

PRIVATE AND LOCAL LAWS

PASSED BY THE

LEGISLATURE OF WISCONSIN,

IN THE YEAR

EIGHTEEN HUNDRED AND FIFTY-SIX.

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CHAPTER 475.

An Act to incorporate the Prairie du Chien Hydraulic Company.

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

Corporators. SECTION 1. Samuel A. Clark, Hercules L. Dousman, B. F. Fay, J. S. Howell and E. B. Quiner, are hereby created a body corporate and politic, by the name of the Prairie du Chien Hydraulic Company, with perpetual succession to them and their successors and their associates, and as such, shall have all the powers and privileges incident to any incorporation in this state, for the purposes hereinafter stated.

Style.

Directors to manage affairs of company 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 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 corporation, and the amount of such shares severally, which shall be uniform in amount, and the mode of subscribing, and time of payment therefor, 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 hy-

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.

SEC. 3. Said company shall have exclusive power for ^{Powers.} thirty years from the passage of this act, to use the powers and privileges conferred hereby in the village of Prairie du Chien, or within six miles of any portion of the limits of the present village of Prairie du Chien, 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 person or corporation whatever, but all such powers, privileges and franchises are hereby conferred upon said company for the time last aforesaid, exclusively; *Provided,* ^{Proviso.} Said company shall within two years, expend the sum of one 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.

SEC. 4. The said company shall have power to elevate ^{To elevate wa-} water from the Mississippi river, or procure it from other ^{ter, c.} sources, if deemed expedient, for the purpose of supplying said village (or city) of Prairie du Chien with water, by hydrants or otherwise, to protect it from the ravages of fire, as well as to afford a plentiful supply for domestic or other purposes, and also to construct fountains, reservoirs and other necessary works, on any lands they may now or hereafter own, to make and lay conducts, pipes or tunnels for the conveyance of water, under and along highways, streets, lanes, alleys and sidewalks or lands or any of them in said village (or city) of Prairie du Chien, or within six miles of the same, to put fire plugs or hydrants at such places as they may deem convenient for the public use, and the same from time to time to renew or repair, leaving at all times during the progress of said work, one half of said street or alley unobstructed, and immediately after laying said pipes or conducts, re-

store the said street, alley or lands through which the same may pass, or which has been dug up or opened, to its former condition.

**May enter on
lots, land, &c.**

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, which amount of land shall not be greater than what will be reasonable and sufficient for the purposes above mentioned, and the damages to be paid therefor, shall be determined in the same manner as is provided in the charter of the 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 mutual inconvenience, increase of expenses, or other detriment to the interests and general objects of the said company.

Proviso.

Trespass.

SEC. 6. Any person who shall commit any willful 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 said 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 or 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 October 2, 1856.

CHAPTER 476.

An Act to amend an Act entitled "An Act to incorporate the Milwaukee and Beloit Railroad Company." Approved March 29, 1855.

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

SECTION 1. It shall be lawful for the Milwaukee and Beloit railroad company, their officers, engineers, and agents, to enter upon any land for the purpose of exploring, surveying, locating or determining the route of their railroad; and when the route of said railroad shall be determined by said company, by resolution adopted by the board of directors, it shall be lawful for them, their agents, officers, engineers, contractors, employees, and servants, at any time to enter upon, take, possess, occupy and use any land along and including the line of said route, not exceeding one hundred feet in width: and it shall also be lawful for said company at any time to enter upon, take, possess, occupy and use any other lands beyond the limit of one hundred feet, which the board of directors of said company shall by resolution adopted by them, a copy of which resolution shall be recorded in the office of the register of deed of the county in which such lands are situated, declare to be necessary for the use of said company, for the purpose of erecting depot buildings, station houses, freight houses, warehouses, engine houses, machine shops, or for buildings or fixtures of any kind, or grounds about the same for the convenient operation of the business of the road, or for making drains, or giving a proper direction to water courses, or of diverting or changing the channel of water courses, or for the purpose of removing such substances and things as may endanger, obstruct or interfere with the free use of said road, or for the purpose of making deep cuts or excavations, or for the purpose of depositing earth, gravel or stone, or for the purpose of

Act amended so that company may enter on lands for certain purposes.