

tion, shall be devoted to the purchase of a library, procuring a room for the same and for the meetings of said association, and for the objects and purposes specified in the first section of this act.

Funds,—how appropriated.

SEC. 7. This corporation shall have full power to adopt and establish such a constitution and bye-laws for the government of the said association as shall by them be considered expedient: *Provided*, The same shall not conflict with the provisions of this charter, or the laws of this territory, or of the United States.

May adopt a constitution & bye-laws.

SEC. 8. This act may, at any time hereafter, be amended, modified, or repealed by the Legislature of this territory.

SEC. 9. This act shall take effect, and be in force, from and after its passage.

Approved, February 19th, 1841.

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### No. 53.

AN ACT to incorporate Medical Societies, and for the promotion of Medical Science.

WHEREAS, well regulated medical societies have been found to contribute to the advancement and diffusion of true science, and particularly of the healing art: therefore,

*Be it enacted by the Council and House of Representatives of the Territory of Wisconsin:*

SEC. 1. That it shall and may be lawful for the physicians and surgeons, in the several counties of this territory, to meet together on such a day as they or a majority of them shall deem proper, at the place where the last term of the county court, next preceding such meeting, shall have been held in their respective counties; and the several physicians and surgeons, so convened, as aforesaid, or any part of them, being not less than five in number, shall proceed to the choice of president, vice president, recording secretary, corresponding secretary, treasurer and three censors; who shall hold their

County medical societies authorized.

offices for one year, and until others are elected to fill their places; and when the said societies shall be so organized as aforesaid, they are hereby declared to be bodies corporate and politic, in fact and in name, by names of the medical societies of the county where such societies shall respectively be formed; and by those names shall be in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places, and in all matters and causes whatsoever; and may have a common seal, which they may alter and renew at pleasure.

SEC. 2. All physicians and surgeons in the several counties, shall be entitled to meet in convention for the formation of a medical society in their respective counties, agreeable to the provisions of the preceding section, and take part in its deliberations, and become members under the provisions of this act, who shall have received a diploma from any incorporated medical college or society, of any of the United States, or [territorial] territories, or any foreign country.

What persons may meet in convention for this purpose.

SEC. 3. That it shall and may be lawful, for the medical societies of the several counties of this territory, to purchase and hold any estate, real or personal, for the use of said society: *Provided*, Said estate shall in no case exceed the sum of five thousand dollars, and shall be used exclusively for objects promoting the advancement of medical science.

Powers of the county societies.

SEC. 4. That it shall be lawful for the medical societies in the respective counties, to make such bye-laws and regulations, relative to the affairs, concerns and property of said societies, relative to admission and repulsion of members and the examination of students, relative to such donations or contributions, as a majority of the members shall think proper, at any regular meeting of said society: *Provided*, That such bye-laws, rules and regulations, be not contrary to, nor inconsistent with, the laws of the United States or of this territory.

Same subject.

SEC. 5. That the medical societies established, as aforesaid, are hereby respectively empowered to examine all students who may present themselves for that purpose, and to grant them diplomas under the hand of the president, and seal of the

May grant diplomas.

society; which diplomas shall constitute them members of said society. And it is hereby made the duty of the censors of each medical society, carefully and impartially to examine all medical students who shall present themselves for that purpose, and report their opinion in writing to the president of the society.

SEC. 6. That no person shall be permitted to be examined, as a candidate for a diploma and membership of any of said societies, unless he shall have arrived at the age of twenty-one years, has, at least, a good English education, and has studied medicine at least three years with some respectable practitioner, and can produce satisfactory evidence of good moral character.

Qualifications for a diploma.

SEC. 7. That any student who may receive a diploma from any medical society of the territory, shall pay to the president thereof ten dollars, on receiving the same.

Fee for a diploma.

SEC. 8. That it shall be lawful for each medical society, to cause to be raised and collected from each of the members of said society, a sum not exceeding three dollars in any one year, for the purpose of procuring a medical library, anatomical cabinet, chemical apparatus, or for the encouragement of useful discoveries in the science of medicine.

May raise money to purchase libraries

SEC. 9. The president shall preside at and govern all meetings of said society, and perform all other duties which appertain to his office; and in case of absence or disability of the president, the vice president shall perform the duties of president.

Duty of president.

SEC. 10. That the treasurer of each medical society established as aforesaid, shall receive and be accountable for all moneys that may come into his hands, by virtue of this act and the bye-laws of such society; and also all moneys which shall come into the hands of the president thereof, for the admission of members or licensing students; which moneys the president is hereby required to pay to the said treasurer, who shall account therefor to the society at its annual meetings; and no moneys shall be drawn from the treasury, unless such sums, and for such purposes, as shall be agreed upon by a majority at their annual meetings, and by an order signed by the president and countersigned by the recording secretary.

Duty of treasurer.

SEC. 11. It shall be the duty of the recording secretary, of

Duty of recording secretary.

each of said societies, to provide a book in which he shall make an entry of all bye-laws, resolutions, rules and regulations, which may be had from time to time; and also the name of each and every member of said society and the time of his admission, and also the annual reports relative to the state of the treasury, and all such other things as a majority of the society shall think proper; to which book any member may at any time have access; and the same, together with all books, papers and records, the property of said society, which may be in his hands, shall be delivered over to his successor in office.

