

## AN ACT to divide the town of Milton and organize the town of Lima.

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

Boundaries.

SECTION 1. All that district of country comprised in township number four, north of range number fourteen east, of the fourth principal meridian, being now a part of the town of Milton, be and the same is hereby set off into a separate town, and shall be known and distinguished as the town of Lima, in the county of Rock, and the first town meeting shall be held at the school house in school district number nine, in the said town of Milton.

SEC. 2. The said town set off and organized by this act, shall be entitled to, and enjoy all the rights and privileges which are granted by law to the other towns in this Territory.

SEC. 3. This act shall take effect and be in force from and after its passage.

APPROVED February 24th, 1845.

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## AN ACT to incorporate the Wisconsin Phalanx.

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

Who corpora-  
tors.

SECTION 1. That Warren Chase, Uriel Farmin, Lester Rounds, Jacob Beckwith, Laban Stillwell and William Dunham, and all others who shall become associated with them as members, shall be, and they are hereby declared to be a body corporate and politic, to be known and designated as the Wisconsin Phalanx; and as such corporation, are hereby declared capable of suing and being sued, answering and being answered unto, pleading and being impleaded, defending and being defended, in all courts and places, in all suits, actions, matters and causes whatever. And said corporation shall have a continued and perpetual succession, and have power to make a common seal and change the same at pleasure.

Powers of cor-  
poration

SEC. 2. The said corporation shall have power to own and hold real estate and personal property in joint stock, to purchase

and transfer property real or personal at pleasure, using the common seal and signature of the corporation. But in no case shall said corporation sell and convey real estate without the consent of all the stockholders, or a special law of the legislature of this Territory, for that purpose. The evidence of stock in said corporation, shall be kept in a book denominated a stock book; which book shall at all times be a sufficient evidence of any person or persons title to stock or interest in said corporation, and shall be a public record of the same.

SEC. 3. The property real and personal of said corporation shall be held in stock, numbered in shares of twenty-five dollars each, and transferable at the will of the holder. But no transfer shall be effectual until recorded upon the books of the corporation, by the recording officer of the Phalanx. Property to be held in stock.

SEC. 4. The said corporation shall be located in the township of Ceresco, in the county of Fond du Lac, to which town the business operations of the corporation shall at all times be restricted: *Provided*, however, that nothing herein contained shall be construed as to prohibit the corporation from owning and occupying timbered or meadow lands in any other town: and *Provided further*, That the quantity of land held by said corporation shall never exceed forty acres to each person belonging thereto. Restrictions. Proviso.

SEC. 5. The corporation, or the officers thereof, shall have no power to contract any debt in their corporate name, or by virtue of this act, to issue any notes or scripts, or evidences of debt whatever: and if said corporation or its board of managers shall contract or assume to contract any debt in the name of said corporation, each individual member thereof shall be personally liable to pay such debt. Corporation not to contract debts.

SEC. 6. Warren Chase, Lester Rounds, and Uriel Farmin are hereby authorized and empowered to open books and receive subscriptions for stock in said corporation, on the third Monday in February, A. D. 1845, at the house of Lester Rounds, in the town of Ceresco, in the county of Fond du Lac, W. T., and to continue open said books at such times and places as they shall deem proper, until the council hereinafter mentioned shall be elected; immediately after which they shall deliver said books and subscriptions to the said council. No subscriptions for stock shall be en- Books to be opened for subscription to stock,

tered upon the books without the consent of all persons authorized to open said books, while the same are in their possession. All subscriptions for stock, not paid on or before the time designated for the payment of the same, shall be forfeited.

**Books to be open for inspection.**

SEC. 7. The books of said corporation shall be open at all times for inspection, by any member or stockholder or officer of the township, county or territory acting in his official capacity, and the stock in said corporation owned by any shareholder shall be at all times liable to attachment and execution for the private debts of such stockholder, in the same manner as is provided in sections 105, 106, and 107, of an act concerning judgments and executions. And section 107 of said act shall apply in all particulars to the corporation created by this act, and to its officers.

**First meeting, where held.**

SEC. 8. The first meeting of said corporation shall be held at the house of Lester Rounds, in the town of Ceresco, county of Fond du Lac, on the first Monday of April, A. D. 1845, at nine o'clock A. M.; which meeting shall proceed to choose a chairman and secretary for said meeting, after which they shall proceed to elect by ballot the following officers: (a majority of votes being necessary for a choice) one president, one vice president, one secretary, one treasurer and nine councilmen. The president and vice president shall be ex-officio members of the council. Said officers shall hold their respective offices until the second Monday of December following, and until others shall be elected to fill their places, unless sooner removed by the council as hereinafter prescribed.

**Annual meeting of stockholders.**

SEC. 9. There shall be an annual meeting of the stockholders and members of said corporation holden on the second Monday of December in each year, in the town of Ceresco, at such place as the council shall determine, for the election of officers to fill the places of those whose terms of office expire on the same day; said meeting shall continue from day to day until such officers are elected. Every male member and stockholder over twenty-one years of age, present or absent, shall at all times be entitled to one vote, in person or by proxy, in the election of officers; but in no other case shall either a member or stockholder vote by proxy. The

term of office of each officer shall expire on the second Monday of December, in each year, or as soon thereafter as another shall be elected to fill his place.

