

Wisconsin may resume all and singular the rights and privileges hereby granted to said company.

SEC. 22. The said company shall have power to connect said rail road, and operate the same with other rail roads in the state of Wisconsin, and consolidate the capital stock of the said company with the capital stock of any rail road company with which the roads of said companies shall intersect, and shall have full power to place the road of the company and its capital stock so consolidated under the direction of a joint board of directors of not less than nine nor more than fifteen, to be chosen on such terms as the directors of the companies consolidating their capital stock shall agree upon. May connect road.

SEC. 23. This act shall be in force from and after its passage.

J. McM. SHAFTER,  
*Speaker of the Assembly.*

E. B. DEAN, JR.  
*President pro tem. of the Senate.*

Approved, March 24, 1852.

LEONARD J. FARWELL.

[*Published April 9, 1852.*]

An Act to incorporate the Wisconsin River Plank Road Company.

Chap 150

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

SECTION 1. That E. W. Pelton, John Thomas, H. L. Dousman, B. W. Brisbois, Thomas A. Savage, E. P. Wood, Peter Borette, and Alonzo Pelton, be and are hereby appointed commissioners, under the direction of a majority of whom subscriptions may be received to the capital stock of the "Wisconsin River Plank Road Company," and they may cause books to be opened at such times and places as they shall direct, for the purpose of receiving subscriptions to the capital stock of said company, first giving thirty days' notice of the times and places of receiving subscriptions, by publishing in a newspaper printed either in the county of Crawford or Grant. Commissioners

SEC. 2. All persons who shall become stockholders pursuant to the provisions of this act, are hereby created a body corporate in law, with continual succession, by the name and style of the Wisconsin River Plank Road Company, for the purpose of constructing a plank road from the Created a body corporate.

southern shore of the Wisconsin river, at a point opposite the north landing of Borette's ferry, to a point at or near Banfil's mill, in Grant county, which company shall have power to sue and be sued in all courts, to receive by gift or purchase, and hold all such real and personal estate as may be necessary for the construction and management of said road, and the same to sell, convey, or lease, to contract or be contracted with, in all matters pertaining to the object of said road, to have and to use a common seal, and pass all by-laws necessary for the government of said company.

**Capital stock.**

SEC. 3. The capital stock of said company shall not exceed five thousand dollars, to be divided into shares of twenty dollars each, and shall be assignable and transferable in such manner as shall be prescribed in the by-laws of said company.

**Commissioners  
to call meeting**

SEC. 4. Whenever two thousand dollars of the capital stock shall be subscribed, and fifty per cent. thereon paid to said commissioners, for the use of said company, it shall be the duty of said commissioners named in this act to call a meeting of the stockholders at such time and place as they shall designate by giving public notice thereof in a newspaper published in either Grant or Crawford county, for the purpose of choosing three directors for said company, and the persons then chosen shall be the first directors of said company and shall hold their office for one year and until others are chosen in their place. The board of directors shall choose one of their own number president of the company, who shall hold his office one year and until his successor is elected. At every election of said company, each stockholder shall be entitled to one vote for every share of capital stock he shall hold, and may vote in person or by proxy.

**May locate road.**

SEC. 5. The company, when organized, shall have the power to construct a single or double track plank road between the points mentioned in the second section of this act, or any part of the distance, and may connect the same with any other plank road. The track of said road shall be constructed of timber and plank, stone, or gravel, or partly of each, so as to have a hard, smooth, and even surface. The particular manner of building said road to be determined by the said board of directors.

**May locate road  
on highway.**

SEC. 6. The location of the route of said road shall be determined by the board of directors of said company; and if the same be located on any public highway, they shall have power to contract with the proper authorities of the town in which said road may be, for the right to use said highway for the purposes of said road, and the said

proper authorities are hereby authorized to grant to said company the right to use said highway in their town aforesaid, on such terms as they may agree upon.

SEC. 7. It shall and may be lawful for said company, their officers, engineers, and agents, to enter upon any lands May enter upon lands. for the purpose of exploring, surveying, and locating the route of said road, doing thereto no unnecessary damage, nor locating any such route through any orchard or garden without the consent of the owner thereof, nor through any buildings or any fixtures for the purpose of trade or manufactures, or any yard or enclosures necessary to the use and enjoyment thereof, without permission from the owners, and when the said route shall be determined by the said company, it shall be lawful for them, their officers, agents, engineers, contractors, and servants, at any time to enter upon, take possession of, and use such lands to the width of four rods; and also to take from any lands adjoining said road, gravel, stone, earth, or other material for the purpose of constructing or repairing said road, subject, however, to the payment of such compensation as the company may have agreed to pay therefor, or as may be awarded by any court of competent jurisdiction.

