

shares, and then to one vote for every five shares over and above that amount. Any stockholder may vote in person or by proxy; said trustees shall elect one of their number to be president of their board, and they shall have power to fill all vacancies in their own body. If any election shall not be made on the day designated by this act, such election may be held on any other day: *provided*, a notice of the time and place of holding such election, signed by three of the stockholders be first published for two successive weeks in some newspaper printed in the territory.

SECTION 4. The board of trustees shall have power Their powers. to appoint subordinate officers; and agents, to make, ordain, and establish, all such ordinances, by-laws, rules, and regulations as they may deem necessary, for the good government of said academy, its officers and servants, teachers and pupils, and for the management of the property and affairs of the said corporation to the best advantage: *provided*, they shall not contravene the constitution of the United States or the laws of this territory.

SECTION 5. That all deeds and other instruments Instruments of conveyance how executed. of conveyance, shall be made by order of the trustees, sealed with the seal of said corporation, signed by the president, and by him acknowledged, in his official capacity in order to insure their validity.

SECTION 6. That any future legislature shall have power to alter or amend this act.

SECTION 7. *Be it further enacted*, That said corporation shall have power to increase the number of their board of trustees to nine, whenever they deem it expedient.

Approved Jan. 12, 1838.

No. 39.

AN ACT establishing a county, to be called Portage, defining its territory, &c.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That townships number ten, range six, township number ten, range seven, townships number ten and eleven, in

range eight, townships ten, eleven, twelve and thirteen, in ranges nine, ten, eleven and twelve, east of the fourth principal meridian, and the territory within the following described boundaries, viz: crossing the Wisconsin river on the township line between ten and eleven, six miles due west; thence up in a line parallel and six miles from the west shore of said river, to a point opposite to the upper rapids thereof, and thence due east to said rapids, be, and the same is hereby established and declared to be a county, with the name of Portage, and the seat of justice is hereby established at Kentucky city.

SECTION 2. All acts and parts of acts, which in any way contravene the provisions of this act, are hereby declared to be null and void.

Approved Jan. 12, 1838.

No. 40.

AN ACT to authorize the building a dam across the Manitowoc river.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin*, That William B. Slaughter, his heirs and assigns, are hereby authorized and empowered, to build a dam across the Manitowoc river, in the county of Manitowoc, attached to the county of Brown for judicial purposes, upon section ten, in township number nineteen north, and in range number twenty-three east of the fourth principal meridian, to erect mills or other machinery as they may deem proper, or in any other manner to make use of the water-power created thereby, to build wharves and to erect ware-houses, or such other building as may be deemed necessary and useful for commercial purposes, either above or below said dam, and for the accomplishment thereof to collect and use any materials which may be supplied from the banks, or bed of said river.

Location of the dam.

Conditions.

SECTION 2. The dam shall not exceed ten feet rise above the surface of the said stream at high water, and contain a convenient lock or locks for the passage of boats, barges, batteaux, or other water craft, not