ACTS AND RESOLVES

PASSED BY THE

LEGISLATURE OF WISCONSIN.

IN THE YEAR

EIGHTEEN HUNDRED AND FIFTY-TWO,

TOGETHER WITH

MEMORIALS TO CONGRESS.

PUBLISHED BY AUTHORITY.

MADISON:
CHA'S T. WAKELEY,—STATE PRINTER.
1852.

Digitized by Google

An Act to legalize the official acts of the Town Clerk of Lansing, in the county of Outagamie. Chap 229

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

Section 1. That the official act of William Manahan, town clerk of Lansing, Outagamie county, in giving notice of a call for a special town meeting in said town, is and the same is hereby declared legal and valid, and no business transacted at such special town meeting shall be deemed invalid in consequence of any informality or defect in said notice. Act legalized.

J. McM. SHAFTER,
Speaker of the Assembly.
E. B. DEAN, Jr.
President pro tem. of the Senate.

Approved, April 5, 1852.
LEONARD J. FARWELL.

An Act to appropriate to Edward H. Janssen a certain sum of money. Chap 230

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

Section 1. The sum of sixty-five dollars and forty-one cents is hereby appropriated to Edward H. Janssen, to be paid out of any money in the state treasury not otherwise appropriated, for balance of postage for the offices of the secretary of state, state treasurer, and superintendent of public instruction, for the year 1851.

J. McM. SHAFTER,
Speaker of the Assembly.
E. B. DEAN, Jr.
President pro tem. of the Senate.

Approved, April 5, 1852.
LEONARD J. FARWELL.

An Act to incorporate the Lake Hydraulic Company. Chap 231

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

Section 1. John Lockwood, James Kneeland, D. P. Hull, J. M. Gliddon, and Alexander Mitchell be and they are hereby appointed commissioners, under the direction of a majority of whom subscriptions may be received to the capital stock of the Lake Hydraulic Company, hereby incorporated, and they may cause books to be opened at Commissioners.

Digitized by Google

such time and place as a majority shall direct, for the purpose of receiving subscriptions to the capital stock of said company, first giving ten days' notice of the time and place of taking such subscriptions, by publishing the same in two daily papers printed in the city of Milwaukee.

Capital stock.

SEC. 2. The capital stock of said company shall be two hundred and fifty thousand dollars, in shares of fifty dollars each; and as soon as one thousand shares or more of stock shall be subscribed, and five per cent. paid thereon, the subscribers of such stock, with such other persons as shall associate with them for that purpose, their successors and assigns shall be and they are hereby declared and created a body corporate and politic by the name and style of "Lake Hydraulic Company," with perpetual succession, and by that name shall have all the privileges franchises and immunities incident to a corporation; they shall be capable in law of contracting and being contracted with, suing and being sued, defending and being defended in all courts and places; they shall be capable in law of purchasing, holding, selling, leasing, and conveying estate personal, real, or mixed, so far as the same may be necessary and proper for the construction, extension, management and usefulness of the works of said company, and for the good government, of the same; they may have a common seal, which they may alter and renew at pleasure, and generally may do all and singular the matters and things which to them it may lawfully appertain to do for the well being of the said corporation.

Created body corporate.

Board of directors.

SEC. 3. The affairs of said company shall be managed by a board of five directors, who shall be chosen by ballot, each share of stock being entitled to one vote, the votes to be given in person or by proxy duly authorized; which directors shall appoint one of their number president, and for the purpose of electing the first directors, the said commissioners or a majority of them, after the stock shall have been subscribed as provided in the second section of this act, shall give ten days' notice in the newspapers hereinbefore mentioned of the time and place by them appointed for the subscribers or stockholders to meet, for the purpose of electing directors, and annually thereafter, on the second Monday of January, the stockholders shall meet for electing directors as aforesaid: *Provided*, That none but stockholders shall be elected directors; and that previous to the first election, the commissioners hereinbefore named, shall elect one of their number president, and they may perform all the duties and be invested with all the powers of directors.