SEC. 8. The directors of said company may appoint a secretary, treasurer, and such other officers as they may find necessary, and shall have full power to decide the time and manner and proportions in which said stockholders shall pay the money due on their respective shares, May appoint officers. and to forfeit to the use of said company any share or shares held by any person or persons failing to pay any installment so required to be paid, after advertisement of the same for a period of not less than thirty days in a newspaper as hereinbefore provided.

SEC. 9. The directors, elected as aforesaid, shall issue a certificate to each stockholder for the number of shares he or they shall subscribe for or hold in the said company, signed by the president, countersigned by the secretary, and sealed with the common seal, subject however, to all the payments due and to become due thereon, which stock may be transferable in person or by attorney, executors, administrators, guardians, or trustees, under such regulations as may be provided in the by-laws of the company. To issue certificates.

SEC. 10. At each annual meeting of the stockholders for the purpose of choosing directors, the directors of the preceding year shall exhibit to the meeting a complete statement of the affairs and proceedings of the company for such year; and special meetings of the stockholders may To make exhibit

be called by the directors, or by any number of stockholders holding one-fourth in amount in capital stock of the company, on like notice as required for annual meetings; but no business shall be transacted at such special meetings unless a majority in value of all the stock shall then and there be represented.

**Rates of toll.** SEC. 11. On the completion of said road the company may erect one toll gate thereon, and may demand and receive such tolls as from time [to time] they think reasonable not exceeding fifteen cents for any vehicle drawn by one animal; twenty cents for any vehicle drawn by two animals; five cents for every additional animal; for every horse and rider, ten cents; for sheep and swine, two cents each; for neat cattle, five cents for the whole distance.

**Penalty for damage to road.** SEC. 12. If any person shall willfully or knowingly obstruct, break, injure or destroy the road so to be constructed by said company, or any part thereof, or any work or fixtures attached to or in use upon the same belonging to the said company, such person or persons so offending shall each of them, for every such offence be liable to a civil suit for the recovery of damages by said company, in any court having competent jurisdiction in the county where the offence shall have been committed, and shall also be subject to indictment, and upon conviction of such offence shall be punished by fine and imprisonment, or either at the discretion of the court.

**Property liable for debts.** SEC. 13. The property of every individual which may be invested in said corporation, shall be liable to be taken in execution for the payment of his or her debts, in such manner as is or may be provided by law: *Provided*, That all debts due said company from such individuals shall be first paid.

**Maximum of debts.** SEC. 14. The debts and liabilities of said corporation shall not exceed in amount at any one time fifty per cent. of its capital actually paid in, and if debts and liabilities shall at any time be incurred to a greater amount than by this section is provided for, the directors of said company shall be jointly and severally individually liable for such excess, in addition to their other liabilities as provided for in this act.

**May provide for increase of capital stock.** SEC. 15. The directors of said company may, at any annual or special meeting of the stockholders, with the consent of a majority in amount of said stockholders, provide for such increase of the capital stock of said company to complete said road.

SEC. 16. If said company shall misuse or abuse any of the privileges hereby granted, the legislature may re-

sume all and singular the rights and privileges vested in said company by this act, and may establish rules and regulations for the government of said company in relation to said road and the use of the same. How charter forfeited.

SEC. 17. The said company shall be liable for all injury which any person may sustain by reason of the said road being out of repair, or any defect in said road: Liabie for injury

J. McM. SHAFTER,  
*Speaker of the Assembly.*

TIMOTHY BURNS,  
*Lt. Governor and President of the Senate.*

Approved, March 24, 1852.

LEONARD J. FARWELL.

[*Published, April 5, 1852.*]

An Act to incorporate the Green Bay and Lake Superior Rail Road Company.

Chap 151

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

SECTION 1. That Heman B. Ely, Jonathan Child, Nicholas E. Paine, Samuel L. Selden, Alvah Strong, John Thompson, Jr., John F. Ely, Morgan L. Martin, and Charles Billingshurst, together with such other persons as may hereafter become associated with them as subscribers to the capital stock of this corporation in the manner hereinafter prescribed, their successors and assigns, be and they are hereby created a body corporate by the name of the Green Bay and Lake Superior Rail Road Company, and by that name shall be and are hereby made capable in law to purchase, hold, and enjoy and retain to them and to their successors, lands, tenements, and hereditaments, so far as may be necessary for the purpose of said rail road, and the same to sell, grant, rent, or in any manner dispose of; to contract and be contracted with, to sue and be sued; implead and be impleaded, answer and be answered, defend and be defended, and also to have, make and use a common seal, the same to alter, break or renew at their pleasure; and if either of the persons named in this section shall die, refuse or neglect to execute the powers and discharge the duties hereby created, it shall be the duty of the remaining persons hereinbefore named, or a majority of them, to appoint a suitable person or persons to fill such vacancy or vacancies so often as the same shall occur. Created a body corporate.

SEC. 2. That the said corporation are hereby empowered to cause such examination or surveys to be made as shall be necessary to ascertain the most advantageous route How vacancy to be filled. May cause survey to be made.