

## Chapter 92.

*Published May 20th, 1858.*

AN ACT to authorize the Secretary of State to audit certain accounts.

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

To audit accounts of watchmen.

SECTION 1. The Secretary of State is hereby authorized to audit monthly, the accounts of the watchman [watchmen] in the office of the State Treasurer and Bank Comptroller; *Provided*, That such watchman [watchmen] shall not receive more than one dollar each, for each night's service.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved May 15th, 1858.

## Chapter 93.

*Published May 20th, 1858.*

AN ACT to authorize the incorporation of Gas Light and Coke Companies.

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

Stockholders may form themselves into corporations with powers and privileges.

SECTION 1. That all such persons, not less than five, as shall become stockholders in the capital stock hereinafter mentioned, their successors and assigns, shall be, and are hereby constituted and made a body politic and corporate, upon the terms and conditions hereinafter mentioned, and by the corporate name mentioned in the certificate, to be filed as provided in the next succeeding section, shall be capable in law of suing and being sued, and pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places whatsoever, in all manner of actions, suits, complaints, matters and causes whatsoever, may have a common seal and alter

the same at pleasure, and by the same name shall be capable of purchasing, holding and conveying any estate, real, personal or mixed, for the use and benefit of said corporation.

SEC. 2. Before the persons mentioned in the preceding section shall exercise any of the corporate powers therein conferred, the stockholders mentioned in said section shall make and subscribe a certificate in writing, and shall file the same in the office of the Clerk of the Circuit Court of the county in which they intend to carry on the business of such corporation; such certificate shall specify,

Before exercising any corporate powers to make and subscribe a certificate—what to contain.

1st. The name assumed by such company, and by which it shall be known;

2d. The amount of its capital;

3d. The city or village in which such company designs to carry on its corporate business; and upon filing such certificate as herein provided, the person subscribing the same may exercise all the corporate powers and privileges conferred, and shall be subject to all the liabilities imposed by this act.

SEC. 3. The capital stock of said corporation shall not be more than one hundred thousand dollars, and shall be divided into shares of fifty dollars each, and shall be deemed personal property, and may be transferred in such manner as the by-laws of the company direct.

Capital stock.

SEC. 4. Said corporation shall have power and full and exclusive authority to manufacture, make and sell gas, to be made from any and all substances, or combinations thereof, from which any inflammable gas is obtained for the purpose of lighting any city or village in this State, or the streets thereof, or any building, manufactories, public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in any of the streets or avenues; *Provided*, That no permanent injury shall be done to any street, highway, lane or alley in said city.

Power and authority.

Proviso.

SEC. 5. The property and affairs of said company shall be managed and conducted by a board of not less than three nor more than nine directors, who shall be elected annually, and who shall respectfully be stockholders in said corporation, and who shall be elected by the stockholders at such time and place as shall be

Management by directors—choice of name, &c.

directed by the by-laws of the corporation, each share of stock being entitled to one vote, and may be cast by the holders thereof, or by proxy duly authorized; all such elections shall be by ballot, and the person receiving the majority of the votes cast, shall be directors; and when any vacancy shall happen from any cause, it shall be filled for the remainder of the year in such manner as shall be provided for by the by-laws of said corporation; the number of directors, and how many, shall constitute a quorum for the transaction of business, shall be determined by said by-laws.

Directors to elect a president.

Make rules and by-laws.

Meetings—where held.

General powers.

Proviso.

SEC. 6. The directors shall annually after their election elect one of their number President, whose duty it shall be to preside at the meetings; and in case of his absence at any meeting, the directors present may elect a President *pro tem*. The directors shall have power to make and prescribe such by-laws, rules and regulations respecting the management of the property, concerns, business and stock of said corporation, as they may deem expedient and proper. All meetings for the transaction of business for the corporation, shall be held at their office, which shall be located in the city in which said corporation shall manufacture gas, and the manner and time of calling meetings shall be prescribed by the by-laws of said company. The directors shall have power to appoint a treasurer and secretary, and such other officers as may be required by the business of said company, and may remove the same at pleasure, and fix the compensation, and define the duties of all officers; they shall have power to decide the time, manner and proportions in which the stockholders shall pay the money due, or an equivalent therefor, on their respective shares, and to make such rules respecting the forfeiture of stock and shares as they may deem advisable; they shall also have power to appoint a time certain, each year, for the election of directors; but such election shall always be held at the office of said company, upon notice to the stockholders of not less than thirty days before such election, published in one newspaper in the city or village named in the certificate mentioned in section two of this act; *Provided*, That if for any cause such election shall not be held at the time appointed, the same may be held at any future time upon a like notice being given to the stockholders,

and the directors of the preceding year shall in all cases continue until the election of their successors in office.

SEC. 7. Books of subscription to the capital stock of said company shall be opened at two or more public places in the city or village named in the certificate mentioned in the second section of this act, under the direction of the persons subscribing such certificate, at such times and places as may be designated or appointed by such persons, or a majority of them, in a notice to be published by them in some newspaper of general circulation published in the city or village named in such certificate, for at least two weeks previous to the time named for opening such books, and the persons so subscribing such certificate, are hereby constituted commissioners for the purpose of opening such books and receiving subscriptions to the capital stock of such corporation, a majority of whom may keep said books open from day to day, until ten thousand dollars of said stock be subscribed for, when the said commissioners shall deliver to such subscribers said books, and the subscribers shall then proceed to elect the board of directors as herein provided for, but ten days' notice shall be required for said election.

SEC. 8. If any person shall willingly do or cause to be done any acts whatsoever, to injure any machine, pipe or structure, or anything appertaining to the works of said corporation, whereby the same may be stopped, obstructed or injured, the person or persons so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine not exceeding three hundred dollars, or by imprisonment in the county jail for a time not exceeding one year, or both; *Provided*, That such criminal prosecution shall not in any way impair the right of said company for damages by civil action hereby authorized to be brought for any such injury aforesaid, by and in the name of said corporation, in any court of the State, having competent jurisdiction of the same.

SEC. 9. The said corporation is hereby authorized and empowered in its corporate capacity, to borrow any sum or sums of money from any person or persons, corporation or body politic of any kind, and make and execute in their corporate name, all necessary notes, bonds, writings or other papers, and make, execute and

deliver such securities in amount and kind, as may be deemed expedient by said corporation for all purposes, in carrying out the objects of this company; and the official acts of said company are hereby declared binding in law and equity upon said corporation, and upon all other parties to such contract.

How construed, &c.

SEC. 10. This act shall be favorably construed to effect the purpose thereby intended, and the same is hereby declared to be a public act, and copies thereof, printed by authority of the State, shall be received as evidence thereof, and the works of said company shall be completed within two years from the date of the organization of said company.

SEC. 11. This act shall take effect and be in force from and after its passage and publication.

Approved May 15th, 1858.

## Chapter 94.

*Published May 20th, 1858.*

An Act to appropriate to the Wisconsin Institute for the Education of the Blind certain sums of money therein named.

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

\$7,530 79 appropriated.

SECTION 1. There is hereby appropriated to the Wisconsin Institute for the Education of the Blind, the sum of seven thousand five hundred and thirty dollars and seventy-nine cents, for the purpose of paying the debts of the institution now due and payable.

\$5,000.

SEC. 2. There is hereby appropriated the further sum of five thousand dollars for the support of the said institute until the 1st day of February, A. D. 1859.

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

Approved May 15th, 1858.