

[An Act to amend the Charter of the Rock River Valley Union Railroad Company. Chap. 189

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

SECTION 1. That said company shall have power and authority to extend the Rock River branch of the road to Lake Superior. Power to extend

SEC. 2. Said company may in its discretion increase its capital stock three millions of dollars. Capital Stock may be increased.

SEC. 3. Said company shall have power to increase its number of Directors to any number not exceeding fifteen. Number of Directors may be increased.

SEC. 4. The said company shall have the right to enter upon any lands, to survey and lay down said road not exceeding one hundred and thirty feet in width, and also to enter upon any lands adjoining said road, and obtain therefrom land, gravel, stone and other materials as may be necessary for the construction of said road, and whenever any lands or materials shall be required for the construction of said road, and the same shall not be given or granted to said company, the compensation to be paid therefor by said company shall be ascertained in the manner following, to wit: Said company shall apply to the judge of the circuit court of the first circuit, for the appointment of three commissioners, whose duty it shall be, at the earliest practicable time after their appointment, to proceed to examine and assess the damages which may be sustained by the several owners or claimants of the lands through which the road of said company is located, and the said commissioners in assessing said damages, shall deduct therefrom the benefit which said lands receive by the construction of said road. It shall be the duty of the said company to give thirty days notice of their application for the appointment of said commissioners, in one or more newspapers published in each of the counties through which said road is laid out, and in case no newspaper is published in any one of said counties, then by posting up such notice on the door of the court house in said county thirty days before the time of making such application, and it shall be the duty of said commissioners to cause ten days notice of their meeting to appraise the damages to any lands through which said road may run, to be given to the owner or claimant thereof, and in case said owner or claimant shall be a minor, insane person, or married woman, then such notice shall be given to the guardian, committee, or husband of such minor, insane person, or married woman. Either party feeling himself aggrieved by the decision of said commissioners, may appeal to the circuit court of the county in which said lands may be situated, and said appeal shall be tried in the same manner as any suit commenced therein: Provided, That said company shall not in any manner be

Company may enter upon adjoining lands for materials required.

When not given how materials to be paid for.

Judge of Circuit court to appoint Commissioners to assess damages

Duties of Commissioners.

Company to give notice of application for Commissioners.

Commissioners to give notice of meeting to appraise damages.

Right of appeal

No delay by appeal.

delayed in the construction of their road by any such appeal, but may proceed immediately with such construction, on paying into the office of the clerk of said court the amount of monies awarded to the owner or owners of said lands, and filing a bond with said clerk to said owner or owners, binding said company to pay such further sum as may be finally awarded against said company. The notice to be given by the commissioners to the owners of lands required for the railroad shall be in writing, and delivered to said owner or owners, or left at their usual place of residence, if residents of this State, or if non-residents, then said notice to be given in a newspaper published in the county in which said land is situated, at least four weeks before making such appraisalment.

Notice to owners to be in writing

Notice—how to be given

Connection with other roads

SEC. 5. Said company is authorized and empowered to connect its road with the road of any railroad company or companies in the state of Illinois, or to become part owner or lessee of any railroad in said state, and any railroad company in said state of Illinois duly organized under the laws of said state of Illinois may connect its road with the road of said company, and may in like manner, with the consent of said company, become part owner or lessee of the road of said company, or of any of its branches, or any portion thereof situated in this state.

Company may borrow money and issue bonds therefor

SEC. 6. Said company is hereby authorized to borrow money to be expended in the construction and equipment of their said road and its appendages, and to issue bonds for the payment thereof in the usual form, said bonds not to exceed in the aggregate at the period of the completion of said road three fourths of the whole amount actually expended in said road and its appendages as aforesaid. And may make and execute in the corporate name of said company, all necessary writings, notes, bonds, or other papers for any liabilities that it may incur in the construction or equipment of said road.

Franchise to vest for a part completed

SEC. 7. The said company is hereby authorized and empowered to construct their said railroad and its branches in sections as fast as they may obtain the means for so doing, and the franchise of the portions so completed and put in operation, shall vest in said company the same as though the whole were completed.

Amendment by erasure

SEC. 8. Section second of the act to incorporate said company under the name of the Madison and Beloit Railroad Company, approved August the nineteenth, eighteen hundred and forty-eight, is hereby amended by striking from said section the words "for each mile separately."

Sections repealed

SEC. 9. Section eight, ten, eleven and thirteen of the act incorporating said company, entitled "an act to incorporate

the Madison and Beloit Railroad Company," approved August the nineteenth, eighteen hundred and forty-eight, are hereby repealed.

FREDERICK W. HORN,

*Speaker of the Assembly.*

SAMUEL W. BEALL,

*Lt. Governor and President of the Senate.*

Approved, March 11th, 1851.

NELSON DEWEY.

An Act to amend an act entitled "An Act to incorporate the Port Washington, Horicon and Beaver Dam Turnpike Company," approved March 11, 1848.

Chap. 190

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

SECTION 1. That so much of section fourteen of an act incorporating the Port Washington, Horicon and Beaver Dam turnpike company, approved March eleventh, eighteen hundred and forty-eight, is hereby amended so that said company shall have power to erect and maintain a toll-gate at the bridge crossing the Milwaukee river, in the town of Saukville, county of Washington.

Company may maintain a toll gate at a certain bridge.

FREDERICK W. HORN,

*Speaker of the Assembly.*

SAMUEL W. BEALL,

*Lt. Governor and President of the Senate.*

Approved, March 11th, 1851.

NELSON DEWEY.

An Act to confer certain powers upon organised School Districts, and for other purposes.

Chap. 191

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

SECTION 1. It shall be competent for any legally organised school district in this State to commence suit on the official bond of the town Superintendent of common schools of the town in which such district is situated, for the recovery of any monies lawfully due and belonging to such district, in all cases where such town Superintendent shall neglect or refuse for the space of ten days from the time by law fixed therefor, to apportion and pay over to the proper officer of such district the school monies aforesaid.

School Districts may sue Town Superintendent in certain cases.

SEC. 2. It shall also be competent for such school district, or the town Superintendent of common schools, in case of default of the town Treasurer or county Treasurer to pay over to the town Superintendent of the town in which such district is situ-

School Districts or Town Superintendents may sue town or County Treasurers in certain cases.