

have power to connect its railroad with any other railroad in the state, and to operate the same in connection with such other railroad."

Approved March 2, 1864.

CHAPTER 113.

[Published March 12, 1864.]

AN ACT to authorize J. F. Kirkland to build and maintain a pier extending into Lake Michigan.

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

SECTION 1. J. F. Kirkland, his associates, successors, executors, heirs and assigns, are hereby authorized to rebuild and maintain a dock and pier extending into Lake Michigan, from the land now owned by said J. F. Kirkland, in the fractional southeast quarter of section twenty-three, town fifteen north, of range twenty-three east, in the city of Sheboygan, Wisconsin, and to make such rules and regulations for the transaction of business on said dock and pier, as shall be just and reasonable.

Authority to build pier.

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

Approved March 8, 1864.

CHAPTER 126.

[Published March 15, 1864.]

AN ACT to incorporate the Little Wolf river log-driving company.

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

SECTION 1. The following named persons, viz.: William E. Hanson, Eric McArthur, Charles Harrington, Joseph Porter, Hanes Hunter, Nelson Carter and James

Corporators.

Name and powers.

Micklejohn, and all such persons as shall hereafter become associated with them, by complying with the provisions of this act, as hereinafter contained, and their successors and assigns, shall be and are hereby constituted a body corporate, by the name and style of "the Little Wolf river log-driving company," and by that name be capable in law and equity of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all manner of actions and causes, contracting and being contracted with, may have a common seal, which they may alter at pleasure, and by that name shall be capable of purchasing, holding and conveying any estate, real, personal or mixed, for the use of said company.

Further powers.

SECTION 2. The said Little Wolf river log-driving company shall have power to borrow money, make and execute in the corporate name and capacity of said company to any person or persons, and acknowledge the same when it is required, in the form of law, deeds of conveyance, bonds, mortgages, notes and other papers of any kind or amount, as security for money borrowed, or for any debt due by said company to any such person or persons, to improve the navigation of the Little Wolf river, by removing obstructions, deepening the channel, closing up side chutes and side cuts leading into sloughs, making dams and erecting side booms to drive logs, timber, lumber, cants and shingle bolts, and all other powers requisite and necessary for the full and free exercise and enjoyment of all the powers and privileges granted to said company by this act.

Membership.

SECTION 3. Any person who is an owner of logs or lumber, or interested in lumbering on said river, may become a member of said company by leaving with the secretary thereof a written request to that effect, which shall be recorded by the secretary in a book kept for that purpose, and also kept on file; and any person may in like manner withdraw from being a member of said company, by leaving with said secretary a written request, which shall also be put on record and file, but no person shall withdraw as aforesaid without first paying or securing payment to said company of any debt or debts, assessment or assessments due said company from him.

Withdrawal from membership.

Board of directors.

SECTION 4. The affairs of said company shall be

managed and conducted by a board of seven directors, a majority of whom shall constitute a quorum for the transaction of business, who shall be elected annually by ballot, after the present year, by the members of said company, at such time and place and under such regulations as shall be prescribed by the by-laws or adopted by resolution of the board of directors; and it shall be the duty of the directors to notify the members of said company of the time and place of holding the annual meeting for such purpose, by publishing a notice thereof in some newspaper published in the city of Oshkosh, thirty days previously to such election, once a week; and no person shall be elected a director who is not at the time a member of said company.

Notice of meeting for election of directors.

SECTION 5. The seven corporators named in the first section of this act, viz.: William E. Hanson, Eric McArthur, Charles Harrington, Joseph Porter, Hanes Hunter, Nelson Carter and James Micklejohn, are hereby declared the first board of directors, whose term of office shall continue one year from the passage of this act, and until their successors shall be elected as aforesaid; and if for any cause an election shall not be held at the regular time prescribed as aforesaid, the same may be held at any other time upon thirty days' notice being given as aforesaid, and this charter shall not be impaired by reason of any irregularity or want of such election; and in case of a vacancy happening in the board of directors by death, resignation or removal, such vacancy shall be filled by the majority of the remaining directors of the board.

First directors.

Vacancies in board.

SECTION 6. The first board of directors, at their organization, and their successors in office, shall elect one of their number as president, whose duty it shall be to preside at the meetings of the board, and in case of his absence, the said board may elect a president *pro tem*. The president shall, in addition, perform such other duties and acts as may be prescribed by the by-laws or as required by the board of directors. The board of directors shall also appoint a secretary and treasurer, and may appoint such other officers, agents and laborers as they may deem necessary for conducting the business and doing the work, prescribe their duties and fix their compensation, and they may remove the same at pleasure. Should they think necessary, they may require bonds or sureties from any

President—his duties.

Secretary, treasurer, &c.

By-laws, &c.

such officers or agents. They may make and adopt all by-laws deemed best and necessary, and repeal any of such by-laws, audit accounts, control the funds and direct all the business of the company. The secretary shall keep a record of all proceedings of meetings of said company and of the board of directors, which shall be open to all members of the company.

