

same manner that such company could have said commissioners appointed or call them out; and the award of such commissioners shall have the same effect as if the appraisal had been made at the request or upon notice of the said company, with the right to either party to appeal from the said award in the time and manner prescribed by the charter of such company. ^{Appeal.} Nothing herein contained, however, shall be construed to impair or affect the right of any individual to recover the costs and expenses of any legal proceedings commenced prior to the passage of this act; but no injunction shall be granted by any court to prevent the use or occupancy of such land by any railroad or railway company, until the amount of damages to which any owner or person interested shall have first been liquidated, or final judgment rendered therefor. ^{Injunction.}

SECTION 3. All acts and parts of acts in so far as they conflict with the provisions of this act, are hereby repealed. ^{Repeal.}

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

Approved April 6, 1861.

CHAPTER 176.

[Published April 12, 1861.]

AN ACT to incorporate Fire Companies.

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

SECTION 1. Whenever any fire engine, hook and ladder, sack or other fire company, shall have been duly organized and shall have elected such officers as they are by law required to elect, and such organization and election of officers has been confirmed or sanctioned by the common council of any city, or the board of trustees of any village, in which such company may be organized, it shall be competent for any such company to assemble at their usual place of meeting, and according to the rules of their company to elect any number of discreet persons, members of their ^{Trustees.}

company, not less than three nor more than nine in number, as trustees, to take charge of the estate and property belonging to such company, and to transact all business relative to the investment and disposal thereof.

Seal—powers of trustees.

SECTION 2. Such trustees may have a common seal, and may alter the same at pleasure, and they may take into their possession and custody all property of such company, whether the same shall consist of personal or real estate, and whether the same may have been purchased by or given, granted or devised to such company, or to any other person or persons for its use.

Additional powers.

SECTION 3. Such trustees may also, in the name of such company, sue and be sued in all courts and places, and they may recover and hold all the debts, demands, rights and privileges, all buildings, burial places, and all the estate and appurtenances belonging to such company, in whatsoever name the same may have been acquired, or in whose hands soever the same may be held, as fully and amply as if the right and title thereto had been originally vested in the said trustees; and they may hold other real and personal estate, and devise, lease and improve the same, and being authorized by a vote of a majority of all the members of such company, may grant, bargain, sell and convey the same in fee simple; but the whole of such estate, real and personal, shall not exceed the yearly value or income of three thousand dollars; and such trustees shall also have power to erect buildings for the use of their company, and to keep the same in repair.

Term of office.

SECTION 4. The said trustees shall hold their office for one year, but may be removed at any time, and the vacancy filled by such company: *provided*, that no trustee shall be removed until he has had an opportunity of being heard in his own defence, unless he shall have removed beyond the limits of the city or village

Majority may do business.

where such fire company is located. Any two of the trustees may, at any time, call a meeting of the trustees, and a majority of them being convened in accordance with the rules and regulations which may be established by such company, shall be competent to do and perform all matters and things which said trustees are authorized to do and perform.

Descent of real estate, &c.

SECTION 5. All lands, tenements and hereditaments

that have been or may hereafter be lawfully conveyed be devise, gift, grant, purchase or otherwise, to any person as trustee in trust for the use of any such company, shall descend, with improvements, in perpetual succession to, and shall be held by, such trustees in trust for such company.

SECTION 6. This act shall not be so construed as to interfere with the right of the common council of any city, or of the board of trustees of any village, to disband any fire company under their jurisdiction, for misconduct, or when from any other cause such council or board shall consider that such a course would be conducive to the best interests of such city or village.

Company may be disbanded for misconduct.

SECTION 7. Whenever a fire company is disbanded, as provided in the last preceding section, it shall be the duty of the foreman of such company to call a meeting of his company forthwith, for the purpose of determining what course the company will pursue in the disposal of any real or personal property of which the company may be possessed.

Sale of real estate after company is disbanded.

SECTION 8. This act shall take effect from and after its passage and publication.

Approved April 6, 1861.

CHAPTER 177.

[Published April 8, 1861.]

AN ACT for the relief of Polk county.

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

SECTION 1. The sum of eleven hundred and twenty-one dollars and twenty-eight cents, being the balance of all the state tax unpaid by the county of Polk, up to the first day of January, A. D. 1861, is hereby released, discharged and canceled, and the said county is hereby discharged from payment of the same.

Release of unpaid tax.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 5, 1861.