**Duty of corresponding secretary.** SEC. 12. It shall be the duty of the corresponding secretary of each of said societies, to correspond on subjects relating to medical science with the profession throughout the United States and foreign countries, and with the different societies of this territory, when requested to do so by a resolution of the society of which he is a member, or whenever he may deem it advisable, and report to the meetings of said society every thing relating to such correspondence which may be interesting to the profession.

**Physicians in counties where no society can be formed, may join in any other county society.** SEC. 13. That if there should not be a sufficient number of physicians and surgeons in any of the counties of this Territory, to form themselves into a medical society agreeably to the provisions of this act, it shall be lawful for such persons to associate themselves with the physicians and surgeons of adjoining counties, for the purposes hereby contemplated.

**Physicians not members may practise.** SEC. 14. The aforesaid law shall not be so construed as to prevent any person from practising physic and surgery within this territory, who is not a member of any of said societies.

## CHAPTER II.

**Territorial medical society authorised.** SEC. 1. *And be it further enacted,* That Bushnell B. Cary, M. C. Darling, Lucius I. Barber, Oliver E. Strong, Edward McSherry, E. W. Wolcott, J. C. Mills, David Walker, Horace White, Jonas P. Russell, David Ward, Jesse S. Hewett, B. O. Miller, and their associates, are hereby authorized to meet at Madison, at the capitol of the territory of Wisconsin, on the second Monday in January, 1842, and form themselves into a society un-

der the name and style of the Medical Society of the Territory of Wisconsin, and when met under such name, shall be a body politic and corporate; shall have perpetual succession, and be capable of contracting and being contracted with, suing and being sued, defending and being defended, pleading and being impleaded, in all courts of law or equity; and may have a common seal, and alter the same at pleasure, and shall be capable of holding estate, real, personal or mixed: and also to lease, let, sell, or convey the same, provided that the property owned by said association, shall not, in the whole, exceed ten thousand dollars: *Provided also*, Said estate shall be applied exclusively for the promotion of medical science.

SEC. 2. That said association may adopt such constitution, and shall be capable of ordaining and enforcing such bye-laws and regulations as may be necessary for the admission and expulsion of its members, election of its officers and for the proper management of its concerns: *Provided*, That said constitution and bye-laws, rules and ordinances, shall not be repugnant to the constitution of the United States or the laws of this territory, or contravene the provisions of the act organizing county medical societies.

May adopt a constitution & bye-laws.

SEC. 3. Each of the county medical societies of this territory shall be entitled to elect delegates annually from its own body, not to exceed one for every five of its whole number of members, to represent it in the territorial society, who shall be entitled to all the privileges of membership of said body, during the time for which they are elected.

Delegates from county societies entitled to membership.

SEC. 4. That it shall be lawful for the medical society of the territory of Wisconsin to grant diplomas under the same restrictions required by the law organizing county medical societies.

The territorial society may grant diplomas

SEC. 5. Said medical society shall be entitled to elect permanent members of its own body among eminent physicians of this territory, not however to exceed two in each year; and also elect temporary members out of this territory not exceeding such numbers as may be designated by their bye-laws.

It may elect members from abroad.

SEC. 6. All members of county medical societies, and all applicants for diplomas to said societies, who may be expelled,

Shall have appellate jurisdiction from

county societies. or refused diplomas from the same, shall be entitled to the right of appeal to the medical society of the territory, whose decision in the case shall be final.

Property held by, exempt from taxation. SEC. 7. That the property of said society, and also the property of the medical societies in the different counties of this territory, shall be forever exempt from taxation.

SEC. 8. That this act may be altered, amended or repealed at the pleasure of the Legislature, and shall be in force from and after its passage.

Approved, February 19th, 1841.

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### No. 54.

AN ACT to incorporate the Western Mutual Fire Insurance Company, at Prairie du Chien; and the Howard Fire Insurance Company, of Brown County.

*Be it enacted by the Council, and House of Representatives of the Territory of Wisconsin:*

Persons incorporated. SEC. 1. That Hercules L. Dousman, Alexander M'Gregor, James H. Lockwood, Joseph Rowlette, Ezekiel Tainter, Frank Washburn, James Ross, J. Allen Barbour, and John F. O'Neil, and all other persons who may hereafter become members of said company, in the manner hereinafter prescribed, are hereby incorporated and made a body politic, by the name of "The Western Mutual Fire Insurance Company."

Object of the incorporation. SEC. 2. The object of said incorporation being to afford the members thereof the means of mutually insuring each other against loss by fire, the company, in its corporate name aforesaid, is hereby endowed with all the powers, and made subject to all the liabilities which are necessary and proper in order to secure that object as herein authorised.

Their general powers. SEC. 3. They may become a party to suits; may purchase and hold such real and personal estate, as may be necessary in order to effect the objects of their association; and may sell and convey the same at pleasure; may establish and put in execu-