Expenses of company—how apportioned.

SECTION 7. It shall be the duty of the directors, officers and agents of said company to keep a just and accurate account of all the expenses of said company, from time to time, and the same shall be justly and equitably proportioned among the owners of such logs, timber, lumber, cants and shingle bolts as are driven down said river by said company, according to the distance driven down said river, and the prices to be graduated by the directors, both as regards distance and the expense of driving; and if any owner of logs, timber, lumber, cants or shingle bolts shall fail or neglect to place his logs on or in the stream, the costs and expense of placing the same in or on the stream, shall be determined by the board of directors, and shall be added to the amount to be paid by such owner for driving his said logs, lumber, timber, cants and shingle bolts, which several amounts shall be paid or severally secured to said company within five days after such logs, lumber, timber, cants and shingle bolts shall reach the boom in Winnebago county; and the said company shall have a lien upon said logs, lumber, timber, cants and shingle bolts, of either kind, as will be sufficient to pay the proportion of expenses of placing on or in the stream as aforesaid, and in case of the failure of any person to pay or satisfy his proportion as aforesaid, within said five days, the said company may proceed after giving ten days' notice in like manner as is required for constable's sales of personal property, to sell at auction a sufficient amount of such logs, lumber, timber, cants and shingle bolts, of either kind, as will be sufficient to pay the proportion of the driving expenses, and any additional expense for placing such logs on or in the stream as aforesaid, which may be due from such delinquent owners.

By whom certain costs to be determined.

Lien.

Sale of logs, &c. for payment of expenses.

Between what points company may drive logs, &c.

SECTION 8. The said company shall have the right to drive down said river all logs, lumber, timber, cants and shingle bolts belonging to said company or any other person, company or corporation, which now are

or may hereafter be placed in said river, from upper sources to the boom in Winnebago county: *provided*, Proviso. *however*, that the owner of any logs, lumber, timber, cants or shingle bolts shall have no right to demand of said company that the same shall be driven by said company, unless such owner shall place his logs, lumber, timber, cants and shingle bolts in the main stream of the said river, or on the banks thereof, in a workmanlike manner.

SECTION 9. All persons hereafter placing or suffering their logs, timber, lumber, cants and shingle bolts in said river, to remain there in such a manner as to mix with the logs, timber, lumber, cants and shingle bolts belonging to said company, or any other person, corporation or company for whom said log-driving company may then be driving, in any general drive of said logs, timber, lumber, cants and shingle bolts down said river, shall be deemed to have consented that the same logs, timber, lumber, cants and shingle bolts may be driven down said river by said company, and shall be liable to pay said company the same proportionate prices for driving the same as are paid by the members of said company; and the said company shall have a Lien. lien upon all logs, timber, lumber, cants and shingle bolts driven down by them for such costs and expenses for driving the same, and may collect such charges in the manner specified and granted in the seventh section of this act.

SECTION 10. All resolutions and by-laws adopted By-laws, &c. by the directors of said company, shall be binding on the members thereof, and upon all persons or corporations for whom said company shall drive any logs, timber, lumber, cants and shingle bolts, but none of such resolutions and by-laws shall conflict with the constitution and laws of this state.

SECTION 11. That the board of directors of said com- Company mark. pany shall choose and adopt a company mark, which may be changed from time to time by said board, which said mark shall be put upon all logs, lumber, timber, cants and shingle bolts which may be found in said river, not in the actual possession of any person, without any mark upon the same; whereupon said logs Prize logs. shall be regarded as prize logs, lumber, timber, cants and shingle bolts, and may be sold at auction by said board of directors, and the proceeds of said sale be

placed in the general fund of said company, to be used for the improvement of said river, as specified in section two of this act.

SECTION 12. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

SECTION 13. This act shall take effect and be in force from and after its passage.

Approved March 10, 1864.

CHAPTER 131.

[Published March 16, 1864.]

AN ACT to incorporate the Yellow river log-driving association.

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

Who may become corporators.

Name and powers.

SECTION 1. Any number of the principal loggers on Yellow river, not less than five in number, in the counties of Wood and Juneau, may form themselves into a corporation under the name of the log-driving association of Yellow river, and whenever any such organization shall have been perfected according to the provisions of this act, such corporation shall have perpetual succession, and shall have and enjoy all the privileges, franchises and immunities incident to a corporation, and shall be capable in law of suing and being sued, pleading and being impleaded, prosecute and defend, answer and be answered, in any court of record or elsewhere, and to purchase and hold any estate, real or personal, and the same to grant, sell, lease or otherwise dispose of for the benefit of said association, to devise, use and keep a common seal, to make and enforce any and all by-laws, rules and regulations necessary to carry out the objects of said association, not contrary to the laws of the United States or of this state.

How association may be organized.

SECTION 2. Such organization shall and may be effected by a meeting of the incorporators, and the adoption of a written testimonial, declaring their intention, to be to form and organize themselves into a corporation under and in pursuance of the objects and provisions of this act, and specifying the purposes and name of