

corporate limits of the city, and in which not less than thirty children are taught, a common school: *Provided*, the teacher in said school should after examination by the commissioners be found qualified and shall keep his school according to the provisions of this act, and in conformity with the rules and regulations established by the board, and such school shall receive the same benefit from the funds raised for school purposes as any of the other schools authorized by this act.

SEC. 12. All laws or parts of laws, which are inconsistent with the provisions of this act are hereby repealed.

SEC. 13. The first appointment of commissioners under this act shall be made within ninety days after it shall have become a law.

SEC. 14. This act shall take effect immediately after its passage.

APPROVED February 3, 1846.

AN ACT authorizing proceedings in chancery against corporations.

BE IT ENACTED by the Council and House of Representatives of the Territory of Wisconsin:

SECTION 1. That hereafter proceedings by bill in courts of equity may be instituted and maintained by the Attorney General against any corporation; and such courts shall have power to restrain by injunction any corporation from assuming or exercising [any] franchise, liberty, or privilege, or transacting any business not allowed by the charter of such corporation. And if any corporation shall have directly or indirectly exercised any franchise or privilege, or done any act or thing not authorized by its charter, or shall have become insolvent, or shall have violated its charter, or any law of this Territory, by misuse or nonuser, it shall

be competent for such courts, and they are hereby empowered to declare the charter of any such corporation forfeited, and decree its final dissolution and order generally concerning the settlement and closing up of all its business and affairs.

Authority of
Court to grant
injunction.

SEC. 2. Whenever any court of equity shall have decreed that any corporation has forfeited its charter, such court is authorized to decree that such corporation be ousted and altogether excluded from its corporate rights, privileges and franchises, and that the said corporation be dissolved, and may grant a perpetual injunction against its thereafter exercising the same, except so far as may be necessary, in case no receiver is appointed to settle and close up its business and affairs; and such court may appoint one or more receivers, according to the usages of courts of chancery, requiring of them such security as it shall think proper, to take charge of its books, papers, property and effects, and to take an account, collect and make distribution among its creditors, and said court may enforce its orders and decrees by such process and proceedings as is authorized by law, and the practice of courts of chancery: *Provided*, That nothing in this act contained, shall be so construed as to cause a discontinuance of any suit pending for or against such corporation at the time of the decree for its dissolution, nor to prevent, in case no receiver is appointed, such corporation from suing and being sued to judgment and execution in like manner as if such decree had not been made.

Proviso.

Who may be
joined.

SEC. 3. In any suit hereafter commenced against any corporation, it shall be competent to join as defendants, in such suit, with any corporation, one or more of the stockholders, officers, agents or clerks of such corporation, and compel their answer on oath, to the bill filed in such suit, and all such answers shall be evidence against such corporation in the same manner and to the same extent as if such answers had been given upon an examination of such persons as witnesses in the cause; and all such persons may be subsequently examined as witnesses by either party, under the order of the court, or a judge at chambers, or upon the consent or request of the Attorney General: *Provided, however*, That every person so answering or testifying shall be wholly exempt and exonerated from any indictment or other criminal prosecution and from every action for any penalty or forfeiture for any act done or omitted, to which he may have been required to an-

Proviso.

swer, the doing or omission of which shall have been so confessed by him in such answer or testimony.

APPROVED February 2, 1846.

AN ACT to authorize school district No. 5, in the town of Elk-Horn, Walworth county, to renew a tax warrant.

BE IT ENACTED by the Council and House of Representatives of the Territory of Wisconsin:

SECTION. 1. That the trustees of school district number five in the town of Elk-Horn, Walworth county, be and they are hereby authorized and empowered to renew and re-issue to the collector of said district the warrant heretofore issued by them, to said collector, for the purpose of collecting moneys to build a school house in said district, with the original tax list made out for that purpose thereto attached, and said collector is hereby authorized to collect on said warrant so renewed, all sums of money specified in said tax list which are unpaid, together with interest on the same from the time said warrant expired in the same manner he might have done or was authorized to do under and by virtue of said original warrant, and in case the same cannot be collected of the personal property of the respective persons named in said warrant or tax list who should pay the same, then he shall make return of said warrant, as is now provided by law in case of warrants issued by trustees of school districts for the collection of taxes, and the sum unpaid shall be made of the real estate taxed therefor, and said warrant may be renewed by the trustees of said school district from time to time as often as may be necessary, in the same manner as is provided by law in case of like warrants.

Trustees may re-issue warrant.

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

APPROVED Jan. 31, 1846.