

his docket and all the papers relating to such matter or action, with a minute of his proceedings therein, to some other justice of the same town who may thereupon proceed to hear, try and determine such matter or action in the same manner as if such matter or action had been commenced before him and with like effect; but the parties to such matter or action, their agents or attorneys shall be notified of such transfer previous to any hearing or trial of such matter or action, and the justice having such docket may, whilst the same shall remain in his possession, upon request of any party entitled thereto, issue execution upon or give a certified transcript of any unsatisfied judgment appearing therein, with like effect as if issued by the justice so delivering such docket to him.

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

Approved May 20, 1903.

No. 56, S.]

[Published May 23, 1903.

CHAPTER 347.

AN ACT, to authorize certain corporations organized under the laws of this state, and located in border counties, to consolidate with certain corporations organized under the laws of any adjoining state.

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

Consolidation of, when authorized. SECTION 1. Any street or interurban railway company organized under the laws of this state, which has its location or principal place of business in a county constituting one of the border counties of this state, and which possesses the functions and powers of building, running, operating or maintaining a street or interurban railway, or of manufacturing, generating, transmitting, furnishing or selling gas, electricity or steam for lighting, heating or power purposes; or which possesses any combination or union of any two or more of the functions and powers aforesaid, may unite

or consolidate with any one or more corporations organized under the laws of any adjoining state, having its location or principal place of business in a county in such state adjoining such border county of this state, and which, under the laws of such adjoining state possesses any one or more of the functions and powers aforesaid, or any combination or union thereof; provided that no such consolidation shall be made or effected between corporations owning, maintaining or operating competing roads, lines, works, plants or business.

Agreement of directors, to contain what. SECTION 2. The directors of any such two or more corporations, so proposing to consolidate, may enter into an agreement for the consolidation of such corporations, prescribing the terms and conditions thereof; the mode of carrying the same into effect; the name of the new corporation; the location and principal place of business thereof; the number of directors thereof, which number shall not be less than three, and the names of those who shall be the first directors and who shall hold office as such until the first election of directors; the time and place of holding the first election of directors of the consolidated company, which time shall not be less than three no more than eight months after such consolidation; the general officers of such new company; the amount of the capital stock thereof; the number of shares into which the same shall be divided and the par value of each share; the manner of converting the shares of capital stock in each of the constituent companies, into shares in such new corporation, and such other details as may be deemed necessary to perfect such consolidation, or authorize or limit its bonded indebtedness.

Ratification by stockholders. SECTION 3. Such agreement shall not be deemed to be the agreement of such consolidating corporations until it shall have been ratified either by the vote of at least three-fourths of the capital stock of each of such corporations at a separate meeting of the stockholders of such corporation, held pursuant to a notice of the secretary thereof, stating the objects and purposes of such meeting, and which shall have been published at least once in each week for two successive weeks prior to such meeting, in some newspaper printed in the English language and published at the county seat of the county in this or in any other state in which such corporation has its principal place of business; or by the consent in writing to such agreement signed and acknowledged by all of the stockholders of any such corporation.

Agreement to be filed with secretary of state and register of deeds. SECTION 4. Upon the ratification of such agreement, in either of the modes aforesaid, by the stockholders of all of the corporations, who are parties thereto, such agreement together with every such consent annexed thereto, together also with, and annexed thereto a copy of the record of the proceedings had or taken at the meeting of stockholders of any such corporation for the ratification of such agreement as aforesaid, exhibiting the vote taken thereat upon the question of such ratification, certified to be such copy by the secretary of such corporation under the seal thereof; and also having annexed thereto a statement of the secretary of each such corporation, verified by his oath, setting forth the amount of the capital stock thereof, the number of shares into which the same is divided, the names of the stockholders and the number of shares held by each; and setting forth also in respect to any such consent of the stockholders of any such corporation that the same was signed and acknowledged by all the stockholders thereof, and in respect to the meeting of stockholders of any such corporation called for the purpose of ratifying such agreement, and so ratifying the same as aforesaid, that the persons named as present or represented at such meeting are the identical persons so named in such statement as stockholders therein, shall be filed in the office of the secretary of state, and a copy thereof, certified by such secretary to be such copy, shall be recorded in the office of the register of deeds, in each county of this state, in which any such constituent corporation has its principal place of business, and in the county wherein the location and principal place of business of such new corporation may be fixed by, or designated in such agreement, if that be a county in this state, other than a county in which one of said constituent companies has its principal place of business; and then and thereupon such consolidation shall be deemed complete. A copy of such agreement, so filed, and of the documents, papers and proceedings annexed thereto, and filed therewith, as required by this act, certified by the secretary of state to be such copy under the great seal of the state, shall be received in all courts of this state as prima facie evidence of the formation, existence and capacity of such consolidated corporation, in any suit or proceeding brought by or against the same, and of all the facts therein stated.

Powers. SECTION 5. Such consolidated company shall have and succeed to all the property, powers, rights, privileges, franchises and immunities possessed and enjoyed by the constitu-

ent corporations forming the same, which were organized under the laws of this state; and shall be charged with all their liabilities; and such new corporation shall be subject to all restrictions and perform all duties imposed upon it by the laws of this state, and shall be and constitute a body corporate, under and by virtue of the laws of the state of Wisconsin.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved May 21, 1903.

No. 44, S.]

[Published May 23, 1903.

CHAPTER 348.

AN ACT, to amend section 373a, as amended by chapter 53 of the laws of 1899, and section 373b, constituting the free library commission directing said commission to purchase and circulate traveling libraries and increasing the appropriation for said commission.

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

How constituted; officers; appropriations; office; printing, etc.

SECTION 1. Sections 373a as amended by chapter 53 of the laws of 1899, and 373b are hereby amended to read as follows:

Section 373a. The governor shall appoint two persons for terms of five years each, who, with the president of the university, the state superintendent and the secretary of the state historical society, shall constitute a free library commission. Appointments to fill vacancies shall be made by the governor for the unexpired term. The officers of the commission shall be a chairman to be elected from the members thereof for the term of one year, and a secretary not of its own number, to be appointed by the commission, and who shall serve at the will of the commission, under such conditions and for such compensation as to it shall seem adequate. Said secretary shall keep a record of the proceedings of the commission, keep accurate accounts of its financial transactions, have charge of its work in