

be binding in law and equity upon said corporation, and upon all other parties to such contracts.

SECTION 6. This act shall take effect and be in force from and after its passage.

Approved April 10, 1865.

CHAPTER 514.

[Published June 5, 1865.]

AN ACT to incorporate the Union stock yard and transit company, of Milwaukee.

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

Corporators.

SECTION 1. That J. A. Nunnemacher, W. K. Wilson, E. H. Goodrich, E. M. Hunter, L. C. Anderson, J. C. Spencer, Norman J. Emmons, George Gorden and Sidney Myers, and such other persons as may associate with them for that purpose, be and the same are hereby made a body politic and corporate, by the name and style of the Union stock yard and transit company, of Milwaukee, with perpetual succession, and by that name and style may contract and be contracted with, sue and be sued, have a common seal, which they may alter and revise at pleasure, and may have and exercise all the rights, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act, as the same are herein set forth.

Name and powers.

May build yards, structures, rail-ways, hotels, &c.

SECTION 2. That said company shall have power to locate, construct and maintain upon the land purchased for such purpose, within or in convenient proximity to the southerly limits of the city of Milwaukee, all the necessary yards, inclosures, buildings, structures, and railway lines, tracks, switches and turnouts, aqueducts for the reception, safe-keeping, feeding and watering, and for the weighing, delivery and transfer of cattle and live stock of every description, and also dead and undressed animals, that may be at or passing through or near the city of Milwaukee, and for the accommodation of the business of a general union stock yard for cattle and live stock, including the erection and estab-

lishment of one or more hotel buildings, and the right to use the same, if deemed expedient, for the convenience of drovers, dealers and the public doing business at said yards; and shall have power to repair, enlarge, relocate, reconstruct and alter the said yards, structures and buildings, or any of them, as shall become necessary or expedient from time to time, subject, nevertheless, to the restrictions above mentioned as to the location of the same; and shall have the right and power to make advances of money upon such cattle and live stock for freight or other purposes, as may become expedient; and for such care, subsistence and handling, and advances made upon such stock, the said company may make and require to be paid such reasonable charges as may be deemed just and proper, and shall have the power to lease the public house or hotel building so erected for the accommodation of those drawn together by the business of such yards, upon such terms and conditions as shall be deemed proper, or to make such other arrangements for the management thereof as may be deemed advisable from time to time; and if the same shall be kept and managed by said company, shall have the power to fix and require to be paid such reasonable charges for the accommodations afforded by said house or houses as shall be just and proper.

May make advances on stock

Charges.

SECTION 3. The said company shall have the power to construct a railway with one or more tracks, as may be expedient, from the grounds which may be selected for its said yards, so as to connect outside the city of Milwaukee, the same with the tracks of all the railroads which terminate in the city of Milwaukee, and shall have the right and power to make such connections with such suitable side tracks, switches and connections as to enable all of the trains running upon said railroads easily and conveniently to approach the grounds selected for said yards, and may make such arrangements or contracts with such railroad companies or either of them, for the use of any part or portion of the track or tracks of such company or companies, which now is or hereafter may be constructed for the purposes aforesaid, as may be agreed upon between the parties; and shall have power and authority to locate and from time to time to renovate, change, alter, construct and reconstruct, and fully to finish and maintain

Where railways may be constructed.

its said railroad or roads, side tracks and connections, and to transport and allow to be transported thereon, between said railroads and cattle yards, all cattle and live stock, and persons accompanying the same to and from said yards; and may also transport or allow to be transported between the railroads entering said city, and so connected by the road or roads hereby authorized, by steam or other power, freight or property of every kind, as well as stock and cattle; and may fix and establish, take and receive such rates of toll for all freights and property so transported by said several railroads as the directors shall from time to time establish: *provided*, all fees and charges for freights, hotel bills, feeding, carrying, and everything done by reason of the powers herein given, shall be subject to any general law that may be passed by the legislature of this state in reference to stock yards; and for the purpose of constructing said railroads and appurtenances, shall have the authority and power to lay out, designate and establish the road in width not exceeding one hundred feet through the entire line thereof, and to make [mark] out and designate the ground for such yard and other structures, and may acquire such lands which may be necessary for the purpose of constructing said tracks by purchase, with the right to let or demise the real estate and property so acquired, and improvements thereon; and shall also have the right and authority to take a lease or leases of ground for such yards, upon such terms as the directors of said company may deem just and reasonable, and all contracts and agreements made in connection with such lease or leases shall be valid and binding upon the parties thereto; and said company shall have the right, with the consent of the proper authorities having control thereof, to locate or construct its said road along or across any street or highway, doing as little damage and discommoding the public as little as may be consistent with the use of the track so laid.

Tolls.

Further powers in relation to railways, yards, structures, &c.

May receive and hold lands, &c.

