers, privileges and franchises are hereby conferred upon said company

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for the term last aforesaid exclusively : *Provided*, Said company shall within two years expend the sum of two thousand dollars in the furtherance and prosecution of the objects of the said company and the further sum of four thousand dollars for the purposes last aforesaid within five years from the passage of this act. Proviso.

SEC. 4. Said company shall have the power to enter upon and examine any lands within five miles of the present village of Beaver Dam for the purpose of finding and procuring pure water (doing no unnecessary damage to any such lands) for the purpose of conducting and conveying such water to and within said village, or any part of the same, as the same now is or may be hereafter enlarged or extended under its present or any other name or style whatever, to be furnished for the use of the citizens of the territory above described and referred to, or for the purposes and uses of any incorporation, municipal or otherwise, and for that purpose the said company are hereby fully authorized and empowered to convey any water so found or procured to or within any portion of the territory aforesaid, along, through or under any street, highway, lot or lots, field or fields, farm or farms, land or lands of any person or persons whatever, and for that purpose may enter into, go upon and occupy so much of any lot or lots, field or fields, farm or farms, land or lands, and make any and all necessary excavations, embankments, ditches, sluices, culverts, structures and other things, and construct, deposite, or lay down or embed thereon or thereunder, and perpetually maintain the same in good repair, any pipe, acqueduct, channel or other medium and the bed thereof by which to conduct and convey any such water from any one or any number of places or sources, and may from time to time make any and all needful repairs and renewals thereof, paying the owners or occupants severally of any lands, lots, farms or fields so entered upon or into for the purposes aforesaid, such amount for damages, as shall be agreed upon or determined in the manner hereinafter provided, and doing no unnecessary damage thereto or to any such highway or street, and provided the consent to use any water so found and appropriated shall be obtained from the owner in fee of the land, on which such spring is found. May enter upon land for its uses.

SEC. 5. The necessity to enter into, go upon, through, or take and use any portion of any such lot, land, field, farm or street, and the damages to be paid therefore shall

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be determined in the same manner as is provided in the charter of La Crosse and Milwaukee Rail Road Company for purposes of obtaining right of way and Depot grounds and other necessary lands and privileges, *Provided*, that this company shall confine its use of lands and privileges to highways and streets so far as may be without material inconvenience, increase of expense, or other detriment to the interests and general objects of the said company.

Proviso.

Malicious mischief.

SEC. 6. Any person who shall commit any willfull trespass upon any of the property of this company, shall be deemed guilty of and punished as for malicious mischief, and shall also be liable in a civil action to said company, and in case such company shall recover in any civil action against any trespasser or wrong doer in an action of trespass or trespass on the case for tort, such company shall recover three times the amount of damage so done with costs of the court in which such recovery is had.

May borrow money.

SEC. 7. The said corporation are hereby authorized and fully empowered in their corporate capacity to borrow any sum or sums of money from any person or persons, corporation or body politic of any kind, and make and execute in their corporate name all necessary writings, notes, bonds, mortgages or other papers, and make, execute and deliver such securities in amount and kind as may be deemed expedient by said corporation for all purposes in carrying out the objects of this company; and the official acts of said company are hereby declared binding in law and equity upon all other parties to such contract.

Public act.

SEC. 8. This act shall be deemed a public act and shall be favorably construed for the purposes for which *this* act is intended, and for the purpose of enabling said company to carry out the same, which purposes are hereby declared to be of a public nature, and to be for the purpose of supplying water to the citizens and all others within the territory and village aforesaid for all necessary and usual purposes.

Approved March 29, 1855.

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