

CHAPTER 225.

[Published April 11, 1864.]

AN ACT to incorporate the Western mining company.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That James S. Whitney and Charles A. Lombard, of the state of Massachusetts, and Nathaniel W. Dean, James L. Hill and William H. Wyman, of the state of Wisconsin, and such other persons as may hereafter become associated with them in the manner hereinafter provided, shall be and they are hereby incorporated a body politic, by the name and style of the "Western mining company," and by that name shall have succession, shall be able to contract and be contracted with, to sue and be sued, plead and be impleaded, in any court of law and equity, to make, have and use a common seal, and the same to alter and renew at pleasure, and the said company shall have full power and authority to open and work any mines of lead or other ores and minerals that may exist on any lands which the said company may acquire within the state of Wisconsin.

Corporators.

Name and powers.

SECTION 2. The capital stock of said company shall consist of ten thousand shares of fifty dollars each, but it shall be lawful for such company to organize and commence their operations when and so soon as fifty thousand dollars of said stock shall be subscribed, and five per cent. thereof actually paid into the treasury of said company, and with that capital to commence, conduct and carry on the same.

Capital stock.

SECTION 3. The management of the affairs of said company shall be invested in five directors, who shall be stockholders, any three of whom shall constitute a quorum to do business. Such directors shall hold their office for one year, and until their successors are elected and qualified. The board of directors, as soon as practicable after their election, shall proceed to elect one of their number president of the company, and the president and directors shall elect and appoint all such other officers and persons as they shall deem necessary for the management and care of the business of the company.

Board of directors, and other officers.

Commissioners
to receive sub-
scriptions.

SECTION 4. The corporators named in the first section of this act shall act as commissioners to procure subscribers to the stock of said company, and for that purpose shall open books at such place or places as they or a majority of them [shall] designate, and as soon as fifty thousand dollars or more are subscribed, they shall notify the stockholders of the fact, designating some convenient time and place for them to meet and hold an election for directors.

Further powers.

SECTION 5. Said company shall have power and authority to carry on the business of mining, smelting and manufacturing within this state, and for that purpose may acquire, hold, use and transfer real and personal property; may erect buildings, machinery and other improvements, and use the same in its business; may sink shafts, erect steam engines, mills, furnaces, bloomeries, founderies and other establishments necessary and useful in mining, smelting and manufacturing ores, metals and minerals; and may construct roads, causeways, rail or plankroads in connection with their works, to be used exclusively to facilitate the business of mining, smelting and manufacturing ores, metals and minerals, as contemplated in this section, and not for the purpose of carrying freight and passengers for or without compensation, and may do such other lawful acts as may be necessary and proper to carry on said business successfully and prosperously; and for the purpose of constructing any plank or railroad for the purposes aforesaid, the said company hereby incorporated shall have the right of way over any roads through which such road as may be constructed may pass: *provided*, that said company shall pay all damages or injury, to be assessed by a jury of competent persons to be summoned at the request of the party injured, by any justice of the peace of the town, he causing the company to be served with notice at least ten days before any such trial; and the jury in finding their verdict shall take into consideration the benefit derived by the opposite party in the construction of any such road or roads. Either party may appeal to the higher courts from the verdict of the jury and judgment of the justice, as in ordinary appeals from justice courts.

May own and
sell lands.

SECTION 6. That it shall be lawful for said company to own pieces or parcels of land on the Mississippi river, or any other river or lake bordering upon or

running through this state, on the route or at the terminus of any road or roads which may be necessary for the purpose of said company, and by this act authorized to be made; and also to own pieces or parcels of land at necessary or proper places on the route of any such road or roads, for the purposes of erecting thereon their furnaces, mills warehouses, workshops and other buildings, and also lay out and lease and sell lots to workmen or other persons.

SECTION 7. The stock of said company shall be deemed personal property, transferable on the books of the company in such manner as the directors shall regulate by law. Stock deemed personal property.

SECTION 8. The president and directors of said company may enact and establish such by-laws, rules and regulations for the government of themselves and all officers and persons in the employ of said company, as shall not be inconsistent with the provisions of this act, the constitution and laws of the United States, and the state of Wisconsin. By-laws, &c.

SECTION 9. That for the convenience of the laborers and others, said company may sell goods, wares and merchandise at their place or places of business: *provided*, they pay the same tax or license which individual merchants or dealers in like articles are required by law to pay. May sell goods.

Approved March 30, 1864.

CHAPTER 227.

[Published April 13, 1864.]

AN ACT to incorporate the Berlin and Lake Superior railroad company.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. J. L. Davis, J. R. Goodrich, John Plankinton, Levi Hubbell, Lester Sexton, John Nazro, W. K. Wilson, of Milwaukee, George W. Mitchell, Wm. W. Taggart, of Ripon, M. L. Kimball, G. D. Waring, John D. Porter, T. W. Hamilton, of Green Lake county, E. Corporators.