SEC. 10. A person may be a stockholder without being a member, or a member without being a stockholder.

SEC. 11. It shall be the duty of the president to preside at all meetings of the members or stockholders, to sign all papers and documents for the Phalanx, to make out and present at each annual meeting of the corporation a general statement of the affairs of the Phalanx and to have a general supervision of the business of the Phalanx, subject at all times to the direction of the council. Duty of President.

SEC. 12. The vice president shall be president of the council and in the absence or disability of the president, shall perform all the duties devolving upon him, in which case the council shall elect a president pro tem. Vice President to perform duties.

SEC. 13. It shall be the duty of the secretary to keep all records, books and papers for the Phalanx and council, and transact such other writing as the corporation or council may direct. Duty of Secretary.

SEC. 14. It shall be the duty of the treasurer to receive, keep, disburse and pay out all monies belonging to the corporation pursuant to instructions from the council, and to keep an account of all monies received, and paid out, and furnish a copy of the same to the secretary weekly. Before entering upon the duties of his office he shall execute a bond to the corporation with sufficient sureties, to be approved of by the council, in such sum as they shall deem proper, which bond shall be conditioned for the security, faithful keeping and disbursment of all monies coming into his hands, pursuant to the direction of the council. Duty of treasurer.

SEC. 15. The president, vice president and nine councilmen shall form a board of managers, two thirds of which shall form a quorum for the transaction of business, the council shall receive and determine upon all applications for membership and subscriptions for stock, and no person shall be admitted to become a member or stockholder without the consent of all composing the board of managers. The council shall determine and arrange all business for the corporation, both financial and industrial, and shall have power to make such rules, regulations, and by laws for the government of the members as they may deem proper; *Provided always*, That said rules, regulations and by laws shall be approved by a Off'rs to form board of managers. Proviso.

majority of the members; And *Provided also*, That said rules, regulations and by laws shall in no way conflict with the provisions of this act, or with the laws of this Territory. The council shall have power to remove the secretary or treasurer, or any member of their board, by a vote of three fourths of all the members composing the board, for neglect or mismanagement of his official duties. The council shall in case of such removal call a meeting of the members and stockholders to fill the vacancy occasioned by such removal.

Annual meet-  
ing of stock-  
holders.

SEC. 16. There shall be annual meetings of the members and stockholders on the first Monday of December in each year, at which time a settlement shall be made with each member; previous to, and preparatory for which meeting, the council shall make or cause to be made an assessment and appraisal of all property, real and personal belonging to the Phalanx, and if said appraisal shall exceed the cost and last appraisal of said property, the increase shall be divided as follows: one-fourth shall be credited as a dividend to stock in proportion to the time such stock has been paid in since the last appraisal. The remaining three-fourths shall be credited to labor in such manner as the by-laws shall determine. The amount due each member or stockholder upon settlement, shall be paid in money or stock, as the council shall determine, but the kind of payment shall be alike to all. It shall be the duty of the council to transact all business of the corporation not otherwise provided for.

Public school  
to be establish-  
ed.

SEC. 17. The council shall establish a public school in which shall be taught all the different branches of science, usually taught in the common schools of the Territory, which school shall be open and free to the children of all the members of the corporation, and shall be continued nine months in each year. All teachers of the arts and sciences except those hereinafter excepted, shall be paid as follows, viz: Three-fourths of the amount shall be deducted annually from the amount credited to capital, and one fourth from the amount credited to labor, previous to the individual settlement with the members and stockholders.

SEC. 18. There shall always be a free toleration of religious opinion, and every member shall be protected in his or her reli-

gious belief, and no member of the corporation shall ever be taxed without his or her consent, for the support of any minister or teacher of religion.

SEC. 19. This act may be altered, amended, or repealed at any time by the legislature of the Territory of Wisconsin.

SEC. 20. This act shall take effect from and after its passage.

APPROVED, February 6, 1845.

## AN ACT to provide for the payment to the county of Dane, the sum therein mentioned.

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

SECTION 1. The sum of two thousand six hundred and sixteen dollars is hereby appropriated and allowed to the county of Dane, Amount ap- being the amount expended by said county, in the completion of appropriated. the capitol, payable out of any money in the territorial treasury: *Provided*, That the said sum shall be paid to the board of coun- Proviso. ty commissioners of the county of Dane, and shall by them be appropriated exclusively for the purpose of building an academy in the village of Madison; the territory being by the payment of said sum, fully discharged from all liability to said Dane county for the money thus expended. At the next annual election the voters of Dane county may vote for or against the above act; and if a majority of those voting upon the question, shall vote for said act, then said act shall take effect; and not before that time: *Provided* Proviso. that Augustus A. Bird, the contractor, with the county of Dane, for completing the capitol, shall receive as a part of the sum above appropriated, the sum of four hundred dollars, the amount recommended by the county commissioners of said county, to be allowed to him, and the said county shall receive the balance of said appropriation, and the said Bird shall be entitled to receive the said sum allowed to him from the territorial treasury without any authority from the county of Dane therefor.