

CHAPTER 135.

AN ACT to authorize Samuel B. Dresser and George Wilson to build and maintain a dam across Osceola creek, in the town of Osceola, Polk county.

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

May build dam. SECTION 1. Samuel B. Dresser and George Wilson, their associates, successors, heirs and assigns are hereby authorized to build a dam for manufacturing purposes across Osceola creek in county of Polk, in town thirty-three (33), range nineteen (19) west, section twenty-seven (27), in the town of Osceola.

Liab. for dam-
ages for over-
flowing lands.

SECTION 2. Said dam may be erected to the perpendicular height of twenty feet: *provided*, that if the said dam shall cause the aforesaid creek or river to overflow the land of any other person or persons except the proprietors of said dam, to the injury of the owner or owners thereof, the said Samuel B. Dresser and George Wilson, their successors, heirs or assigns, shall pay in full all damages accruing at any time, in such manner when damages shall be determined by due process of law.

Penalty for in-
jury to dam.

SECTION 3. Any person or persons who shall wilfully and maliciously destroy or injure said dam or any part thereof, shall be liable to its proprietors in an action of trespass for the amount of damage done, in addition to the penalties already prescribed by law, to be recovered in any court of competent jurisdiction.

SECTION 4. This act shall take effect and be in force from and after its passage.

Approved March 12, 1873.