

now are, or hereafter may be made returnable at any time subsequent to the first day of July next, shall be considered as returnable at the term fixed in this act, for holding the summer term of said courts, and all adjournments, appearances, continuances, motions, and notices of any proceedings in said courts, which are made or taken to any term subsequent to the first day of July next, shall be held to be made, and taken for the time fixed, by this act, for holding the summer term of said courts.

SEC. 3. So much of the act entitled "An act relating to Judicial Districts" as fixes the times of holding the District Courts in the second Judicial District, as conflicts with the provisions of this act, is hereby repealed.

SEC. 4. This act shall take effect from and after the first day of July next.

Approved, January 13th, 1840.

No. 47.

AN ACT to incorporate and regulate public libraries.

*Be it enacted by the Council and House of Representatives of the Territory of Wisconsin as follows.*

SECTION 1. It shall, hereafter, be lawful for any number of persons, not less than ten, in any one county or town in this Territory, who shall subscribe not less than fifty dollars, to form themselves into a corporation, under such corporate name as they shall adopt, for the purpose of procuring and erecting a public library.

Ten persons may form themselves into a corporation.

Trustees.

SEC. 2. The said subscribers shall assemble at such time and place as may be agreed upon by a majority thereof, and elect not less than five nor more than seven, of their number, trustees, who shall hold their office one year, and until others are elected.

Other officers.

SEC. 3. The said trustees shall thereafter meet, at such time and place as they may agree upon, and elect one of their number president. They shall also appoint a Clerk, Collector, Treasurer, and such other officers as they may deem necessary, and prescribe their powers, duties and compensation, and remove them at pleasure, and appoint others in their places.

General powers and duties of trustees.

SEC. 4. It shall be the duty of the trustees to take charge of the monies, books, and other property belonging to the corpora-

tion, pass such bye-laws, as they may deem necessary for the admission of new members, the purchase of real and personal property, and the transfer thereof, the levying and collection of fines and assessments, the calling and conducting all meetings, the number of members that shall constitute a quorum, the number of shares that shall entitle the members to one or more votes, the mode of voting by proxy, and for the general regulation of the affairs of the corporation.

SEC. 5. Whenever the said subscribers shall be organized as aforesaid, they and their successors, and such other persons as may hereafter become stockholders, are hereby declared to be bodies corporate and politic, in fact, and in name, by the name and style they shall have agreed upon, as provided in the first section of this act, and by that name shall be in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended; in all courts and places, and in all matters and causes whatsoever, and shall and may have a common seal, and may alter and renew the same at pleasure.

Corporation may have a common seal, &c.

SEC. 9. The said corporation may purchase and hold personal and real estate to any amount not exceeding three thousand dollars in addition to the value of books.

May hold real estate.

Approved, January 13, 1840.

No. 48.

AN ACT in relation to Mills and Mill-Dams.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Wisconsin*, as follows: Any person may erect and maintain a water-mill, and a dam to raise water for working it, upon and across any stream that is not navigable, upon the terms and conditions, and subject to the regulations hereinafter expressed.

Mills and dams, where to be erected.

SECTION 2. No such dam shall be erected, to the injury of any mill lawfully existing, either above or below it, on the same stream, nor to the injury of any mill-site, on the same stream on which a mill or mill-dam shall have been lawfully erected and used, or is in the process of erection; unless the right to maintain a mill, on such last mentioned site, shall have been lost or

Existing mills and privileges not to be injured.