PRIVATE AND LOCAL LAWS

PASSED BY THE

LEGISLATURE OF WISCONSIN,

IN THE YEAR

EIGHTEEN HUNDRED AND FIFTY-SIX.

PUBLISHED BY AUTHORITY.

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CHAPTER 410.

An Act to incorporate the La Crosse Hydraulic Company.

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

Corporators. SECTION 1. Theodore Rodolf, John S. Simonton, Samuel T. Smith, Chase A. Stevens, William J. Gibson, Dugald D. Cameron, Samuel D. Hastings, A. P. Blakeslee and Thos. B. Stoddard, be and they are hereby created a body politic and corporate, with perpetual succession, by the name and style of the "La Crosse Hydraulic Company," and by that name they and their successors shall be capable in law of contracting and being contracted with, sueing and being sued, defending and being defended, in all courts and places, and in all matters whatsoever, with full powers to acquire, hold and occupy and enjoy all such real and personal estate, as may be necessary and proper for the construction, extension and usefulness of the work of said company, and for the proper management and good government of the same; and they may have a common seal, and the same may be altered and renewed at pleasure. Style, and capable.

Authorized to build water works. SEC. 2. The corporation hereby created shall have full power and authority, and the exclusive right and privilege of building water works in the village and city of La Crosse, for supplying water to said city or village for the the period of twenty five years from the passage of this act.

Capital stock. SEC. 3. The capital stock of said company shall not exceed two hundred thousand dollars, to be subscribed for and paid in such proportion as shall be prescribed by the by-laws and rules regulating the concerns of said company.

Directors. SEC. 4. The property and concerns of said corporation shall be managed and conducted by a board of nine directors, and Theodore Rodolf, Jno. S. Simonton, Sam. T. Smith, Chase A. Stevens, Wm. J. Gibson, Dugald D. Cameron, Samuel D. Hastings, A. P. Blakeslee and Thomas B. Stoddard, shall be the first directors of said corporation, and shall continue in office until others shall be chosen. The first election of directors shall be held on the first Tuesday in September 1858, and annually thereafter, at the city or First election.

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village of La Crosse, at one o'clock, P. M., of each day. But if it shall at any time happen, that an election of directors shall not be made on the day when, pursuant to this act it ought to have been made, the said corporation shall not for that case be deemed to be dissolved: but it shall be lawful on any other day to hold and make an election, in such manner as shall be provided for in the by-laws of said corporation.

Officers and their duties.

SEC. 5. The directors of said corporation shall have power to appoint such officers and agents as they may deem necessary, and prescribe their duties, and take the necessary bonds for the faithful performance thereof, and may from time to time adopt such by-laws and regulations for the business of said corporation as they may deem expedient; such by-laws and regulations not to be inconsistent with the constitution and laws of the United States, or of this state.

Enter upon lands to procure water.

SEC. 6. Said company shall have the power to enter upon and examine any lands within ten miles of the present city or village La Crosse, 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 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 to enter into, go upon and occupy so much of any lot or lots, field or fields, farm or farms, land or lands, and make and all necessary excavations, embankments, dikes, sluices, culverts, structures and other things, and construct, deposit, or lay down or imbed 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 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

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any lands, lots, farms or fields so entered upon or into for any 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.

Use any land.

SEC. 7. 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 therefor shall be determined in the same manner as is provided in the charter of La Crosse and Milwaukee Railroad 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.

To punish trespass.

SEC. 8. Any person who shall commit any wilful 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 tresspasser or wrong doer in an action of trespass, or trespass on the case for tort, such company shall recover three times the amount of the damage so done, with costs of the court in which such recovery is had.

May borrow money.

SEC. 9. 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 securites 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. 10. 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 sup-

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plying water to the citizens and all others within the territory and village aforesaid, for all necessary and usual purposes.

Approved March 31, 1856.

CHAPTER 411.

An Act to vacate a part of Blackburn street, in Bovay's Addition to the village of Ripon.

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

Street vacated.

SECTION 1. That so much of Blackburn street, in Bovay addition to the village of Ripon, Fond du Lac county as lies south of Thorn street, in said addition, be and the same is hereby vacated.

SEC. 2. This act shall take effect from and after its passage.

Approved March 31, 1856.

CHAPTER 412.

An Act to authorize the laying out a State Road from Weyauwega, Waupaca County, to Plover, Portage County.

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

Commissioners to lay out a road.

SECTION 1. That Henry W. Ogden, Nathaniel Ward and D. C. Barnum are hereby appointed commissioners to lay out and establish a state road from Weyauwega, in Waupaca county, to Plover, in Portage county.

Expenses—how paid.

SEC. 2. The expenses of laying said road shall be paid by the counties in which such road shall be located, and no part thereof shall be paid by the state.

SEC. 3. Any two of said commissioners shall be authorized to lay out and establish said road.

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