SECTION 4. The said company shall have power and authority to receive, take and hold all such voluntary grants and donations of land and real estate as may be made to said company for the purpose aforesaid, and may contract and agree with the owners and occupiers of any land which may be necessary for such purposes, or which said company may desire to use in connection

therewith, in order to carry out the objects of its organization; and said company is authorized and empowered to receive and take grants and conveyances of all interests and estate in such lands to them and their successors and assigns, in fee or otherwise, and upon such terms as may be agreed upon between the said company and the owner or owners of such property so needed for such tracks, yards and other land necessary for the purposes of the said organization: *provided*, that in no event the point of connection between the Union stock yard and transit company's rail and other railroads terminating at the city of Milwaukee, shall be more than two miles beyond the corporate limits of said city.

Railways not to extend more than two miles beyond city limits.

SECTION 5. The capital stock of said company shall be one million of dollars, which stock shall be divided into shares of one hundred dollars each, and which shall be deemed personal property, and may be taken and held by individuals, and may be issued to such persons, and certified, transferred and registered in such manner and in such places as may be ordered and provided for by the board of directors, who shall have power to require the payment for the stock subscribed in the manner and at the time and on such terms as they may direct, and the same may be paid for in real estate or personal property, under the direction of the said board of directors, and who shall also have power to declare dividends upon profits earned by said company. On the refusal or neglect of any stockholder to make payment on the requisition of the board of directors, the share or shares of such delinquent may, after thirty days' public notice in one of the daily newspapers of Milwaukee, be sold at public auction, under such rules as the directors may adopt. The surplus money realized from such sales, after paying the amount due upon such stock, with interest and costs of sale, shall be paid to such delinquent stockholder.

Capital stock.

Sale of unpaid stock.

SECTION 6. The corporate powers of said company shall be vested in and exercised by a board of directors, to consist of not less than five nor more than nine in number, and such other officers, agents and servants as they shall appoint. The first board of directors shall consist of Jacob A. Nunnemacher, Norman J. Emmons, Edwin H. Goodrich, William K. Wilson, Sidney Myer, Edward M. Hunter, Luther C. Anderson, J. C. Spencer

Board of directors.

First directors.

Vacancies.

and George Gorden, who shall hold their offices until the first Wednesday of January, A. D. 1866, and until their successors are elected and qualified. Vacancies in said board may be filled by a vote of two-thirds of the directors remaining, such appointees to continue in office until the next regular annual election of directors, and which said annual election shall be held on the first Wednesday of January, in each year, at such place as the directors may appoint, thirty days' notice being given in one newspaper printed in Milwaukee, of the time and place of such election.

Election of directors.

SECTION 7. At any election of directors, each share of stock shall be entitled to one vote, to be given either in person or by proxy, and the persons receiving the largest number of votes to be declared duly elected, and to hold the office until the next annual election, and until their successors shall be duly qualified; and if for any cause the annual election shall fail, the company shall not be dissolved, but the directors in office shall continue to hold their places as directors until an election shall be had and their successors duly elected and qualified.

Officers.

By-laws, &c.

SECTION 8. The directors herein named shall organize their board by electing one of their number president, and by appointing a secretary and treasurer. The said company shall have power to make, ordain and establish by-laws, rules and regulations necessary to fulfill the purposes and carry into effect the provisions of this act, for fixing the salaries of the said officers, and for the well-ordering and securing the affairs, business and interests of the company: *provided*, the same shall not be repugnant to the constitution and laws of the United States or of this state.

May build roads across water-courses.

SECTION 9. Should it be necessary for the construction of the road or roads hereby authorized to be built, to cross any water-course, stream of water or road, it shall be lawful, under the direction of the proper authorities having control thereof, to construct the said road upon or across the same: *provided*, the same shall be so constructed as not to unnecessarily impair the usefulness of the said road or water-course.

May borrow money, issue bonds and mortgages, &c.

SECTION 10. The said company is hereby authorized from time to time to borrow such sums of money it may deem expedient, and to issue and dispose of their bonds therefor, in denominations of not less than five

hundred dollars each, and to an amount which in the aggregate shall not exceed five hundred thousand dollars, and bearing such rate of interest, not exceeding seven per cent., as the company shall deem expedient; and to secure the payment of the same, may execute a mortgage or deed of trust of all its property of every description, in possession or to be acquired, with such terms, stipulations and conditions as may be deemed expedient.

SECTION 11. Nothing in this act contained shall be deemed, taken or construed as conferring upon said company hereby created, any power or privilege to maintain or operate a horse railroad for the general conveyance of passengers, in the city of Milwaukee or vicinity. Not to operate passenger horse railroad in city.

SECTION 12. This act shall be deemed and taken as a public act, and shall be in force from and after its passage.

Approved April 10, 1865.

CHAPTER 515.

[Published June 3, 1865.]

AN ACT to incorporate the Golden Cliff mining company.

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

SECTION 1. That James Davenport, Richard S. Law, Corporators. Morris Hollister, their associates and successors, are hereby constituted a body corporate and politic, by the name and style of the Golden Cliff mining company, Name and powers. and by that name may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts of law and equity, may have a common seal, and the same alter at pleasure, and may enjoy all the privileges incident to corporations for the purpose of mining, smelting and manufacturing lead, zinc, gold, silver, copper and other metals, and separating the same from quartz, and assaying and purifying the same.

SECTION 2. Said corporation shall have power to Further powers. purchase, own, manufacture, erect and maintain all