

property sold by virtue of this act, or any person employed by them or either of them shall become the purchaser, such sale shall be subject to the same duties as if any other person had become the purchaser. Purchasers subject to duties in all cases.

FREDERICK W. HORN,
Speaker of the Assembly.
DUNCAN C. REED,
President pro tempore of the Senate.

Approved, March 14, 1851.

NELSON DEWEY.

[NOTE.—This act was published March 21st, 1851.

WILLIAM A. BARSTOW,
Secretary of State.

An Act to authorise the draining or lowering of North Lake in the Town of Merton, county of Waukesha Chap. 289

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

SECTION 1. Robert Mason, David Mason, Allen Dawson, Thomas Dawson, Christian Hire, and John Bellweed, their associates, successors, [and] assigns are hereby authorised to excavate the bottom of the outlet of North Lake, situated in the town of Merton, county of Waukesha, on part of sections sixteen, seventeen, twenty and twenty-first, to a sufficient depth, and of a width not exceeding thirty-five feet, to lower the water of said lake, not exceeding thirty inches: Provided, They do no damage to any mill privilege upon said stream. Who may lower Lake. Proviso.

SEC. 2. Any person who may consider that he has sustained any damage in consequence of said excavation being done, may apply to any Justice of the Peace in said county, who shall summon a jury in the same manner, that they are now summoned to assess damages for the laying out of public highways; and said jury shall be competent to assess any damages, such aggrieved person may sustain; and before proceeding to do so shall be sworn to faithfully and honestly discharge their duty. They shall also hear all evidence which either party offer in relation to the amount of damages sustained. When Justice of Peace to summon Jury to assess damages.

SEC. 3. Should damages be assessed in favor of any person, as provided in the preceding section, said Justice shall make an entry of the same upon his docket and if not paid with cost within sixty days, he shall issue an execution against the goods and chattels of the said Robert Mason, David Mason, Allen Dawson, Thomas Dawson, Christian Hire and John P. Bellweed, their associates, successors, and assigns, which shall have the same force that it would have had, if a judgment had been rendered against them by said Justice. When execution for damages to issue against person named.

Condition of
grant.

SEC. 4. If said excavation be not commenced within two years, and completed within five years, then all privileges [granted] by this act shall cease and be void.

FREDERICK W. HORN,

Speaker of the Assembly.

DUNCAN C. REED,

President pro tempore of the Senate.

Approved, March 13, 1851.

NELSON DEWEY.

Chap. 290

An Act to repeal "An Act authorising the construction of a Bridge across the south branch of the outlet of Lake Winnebago," approved February 5, 1850.

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

Act repealed.

SECTION 1. That "An Act authorising the construction of a bridge across the south branch of the outlet of Lake Winnebago, granting authority to Harrison Reed, James D. Doty, Curtis Reed, and their associates, to build and maintain a bridge across the south branch of the outlet of Lake Winnebago," approved February 5th, 1850, be and the same is hereby repealed: Provided, This act shall not take effect until a bridge shall be built according to the conditions of a bridge chartered to Gorham P. Vining and others, approved February 8th, 1850, across the south channel, leading to Walnut street, or the street passing southwardly by D. D. Dodge's tavern, in the village of Winnebago Rapids; and in case of a failure so to construct and forever maintain, according to the terms of said charter of said bridge, the persons named in the act repealed by this act, may resume all rights and privileges granted to them by said act; and all persons who have erected a bridge upon the act repealed by this act, are hereby required to remove from said stream all materials and obstructions put in said stream in the erecting, or subsequently for sustaining said bridge, as soon as said bridge below the dam shall be made safe for crossing loaded teams, or the same may be removed as a nuisance by any one else, for the expense of which removal, said proprietors and builders shall be liable.

Proviso.

When certain
persons may re-
sume rights.

Bridge owners
to pay expense
of removal.

FREDERICK W. HORN,

Speaker of the Assembly.

DUNCAN C. REED,

President pro tempore of the Senate.

Approved March 15th, 1851.

NELSON DEWEY.