

the whole of such fine, together with the costs of suit, are paid.

**Jurisdiction.** SEC. 4. Justices of the peace shall have jurisdiction, on complaint made on oath, to hear and determine all cases arising under this act.

**Take effect.** SEC. 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 17, 1859.

[Published March 31, 1859.]

#### CHAPTER 144.

AN ACT to amend section thirty-seven of chapter ten of the revised statutes, entitled "of state officers."

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

**Salary of clerks in certain cases.**

SECTION 1. Section thirty-seven, of chapter ten, of the revised statutes is hereby amended so as to read as follows: "The secretary of state shall audit, and the state treasurer shall pay, such sums as shall be actually and necessarily expended for clerk hire in the offices of the state treasurer and bank comptroller, in the same manner as is provided in the preceding section for clerks employed in the office of the secretary of state: *Provided*, that, before the secretary of state shall audit any account for clerk hire as aforesaid, the treasurer and bank comptroller shall respectively file with him a certificate setting forth the particular service rendered by such clerk or clerks, and that the same was necessary to a proper discharge of the duties of their respective offices.

**Proviso.**

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

**Take effect**

Approved March 17, 1859.

[Published April 1, 1859.]

#### CHAPTER 145.

AN ACT for the incorporation of associations for improving the breed of horses.

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

**Association.**

SECTION 1. Any number of persons, not less than five, may associate and form an incorporation or company

for the purpose of raising, improving and breeding for what purpose horses, upon filing in the office of the secretary of state a declaration, signed by all the incorporators, expressing their intention to form such company, together with a copy of the charter proposed to be adopted by them.

SEC. 2. The charter so filed shall set forth the name of the company, the town and county wherein the same shall be located, the mode and manner in which the corporate powers granted by this act are to be exercised, the duration of the charter, which shall not exceed twenty-five years, the mode and manner of electing trustees or directors, or of filling vacancies, the period for the commencement and termination of its fiscal year, the amount of capital to be employed in the transaction of its business ; but no company shall be organized under this act with a capital less than ten thousand dollars, nor shall the declaration or charter of any company proposed so to be formed, be filed as required by the first section of this act, except upon due and sufficient proof, to be made to the secretary of state, upon the oath of at least two of the incorporators, that the whole amount of the said capital has been subscribed, and at least ten per cent. thereof actually paid in cash.

SEC. 3. Upon filing a declaration and charter as aforesaid, the persons who shall have signed the said declaration, their associates and successors, shall thereupon, by virtue of this act, be a body corporate and politic, by the name stated in such charter, and by that name they and their successors shall have succession, and such corporation by such name shall be in law capable of suing and being sued, may have and use a common seal, and the same change at pleasure, and shall be capable of taking and receiving, purchasing and holding real estate and personal property, for the purposes of this incorporation, to an amount not exceeding one hundred thousand dollars in value; and of mortgaging, selling, or otherwise disposing of the same, as the interests and objects of the corporation may require.

SEC. 4. Such corporation, when so formed, to purchase and hold a suitable tract of land, to be used as a course for trying the relative speed of horses ; and to erect such buildings and fences on and around the same as may be deemed necessary for carrying out the provisions of this act ; but nothing in this section contained shall be construed to allow the racing of horses for any bet or wager ; but such corporation shall have power to

offer prizes to be awarded in the manner it may prescribe best adapted to carry out the objects of this act.

**Gambling,  
prohibited,**

SEC. 5. Such corporation shall have power to prevent, and it shall be the duty of all peace officers to aid it in preventing, all and every gambling and gaming tables, or instruments or devices of whatever kind, from being brought, kept or used on such tract or course.

**Power of cor-  
poration.**

SEC. 6. Such corporation shall have power to raise, import, purchase, keep, breed and sell horses, and do all other acts and things necessary or convenient to carry out the objects of its incorporation.

**By Laws, &c.**

SEC. 7. The corporation, trustees, or directors, as the case may be, of any corporation organized under this act, shall have power to make such by-laws, not inconsistent with the laws of this state, as may be deemed necessary for the government of its officers, and the conducting of its affairs, and the same to alter and amend at pleasure; they may also prescribe such rules and regulations for the sale and transfer of the stocks of the company as they may deem just and expedient.

Approved March 17, 1859.

—○○—  
[Published April 1, 1859.]

## CHAPTER 146.

AN ACT to amend section forty-five, chapter twenty-three of the revised statutes, entitled "Of common schools."

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

**Amendment.**

SECTION 1. Sub-section four, of section forty-five, of chapter twenty-three of the revised statutes, is hereby amended by adding the words, "excepting such moneys as towns may raise for school purposes by a special tax, in addition to the tax imposed by the county boards in pursuance of section fifty-three, chapter eighteen, revised statutes; and all such moneys raised in addition to the amount required by law shall be apportioned among the several districts and parts of districts in each town, according to the assessed valuation of each district, or part of district, as it shall appear from the last equalized assessment roll of the town: *Provided always*, that a majority of the legal voters at any annual town meeting voting such tax shall not by vote decide to the contrary."

**Provide.**