Digitized by Google

Sec. 4. A majority of said board of directors shall constitute a quorum for the transaction of business. They shall have power to make and establish by-laws, rules, orders, and regulations as may be necessary for the management of the affairs of said company, to make such covenants, contracts, and agreements with any person or persons copartnership, or body politic whatsoever, as the execution and management of the works or the convenience and interests of the company require. Quorum.

Sec. 5. The said company shall have power and the exclusive right and privilege of building water works in the city of Milwaukee, for supplying water to said city and its inhabitants, to be taken from Lake Michigan, and for making all excavations, and completing such other work as may be necessary to convey water in pipes through all the streets, alleys, highways, and commons now in said city, or that may be added thereto; also, for crossing under any river or stream of water now or hereafter to be brought within the limits of said city as provided for in a contract entered into between the city of Milwaukee and John Lockwood, on the fourth day of February, A. D. 1852, a certified copy of which contract shall be placed on file in the office of the secretary of state. Exclusive right vested in company.

Sec. 6. If said company shall not, within one year from the date of said contract, commence the construction of said works, and fully complete the same within two years from the commencement of the same, so far as to put them in successful operation, then the rights and privileges and powers of said corporation under this act, shall cease and be null and void. How charter forfeited.

Sec. 7. If from any cause an election for directors shall not be held at the time specified therefor, the same may be held at any other time upon ten days' notice published in the papers hereinbefore named; and until such election, the directors of the preceding year shall continue to act; and this charter shall not be avoided by reason of any irrigularity or want of such election, and in case of vacancy from the death or resignation of any director, his place may be filled by the board of directors. When election not held on day fixed, may be held at any other time.

Sec. 8. The stockholders holding a majority in value of the stock may, at any annual or special meeting, increase the capital stock of said company to an amount not exceeding three hundred and fifty thousand dollars. May increase capital stock.

Sec. 9. The property of every individual invested in said corporation shall be liable to be taken in execution for the payment of his or her debts in such manner as is or may Property liable for debts.

Digitized by Google

be provided by law: *Provided*, All debts due the company shall be first paid.

May borrow money.

Sec. 10. The said company are hereby authorized, in their corporate capacity to borrow any sum or sums of money, from any person or persons, corporations or body politic of any kind, and make and execute, in their corporate name all necessary writings, notes, bonds, or other paper, and make, execute, and deliver such securities in amount and kind as may be deemed expedient by said corporation, for all purposes necessary in carrying out the objects of said company, and the official acts of said company declared binding in law and equity upon said corporation, and upon all other parties to such contracts.

Penalty for damage to works.

Sec. 11. If any person shall wilfully and knowingly break, injure, or destroy, or cause to be done any act whatever, and thereby injure and destroy any building, machinery, pipes, or structures of any kind or anything appertaining to the works of said corporation, or whereby the same may be stopped, obstructed, or injured, the person or persons so offending shall be deemed guilty of a misdemeanor, and being thereof convicted, shall be punished by a fine and imprisonment, or either at the discretion of the court: *And provided*, Such criminal prosecution shall not in any wise impair the right of action of said company, for damages by a civil suit hereby authorized to be brought for any such damage or injury as aforesaid, by and in the name of said corporation, in any court having competent jurisdiction.

Proviso.

When act to take effect.

Sec. 12. This act shall be in force from and after its passage; and in case of a violation by the company of any of its provisions, or of the contract herein referred to, the legislature of the state may resume all and singular the rights and privileges hereby granted.

Public act.

Sec. 13. This act shall be favorably construed to effect the purpose thereby intended, and the same is hereby declared to be a public act, and copies thereof printed by authority of the state shall be received as evidence thereof.

J. McM. SHAFTER,
Speaker of the Assembly.
E. B. DEAN, Jr.,
President pro tem. of the Senate.

Approved, April 5, 1852.
LEONARD J. FARWELL.

[*Published, April* 29, 1852.]

Digitized by Google